

# THE SENATE DEBATES

(OFFICIAL REPORT)

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SECOND SESSION 1981 – 86

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## THE SENATE

*Wednesday, July 17, 1985*

The Senate met in the Senate Chamber, Public Buildings on Wednesday, July 17, 1985, at 11.20 a.m.

### PRESENT

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

His Honour Senator J. C. W. Wickham, M.B.E., (Deputy President)

Senator the Hon. N. A. Barrow, (Minister of Foreign Affairs and International Trade)

Senator the Hon. O'B. Trotman, (Minister of Health and Social Security)

Senator the Hon. C. A. Griffith, (Minister of State (Planning) and Leader of the Senate)

Senator J. E. D. Williams, (Parliamentary Secretary, Prime Minister's Office)

Senator H. R. Linton

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

Senator Miss J. Clarke

Senator Mrs. M. O. Reece

Senator E. E. Greaves

Senator W. W. Hall

Senator A. W. A. McClean

Senator Mrs. G. G. Reader, M.B.E.

Senator C. D. Seale

Senator the Rev. Canon I. McK. Jones

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

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

Senator J. E. Jordan

Senator H. E. Yearwood.

*Prayers were led by the Rev. Canon I. McK. Jones.*

### PRESENTATION OF PAPERS

SENATOR C. A. GRIFFITH: Mr. President, I am commanded to lay the following documents:

The Customs Tariff (Amendment) (No. 7) Order, 1985.

The Customs Tariff (Amendment) (No. 8) Order, 1985

The Civil Establishment (General) (Amendment) (No. 2) Order, 1985.

### MOTIONS RELATING TO THE BUSINESS OR SITTING OF THE SENATE AND MOVED BY A MINISTER

SENATOR C. A. GRIFFITH: Mr. President, there are a number of items that have been added to the Order Paper for today. We have two from last week and there are seven more which went through the Other Place yesterday. The reason for that is that there is a need to vacate the premises so that the renovations can be expedited.

We have a number of Resolutions and Bills which we will like to get through at today's sitting so that we can have an adjournment for the summer.

I would just like to draw to the attention of the Honourable Chamber the following items:

A Resolution to approve of the vesting in Carter Holdings Ltd., land at Wildey, St. Michael.

A Resolution to approve the Civil Establishment (General) (Amendment) (No. 2) Order, 1985.

A Bill to amend the Institute of Chartered Accountants of Barbados (Incorporated) Act.

A Bill to amend the National Insurance and Social Security Act.

A Bill to amend the Severance Payments Act.

A Resolution to approve the compulsory acquisition of land at Oistins, Christ Church, for environmental purposes.

A Resolution to approve the compulsory acquisition of land at Diamond Corner, St. Peter for recreational purposes.

I would like to crave the indulgence of the Chamber, since we would like to get all of these items disposed of in today's sitting.

Mr. PRESIDENT: I think you have to move the suspension.

SENATOR THE HON. C. A. GRIFFITH: I beg to move the suspension of Standing Orders 22(1) and 45(2) for the remainder of the day's sitting.

*Senator Greaves rose.*

Mr. PRESIDENT: You wanted to say something?

SENATOR E. E. GREAVES: Yes, Sir.

Mr. PRESIDENT: Well let me.....

SENATOR E. E. GREAVES: If it is a motion, could I speak on the motion, Sir? Sorry.

Mr. PRESIDENT: Let me propose the motion.

The Minister has explained why he would like to expedite the business of the House and deal with these matters today. It is up to me to test the feeling of the House in regard to dealing with these matters and I propose to do that, in a general way, before putting the question for the suspension of the Standing Orders.

Senator Greaves, you wanted to say something?

SENATOR E. E. GREAVES: Yes, Sir.

I heard what the Leader of the Senate has said relative to the reason for the Government wanting to get these matters through today's sitting. However, I do not accept that better could not be done.

There are seven additional items which we are asked to deal with today. I came in here just a few minutes ago and, for the first time, the very first time, I am setting my eyes on these Bills. These are important bits of legislation, and I do not think it is fair to ask myself or other honourable Senators to deal with them. They are complicated bits of legislation which I, and I believe all honourable Senators, would like an opportunity to go through the implications of, for instance, the Severance Payments legislation.

I do not think it is fair for the Government to come down today and try to push these matters through, irrespective of the reasons which have been given. If the argument is that these are budgetary matters, the Budget was delivered sometime ago, I believe in May or April, and there was enough time that the legislation could have been drafted and circulated to members before hand. The severance payments one is again the example.

As I said, the matters are not simple matters, they are complicated matters, and I think it would be unfair of the Government to run roughshod over the rights, certainly in this particular instance, of the minority. The minority have not been given an opportunity to examine these Bills.

I have not had a chance to look at these Bills. Senator Hall has not had a chance to look at these Bills. I do not know who else has had a chance to look at these Bills. I am not in a position to make an informed comment on them and it would be unfair to proceed with them today.  
11.30 a.m.

Mr. PRESIDENT: I am open to other views.

SENATOR J. C. W. WICKHAM: Mr. President, I see the point of Senator Greaves' comment, and I am persuaded that no harm will be done by dealing with those measures, of which we have given notice, which do not require detailed examination, and adjourning the Senate perhaps until next Wednesday, because the delay in the start of the operations to repair this place is not going to be substantially affected by the delay of a week. The Other Place has adjourned until September 24. In any event, the Senate cannot meet until after that, so it seems that we can give ourselves a little latitude by meeting next Wednesday.

SENATOR THE REV. CANON I. McK. JONES: I am one hundred percent behind Senator Greaves' comment. Unless the Senate is a rubber stamp, we will have to be given time to study these things. It is impossible to receive this this morning and have a debate on it where people can talk from a position of knowledge. You will have to do some reading and research before we can get on with this, and I think it would be unfair to ask the Senate to deal with this today. We can adjourn until next Wednesday, and if we cannot meet here, we can meet at some other place. There are some beautiful places in Barbados where the Senate can meet. We can meet at the Dover Convention Centre, for example. I would ask that we do not discuss this today.

*Asides.*

Mr. PRESIDENT: Order please.

SENATOR THE HON. C. A. GRIFFITH: We on this side take cognizance of the objections raised by other Honourable Senators, and we are going to propose that we postpone those items that are most contentious that would need a little studying, the Civil Establishments Order and the Bills to amend the National Insurance and Social Security Act and Severance Payments Act. We propose that we meet on Friday this week to finish the business of the Senate.

Mr. PRESIDENT: In view of what has been said, I would like to get a consensus that the Bills and the Resolution be postponed to be dealt with on Friday, and the Senate agreed to do the other items today. There is a proposed meeting of the C.P.A. on Friday, but I think that the Senate business will have to take precedence in view of our general situation.

Does that have the agreement of the Senate? I think we can take it that that is the consensus of the Senate.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, in that case we only need to move the suspension of Standing Order 22(1) for the remainder of today's sitting.

Mr. PRESIDENT: This is so that the items that have not been given proper notice may be dealt with today. This does not effect the Bills that you were talking about.

*The question was put to the Senate and agreed to.*

Mr. PRESIDENT: As the honourable member anticipated the items in the introduction, because he read everything out at the time when he was speaking, I can now ask that the Bills be recorded as having been read a first time.

#### PUBLIC BUSINESS

SENATOR THE HON. C. A. GRIFFITH: Mr. President, Sir, as I indicated last week, the two items on the Order Paper, the two Resolutions, will be done by Senator John Williams. The third item, a Resolution to approve the vesting of land in Carter Holdings Ltd., will be done by me. The Resolution to approve the compulsory acquisition of land at Oistins, Christ Church, will be done by Senator the Hon. N. A. Barrow. The Resolution to approve the compulsory acquisition of land at Diamond Corner will be done by me. We have five items which will be dealt with today.

The other items will be on Friday's Order Paper. The Resolution to approve the Civil Establishment (General) (Amendment) Order will stand in the name of Senator the Hon. O'B. Trotman. The Bill to amend the

Institute of Chartered Accountants in Barbados will stand in the name of Senator the Hon. N. A. Barrow. A Bill to amend the National Insurance and Social Security Act and a Bill to amend the Severance Payments Act will stand in the name of the Honourable Senator O'Brien Trotman for Friday's sitting.  
11.40 a.m.

#### COMPULSORY ACQUISITION OF LAND AT DAYRELLS ROAD, CHRIST CHURCH

*Order No. 1 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Dayrells Road, Christ Church for recreational purposes.*

SENATOR J. E. D. WILLIAMS: Mr. President, Government is seeking to acquire a parcel of land at Dayrells Road containing some 1877.51 square metres for the provision of recreational facilities for the residents in that area. In this regard, the provisions of Section 3 of the Land Acquisition Act, Cap. 228, have already been invoked.

The reason why we have had to identify this parcel of land for that purpose was that way back in 1981 the executors of M.M.L. Bryden, who is now deceased, had indicated to Government that it could use a portion of land at Dayrells Road, Christ Church, for the provision of hard courts for the area, but they made a stipulation that Government was to construct an access road to the site and to other lands belonging to the donor. It was decided subsequently not to pursue the offer due to the high cost of developing those lands, but to acquire an alternative parcel of land situated at Ventnor, also in the Dayrells Road area.

In the Dayrells Road area you will find the home of the Senators Club, which participates in the basketball competitions, and I dare say perform creditably at the national level. At present there are no facilities up there, and Government is seeking in acquiring this land to develop it and provide adequate facilities not only for the use of the club, of course, but also for the youth in the area. The National Sports Council is expected to start work pretty shortly, and as a result approval of Parliament is now sought for the acquisition of these 1877.51 square metres of land at Dayrells Road, and also that acquisition procedures may be finalised and the owners of the land duly compensated.

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

SENATOR C. D. SEALE: Mr. President, I support the Resolution, but listening to the Minister talk about hard tennis courts, I recall that I think it was in March 1976 two hard tennis courts were erected at Lowthers playing field and to this day a tennis ball has never been on them. At no time have anyone ever played tennis at

Lowthers, although those courts were there. It is quite close to my home, and I remember a big ceremony when the land was pushed away, and then they had another ceremony when it was finished. I think it was announced that it cost \$47 000, but none of the people up there have ever been able to do anything with them.

I am wondering if the Government does not consider erecting basketball boards on these courts that are there so that the people in that area can play basketball instead of attempting to play something they do not want to play, which I presume is the tennis. I wonder if the Minister would give consideration to having basketball replace tennis at Lowthers.

SENATOR E. E. GREAVES: Mr. President, I know that Senator Seale has a way of making interventions into debates to supposedly make the Democratic Labour Party look foolish, as if they do not know what they are doing.

I must confess that I am a little hazy about the locality of Lowthers, but I believe it is somewhere past St. Patrick's on that back road that could take you to the airport. The point is, it would seem to me that if the Democratic Labour Party, in its wisdom or otherwise, in 1976 constructed hard courts, I would imagine that they were constructed for people, and that people live around there, and if they were not used as tennis courts I believe the courts ought to be big enough that they could have been used as basketball courts. I am not aware that you need to dig up what has been put down for a tennis court in order to get a basketball court. If the size is large enough, then it is a question of making different markings on the surface to accommodate basketball.

The provision of recreational facilities for the people of Barbados is something which ought to be commended, and listening to presentations from the other side in previous debates I was under the impression that, based on what they were saying, the Democratic Labour Party did absolutely nothing, and I am a little surprised to hear that some courts were built in Christ Church.

Mr. PRESIDENT: I do not want to interrupt the honourable member. Usually — and we all know that what I am going to say is true — whenever we have debates on land acquisition members use it to go all over the place for all lands and areas not necessarily concerned with the particular thing. We have usually given them some latitude and let them talk in general terms of the principles of acquisition relating to something they are particularly interested in. Sometimes we can take it a little too far and I would like us to bring it back to what we are discussing.

SENATOR E. E. GREAVES: As I said, I have no objection to the establishment of the recreational facilities anywhere in Barbados, because I think that it is a commendable thing. One of the things, however, one has always got to look at is to ensure that there is proper planning involved and that we do not over supply these kinds of facilities. I know that there is the general tendency for every district to want its own recreational facility, and I think this is something which ought to be looked at. Wheresoever recreational facilities are established, they ought to be established — and I am speaking generally, in such a way that they can be used for many purposes. I think we have to look at the establishment of multi-purpose facilities, and I would hope that this kind of approach would instruct the policy of the Government. 11.50 a.m.

As far as the Lowthers arrangement is concerned, I am sure that these facilities — I have not seen them — would be large enough for a conversion to be made not only for tennis to be played, but that other sporting activities could be accommodated there. It seems to me to be such a reasonable position. I do not have to know the place to make that point.

SENATOR THE HON. N. A. BARROW: Mr. President, I am surprised that Senator Greaves did not let Senator Hall give the answer, because Senator Hall knows the answer to the point raised by Senator Seale. It is that the Sports Council is using an all-purpose concept in its approach to the provision of these facilities, so we no longer have the business of providing a court and saying it is for tennis and nothing else can be done. In fact, they have designed the stand which when you turn it one way would allow it to be used for netball, and when you turn it the other way would allow it to be used for basketball, so they have introduced a great deal of flexibility which was not perhaps present in the thinking at the time that Senator Seale was referring to. If Senator Greaves is saying that what we now need to do is to adopt this intelligent approach which should have been adopted perhaps nine years ago and therefore make usable what for all this time has not been usable, then all of us in here of course would agree.

The other point about his argument is that these recreational facilities are being provided in Dayrells Road which happens to be an area in which basketball has for a long time been a favourite sport, and I think it is true to say — is Senator Seale saying that he sponsors a team or two from the area? — that more basketball teams are based in Dayrells Road than at any other part of Barbados. Therefore, this is a very significant facility, because it is indeed a recognition of the need which has existed for some time for facilities of this sort in the Dayrells Road area.

Senator Greaves seems very touchy on the point, because he said that people would think that the

Democratic Labour Party did nothing at all in terms of recreational facilities. That is hardly really the point, because these same courts have been mentioned in here before and when Senator Simmons, as he was then, would occasionally read out the achievements of the Government in this field since September 1976, I believe he was always careful to except the provision of the courts at Lowthers. There were one or two other things: I think there was the pavilion at Lower Estate, St. George on the eve of the elections in 1976, there were the hard courts in Carrington Village on the eve of elections in 1976, there was the pavilion at Eden Lodge on the eve of the election in 1976. Senator Griffith, who has a rather detailed knowledge of the circumstances, refers to it as a hut. It is in fact not something that the community is proud of. I am also aware of that.

The point about Lowthers is that the main St. Patricks community lies generally to the west of where the facility has been provided, so that having provided the facility, you then have to pick up the community and carry it to the facility if you want it to be used. Really, that is the trouble with it. I would think we could find a place in St. Patricks reasonably easily, if you understand what the general St. Patricks area is like. I think it just happens to be one of those things where it was badly located, probably done in a hurry because you know it is election year — and things tend to get done in a hurry especially if you have not done anything at all — whereas we have been providing these facilities on an ongoing basis as a matter of course since 1976 September, and therefore we are less likely to be caught without a plan for any specific area. The point is that there is a more flexible approach these days and that is the answer to Senator Greaves' point. I think Senator Hall would agree.

SENATOR W. W. HALL: Sir, I am going to agree, but not necessarily with the Senator. I rise to support the Resolution because I feel that the area of Dayrells Road, and indeed the surrounding areas, for many years have been in dire need of a facility such as this, more particularly when we think in terms of the amount of youngsters who play a game like basketball in this area.

I know that Senator Seale has recently started to sponsor basketball, and he has actually sponsored some of the better teams, it is true, and the game will live as long as you get sponsorships, but one has to go back a lot further than a few months. Years ago, when basketball was in its infancy in Barbados, you had teams from the area by Dayrells Road and boys from these surrounding areas who played in a club called Lakers. Now even though the boys from Lakers play, I think at the university, and we do not see them play every day, seven days a week, I believe, Sir, that grass has not grown again on the spot that the Lakers used to play on. They played night and day, night when there was moonlight because there

were no lights, and perhaps that is why they were great players. The dedication exhibited there was something that had to be seen to be believed.

The Sports Council really, when I was on that Council, recognised the need for such a facility quite a long time ago. There is a gentleman called Mr. Grant from the area who has played for the Lakers and served, like I have, on the Basketball Association for many years, and I am sure that he would be very pleased, as indeed the people who live in the area, for this facility.

I am not going to talk about Lowthers at all, because I think the Resolution has to do with down the road there in Dayrells Road, and if you are going to think in terms of where to play a sport and what game is more suitable to Barbadian youth, one has to look, too, and see that there are many tennis courts in Barbados that are unused. I do not care who built them, I am saying that some of them are unused. When one looks at Culloden Farm — do not tell me that the Democratic Labour Party built it; I do not know — that has not been used really, and we have to think in terms of making facilities for the games that Barbadians play, and play well. I know that you will say to me that young Christopher Blackman, son of the Governor of the Central Bank, is a very good player, but he was not developed here — he has been playing in the junior circuit in America now for near on four years.

12.00 noon.

Barbadians play basketball very well, and we recognize the need for these facilities, and it has been my contention that the YMCA where they play is no longer adequate for basketball in Barbados. I know the Minister would get up and say, "Well, we have the answer for that, the indoor facility." But apart from the indoor facility, you would need some facilities in the districts where you can develop the talent which will go on to the indoor facility.

I do feel that the residents of this area will be very happy, because not only the Senators Basketball Team, but also Springfield hails from that area. Springfield is a very good side. Lakers, Springfield and Senators are the type of teams that have come out from the area. One only has to look and see what happens every evening in the neighbouring district of Paddock Road, just above the Garrison Secondary School. You find fifty or sixty boys playing every evening in rather cramped surroundings. These facilities in the neighbouring district of Dayrells Road will in some way lessen the burden and allow more and more youngsters to play the game.

I am not right now going to make a political speech as such. I am particularly interested in the fact that these facilities are put up, and — I alluded to this last week when we were talking about Black Rock — it is very

important that the people who are using the facilities understand that they have to look after them and not vandalize them. There was a facility at Ealing Park. People cut through the mesh wire so that cows and sheep could pass across the court. As ludicrous as that sounds, that is how people appreciate these facilities that are put up by successive Governments, I may add.

As a basketballer myself, not of great renown, but in heart, I am cognizant of the fact that we must provide these facilities for the youngsters, at all levels. The people of Dayrells Road and the surrounding areas deserve a facility more so than any other part of Barbados, when it comes to basketball, because that area is the cradle of basketball. When I was on the Sports Council, there was a little difficulty in getting it to fruition. I am happy to see that a lot of the seeds sown by people have now begun to spring and bear fruit.

The people of the Dayrells Road area not only deserve it, but I do feel that they will make maximum use of it. Barbados I hope, will benefit, because it has always been my contention that, with adequate coaching, Barbadians will go a long way, even in terms of playing at the highest level. And now that basketball has been included in the last few Olympic Games, I see the day when Barbados will be sending not only athletic squads to the Olympics, but, if Senator Seale continues to sponsor the three teams he says he is sponsoring and the game continues to prosper, also some basketball teams to the Olympics.

SENATOR THE HON. O'B. TROTMAN: I am only entering the debate to help Senator Seale, who obviously knows some of the facts about the basketball facilities and the lawn tennis facilities, but not all of them.

Basketball used to be played at the lower end of Lowthers for several years until the owners prevented Crusaders Club from playing there. I took basketball to St. Patricks many years ago when I used to be in the game. Not like Senator Hall, with some credit I used to be in the game.

*Laughter.*

SENATOR THE HON. O'B. TROTMAN: I took basketball to St. Patricks with Crusaders and we played there for several years until the owners of Lowthers stopped us from playing there.

It would appear to me that in 1976, when the then Minister of Agriculture or something thought he was in danger, he obviously forced the sports people into rushing a hard court in St. Patricks. They put down the wrong court, because it was basketball we wanted and they put down lawn tennis courts. Nobody in St. Patricks, or within a mile of St. Patricks, had a lawn tennis ball or a

racket. So they put down the wrong kind of courts and then they put them the wrong place, they got everything wrong! It was an attempt to save the poor Minister of Agriculture from Mr. St. John. But it would have taken a lot more than one court in the wrong place to save him at the time.

*(Aside: Keep politics out.)*

Mr. PRESIDENT: Let us really try and keep to this Dayrells Road Resolution.

SENATOR H. E. YEARWOOD: Mr. President, I rise to support this Resolution also. More than anybody else in this Chamber, I am aware of the need for this facility, because for some time I have been living in the Dayrells Road area. For some years now, the same basketballers have been bombarding the MP of the area, Mr. Forde, and being President of the constituency branch there, I have also had some of the request for these facilities.

I am very happy to see that they have now found it possible to put these facilities in the Dayrells Road area. Christ Church West perhaps has the greatest number of basketball players in this island, and very good ones. This makes me very, very happy indeed and the representative for the area would be even more happy to see that, at last, something has been done about relieving the congestion at the facilities which we now have.

These courts will go a long way to help the youth in the area. I believe the Government has done a lot to put these recreational facilities at the disposal of the youth in this country and I think that we should be happy to see this done.

SENATOR J. E. D. WILLIAMS: The point raised by Senator Seale was answered by Senator Barrow, that there must be some thought and judgement on the part of the Government of the day, and the respective Ministries, when you construct facilities.

12.10 p.m.

Senator Yearwood made the point that, for a long time, the M.P. for the area, Hon. Henry Forde, has been asking Government to provide facilities for the basketballers in the area. It would be remiss of me if I did not stress the point that it was mainly through the efforts of the M.P. for the area that the need for the facilities has been impressed on the Government. I dare say that if under trying conditions we have produced very good basketballers from that area, the standard of the game and the standard of the players will improve with proper facilities.

As far as basketball is concerned, I believe that it has continued to develop, and what is required now is the

much talked about indoor stadium. Government has continued to assist the Y.M.C.A. with funds, in as much as the Y.M.C.A. has been assisting with worthwhile activities over the years. But as far as basketball is concerned, I do not believe that it can develop at the stage where we can become that competitive, both at the regional and international level, if we do not have a proper indoor stadium. I was very pleased when the present Minister indicated a few weeks ago that things have begun to crystalize and that in the not too distant future, in a very short time, we will see the beginning of that indoor stadium. The whole sporting community is waiting anxiously for the indoor stadium and I think that Government can be complimented.

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

COMPULSORY ACQUISITION OF LAND AT  
CHURCH STREET, SPEIGHTSTOWN,  
ST. PETER

*Order No. 2 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Church Street, Speightstown, St. Peter, for environmental purposes and for future commercial development.*

SENATOR J. E. D. WILLIAMS: Mr. President, as part of Government's rehabilitation programme following the October-November 1984 floods in St. Peter, Government undertook an operation aimed not only at rehabilitating the flood victims but also to improve the general conditions within the Speightstown area. It was necessary for Government to enter on certain properties in the Speightstown area – or course, with the owners' consent. There was debushing and site clearance in that area, and a decision was taken to demolish some derelict buildings on these properties with a view to enhancing the Church Street/By-Pass area. The owners also gave approval for Government to remove the buildings on the lands.

The properties affected by this Resolution are, some 201.4 square metres belonging to Mr. Cardinal Rollock, 106.1 square metres belonging to Mr. Lincoln Rollock, 207.3 square metres belonging to Mr. Oswald Perkins, 60.4 square metres belonging to Mr. Fitzroy Pickering, and 312.4 square metres belonging to the estate of Alberta Boxhill, who is now deceased.

It was also considered that, apart from enhancing the general landscape of the Church Street area, the demolition and removal of the buildings would allow for better visibility for those pedestrians and motorists entering on the Speightstown By-Pass Road from the Church Street area.

These properties are also earmarked in the Speightstown Development Plan for redevelopment for future commercial purposes in that area.

It is felt, however, that in as much as the Government has already entered on the properties and carried out a significant degree of work in the area, proceedings in terms of negotiations should continue and some agreement should be reached between the owners and Government over compensation.

The Resolution seeks approval for the compulsory acquisition of these properties so that acquisition proceedings may be finalized and the owners duly compensated.

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

SENATOR E. E. GREAVES: Mr. President, I am glad to see that Government is attempting to do something to deal with this problem of enhancing the area described in the Resolution and as indicated by Senator Williams. However, there are a number of things which bother me about this particular Resolution and about the Government's policy regarding the area concerned and the persons who were affected in the flood of November last year, and also the approach which the Government is using to ensure that, as far as humanly possible, there is not a similar re-occurrence.

Based on what Senator Williams has said, the Government's programme is debushing, site clearance, the removal of derelict buildings and, generally speaking, enhancing the general landscape. The problem which arose, and which can easily arise again, has to do with flooding in the area, and I would have thought that the Government, based on the experience which the people in the Speightstown area had last year, would have taken the opportunity to outline a comprehensive programme to deal with the problem of flooding and the question of drainage.

We have not heard what the Government proposes to do to meet the problem of drainage, and I believe it is a fundamental problem. It is true that debushing did not take place for a number of years since the Barbados Labour Party came into Government in the gullies coming down from up St. Andrew, right down through the Whim, and right into Speightstown, and that that led to a lot of the problems. But I think that there still remains a fundamental problem, apart from debushing and site clearance, which has to be dealt with. The Government has to address itself to this problem, otherwise, we can have a similar occurrence.

The people in that area has had a nightmare, and I am told that some of the persons who have been affected up to this point have not had their problem dealt with. Their houses, which have been taken down, are still in Spring Hall yard, and they really do not know what is happening. Houses were built but most of them are still

unoccupied. As a matter of fact, I am sure that if you had passed on the Speightstown By-Pass on your way to Heywoods or anywhere up north on the day before the by-election in November, you would have seen that there were scores of people working all sorts of heavy duty equipment clearing roads, with Barber Green being put down on mud. There was a hive of activity. You could not even pass the road. Of course, the election was the next day or the next two days. But to this day the houses, some of which I understand have been completed, remain unoccupied. This is a slap, an insult, to the people in Speightstown. A number of people whose houses have been affected and have been removed from the area are still lodging in Haynesville and in a number of other places. People want to know what has happened to their properties. I am saying that in the context of Senator Williams' comment about the rehabilitation which the Government has done, and is doing, for the flood victims.

12.20 p.m.

More directly to the point which I began, this whole question of how does the Government proposes to deal with the fundamental problem of the gullies which empty, as it were, into Speightstown, and into the sea right across by the fish market, I have not heard the Government outline any policy other than the debushing, site clearance and the removal of derelict buildings. The problem is more fundamental than this, and the sooner a plan is devised to deal with this problem the better it will be. I expect that the Government will in reply be in a position to give us some detail on this.

That is not all. There is a bridge which was broken down in the flood in November over on Heywoods side. As far as I am aware, that bridge has not yet been repaired. You cannot get into Speightstown from Heywoods side, if you go via Sand Street. You have to approach it from the Church Street side, and if you are leaving Speightstown and you have to go to St. Lucy, you cannot come right through Speightstown, you have to come back up Church Street and go across the Speights-town By-Pass Road, unless you are walking.

It is high time that that bridge should be fixed, and I am urging the Government to fix that bridge. I know that, in typical fashion, they will fix it on the eve of the election. Maybe when an election date has been announced you will see so much activity down there that the bridge will be functional and operating, I suppose, on the day of the election, and maybe it will break down a couple of days after, but the point is that people have to be treated better than this. It is an insult to the people of St. Peter to treat them in the way that they have been treated as far as these services are concerned.

That is not all either. For some time I have made the point, and concerned people have made the point, that the Speightstown By-pass Road is in need of proper

lighting. Once more, I would like to send out an urgent appeal to the Government to provide street lights on the Speightstown By-pass Road. It is very dangerous driving across there at night, and particularly soon after the rain has fallen. You can hardly see. The Government ought to show a little more humanity in this area, and I would hope that the Government would find it possible to have street lights installed on that road, from the beginning of the road right across to Heywoods.

Furthermore, as part of the development programme for that area, I would like to once more urge the Government to examine the possibility of putting street lights at the junction where Church Street meets the Speightstown By-pass. The last time I raised that matter in here Senator Trotman gave me the assurance that this was part of the Government's programme and that it would soon be done. That was over a year ago, so it is a question of how soon is soon. Enough accidents have taken place on the Speightstown By-pass and at that junction to justify the establishment of street lights and the putting down of stop lights in that area. I hope that, in spite of the fact that the Government does not always listen to everything I have to say, on this particular occasion they would pay some attention to this humane appeal from a concerned citizen. It is a humane appeal from a concerned citizen.

SENATOR THE HON. C. A. GRIFFITH: Mr. President, I do not know if I am bringing tales out of school, but I know that Senator Greaves is suffering a bit of physical discomfort and I believe it is clearly reflected in some of the things that have been said in the last few minutes or so.

(SENATOR E. E. GREAVES: I just told him that my stomach was a bit upset. Is that something to bring in here?)

SENATOR THE HON. C. A. GRIFFITH: One would have thought that everyone would have appreciated the difficulty we had last year with the flood. Everybody knows that the kind of flooding you had in Speightstown last year was a once in a 25 year occasion. I do not believe that there is any kind of engineering activity in Barbados, or elsewhere in the Caribbean, that could have dealt with the problem we had, of millions, of gallons of water gushing down by the minute in Speightstown. We heard all kinds of ridiculous assertions at the time. We heard that the late Prime Minister had caused the flood so that we could win a by-election. But it was clearly demonstrated by the people themselves in St. Peter that they appreciated the humane work of the Government, and the timely work that had taken place under the aegis of the Government after the flooding.

There have been several misrepresentations made about the situation in Speightstown. Suffice it to say

that a study has been done of the entire area, an engineering study has been completed, because we have to take into consideration some of the difficulties that occurred at the time of the flooding. We cannot solve the problem to deal with millions of gallons of water a minute, but we can look at the alleviation of some of the difficulties that people have suffered.

On the other hand, the area of Speightstown has been targeted for a considerable amount of development. Some has already been taking place. There is a new bus terminal being built in Speightstown for the Transport Board — Johnson International No. 2, like Fairchild No. 1 — and a lot of work is going on down there right now. There is a plan to build a Speightstown fish market. The whole of the Speightstown Fisheries Project has already been approved by the Planning and Priorities Committee of the Government, and that will be taking place very very shortly, just like the Bridgetown Fisheries Development Project. So the minor things — indeed if you want to call them messes of parochialism from the goodly Senator — really are all coming within the ambit of the whole development thrust in the area. A study to look at flooding as it affects the By-Pass Road, the new Transport Board bus terminal, the Speightstown Fisheries Development Project, all of these will be dealt with.

I thought he said street lights on Church Street and so on but he corrected himself and said a traffic light. I believe he means a traffic light.

*Aside.*

SENATOR THE HON. C. A. GRIFFITH: Okay, I can take that point.  
12.30 p.m.

It has been noticed that the Government has taken steps to put in street lighting on these expressways. We have done it on the Spring Garden expressway, \$400,000 in lighting was spent on the Spring Garden expressway, so it means that we are cognisant of the difficulties that people have been experiencing on these expressways. We are now taking steps to do the same thing at St. Barnabas and the By-pass Road, so this is nothing new. If you drive past Heywoods, you will see that the Government now is earmarking sites for more housing development, so the area is not neglected, but it has to come within the ambit of a comprehensive study, and not only has it reached the study stage, but aspects of the study have been implemented and are being implemented as soon as possible.

SENATOR C. D. SEALE: Sir, I support the Resolution, but I have a question for the Minister. Speightstown has been declared subject to Development Duty as a result of the establishment of the Heywoods Holiday Village, and the rate of duty on the capital gain is 50 per cent. I am wondering whether the vendors of this land

will now be called upon to pay this tax. Looking at the Act, I do not get the impression that it can be waived, and I am wondering now if you are acquiring the land from these people you are going to take away half of what they get as a tax.

Regarding the tax itself on Speightstown, Senator Griffith just mentioned that the area is very much earmarked for development, but it is going to be difficult to get private sector development in Speightstown with such a high rate of development duty. Government should give consideration, if it is necessary at all, to having a rate of Development Duty tax on the Speightstown area that would at least be reduced significantly.

SENATOR THE HON. N. A. BARROW: Mr. President, I had intended to let most of this pass, but the fact of the matter is that the Land Development Duty Legislation, I think it is 1963, quite clearly was devised to deal with the fact that land which may be valued, let us take any figure, at \$1.00 per square foot as a result of massive expenditures from the public purse, having escalated to a value of, let us say, \$5.00 per square foot, that escalation is the justification for that land being put under a Land Development Order. I cannot see how it can be reasonable for anybody to argue that if in one part of the country, applying the principle that if Government has expended massive sums of money in order to enhance the value of the land, the owner should not then take an undeserved capital gain, but that the Treasury should to some extent be reimbursed, and then talk about exempting Speightstown or any other part of the country.

I think once we think it through — Speightstown or Trents indeed, since Trents is in St. Lucy and Senator Greaves knows St. Lucy — there is absolutely no way in which one can argue logically for the release of Speightstown from the Order. I am sure that if Senator Greaves should walk the streets of Speightstown and look at the lands we are talking about, nobody is going to boo him like they booed him down in Trents. The fact of the matter is that we either are going to have....

*Asides.*

Mr. PRESIDENT: Order. The Standing Orders do not permit honourable members to interrupt when another member is speaking.

(SENATOR E. E. GREAVES: I am sorry.)

Mr. PRESIDENT: Just do not say you are sorry and do it again. That is what little children do.

SENATOR THE HON. N. A. BARROW: I am sorry, Sir. I thought the noise was coming elsewhere. I did not believe that we were being subjected once more to that kind of manners from that source.

The fact of the matter is that we either recognise that the legislation is to prevent anyone taking an unfair advantage of Government expenditure, or that this legislation then should be removed entirely and let us have an open day for everybody. I do not really think that Senator Seale's point there, attractive though it might appear on the surface, is in any way one that we can admit.

There has been much talk about street lights. There has been a street lighting programme for the entire country under Cabinet consideration very recently, and in relation to Highway 1, — it is not only the Speightstown By-Pass which has come in for consideration — all of us who have to travel on Highway 1 from time to time will no doubt be pleased to know that that area by Sandy Lane, which has been so dark and dangerous for so many years, is also going to be properly lit. That has been one of the more dangerous areas, because people travel on foot between the hotels and the restaurants in that area, and it is extremely dark. That area is also going to receive special attention.

I do not know why it had not been done before, between 1961 and 1976. That is a dark period, and we cannot deal with that. Since 1976 it has not been done because there has been the argument about the technical difficulties, because of the fact that the utilities are run underground at that point. But the Minister of Transport and Works, Mr. Johnson, has decided to treat that as a special project and to have that area lit, as it deserves to be. It should be one more bone to stick in the craw of people like Senator Greaves.

SENATOR J. E. D. WILLIAMS: Mr. President, the few points that were raised by Senator Seale and Senator Greaves mainly were addressed both by Senator Griffith and Senator Barrow. The only point that remains outstanding has to do with the issue raised by Senator Greaves relating to flooding in the Speightstown area.

Government is fully conscious that there was the need for a study of the area. CERO was well placed to look at it, and I am happy to say that a report is ready and the report also will contain a number of recommendations. I want to allay the fears of Senator Greaves that Government has done nothing. We are very concerned that that area can be subject to flooding again, and we will be looking at the recommendations, and those that can be dealt with immediately, we will proceed in that manner.

*The question that the Senate concur in the Resolution was put to the Senate and agreed to.*  
12.40 p.m.

## COMPULSORY ACQUISITION OF LAND AT OISTINS, CHRIST CHURCH FOR ENVIRONMENTAL PURPOSES

*Order No. 3 was called — To move the passing of a Resolution to approve the compulsory acquisition of land at Oistins, Christ Church for environmental purposes.*

SENATOR THE HON. N. A. BARROW: Mr. President, this is a matter of some delicacy. It concerns the purchase on the seafront of Oistins of a property comprising 535.2 square metres of land. The property was then demolished and a concrete block building was then begun on this piece of land, its external walls having reached ring beam level. It is a property with a frontage of 20 metres along Highway 7, and the sea, which forms the southern boundary, is approximately 2.1 metres below the level of the road. Town Planning permission had been given for a change of use, on 23 September, 1983, from residential to laundering offices and a small addition to facilitate the proposed uses. Then, the building was demolished and a new structure started, which was not within the ambit of the Town Planning permission. The Chief Town Planner, therefore, instituted enforcement proceedings, and a new application was to retain the building for laundering offices. The Chief Town Planner at that point did not settle it by himself, he referred it to Cabinet. Cabinet, having had a complete look at the entire circumstances, which indeed suggested that the developer had been given to understand that he had a fuller permission than in fact he had, and bearing in mind the undesirability of having that building located for that purpose in that spot, decided that the new application should be refused and that the Government should acquire the property.

The matter has progressed to the point where there has been a valuation. I am sorry, Sir, but I thought I had taken the plans out — and an offer in keeping with that valuation has been made to the owner of the land. As is customary, the compulsory acquisition notice has been put on the land. In the meantime, if the Government and the vendor arrive at an agreement, then that is what will be paid. If not, as is provided in Cap. 228 of the Laws of Barbados, it will then be a matter for the court to settle.

The decision has been that, for environmental purposes, it would be undesirable to have this enterprise located in that place. All members of the Chamber will, I am sure, recognize the land if we think of Southern Plaza. Just south of Southern Plaza, you can see what building works went on. It is a very easy piece of land to recognize.

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

SENATOR J. C. W. WICKHAM: Is it proposed therefore that that acquisition will enable the existence of a window to the sea?

SENATOR THE HON. N. A. BARROW: Yes, Sir. That is in fact, as I understand it. The building works that are currently there will be demolished.

There is something I should have mentioned. One of the real concerns of Government had been the discharge of chemicals from the laundry into the sea. This really means that the initial Town Planning decision of change of use really seems to have been a strange one. The intention is to remove the building works from there and leave it open.

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

#### COMPULSORY ACQUISITION OF LAND AT DIAMOND CORNER, ST. PETER FOR RECREATIONAL PURPOSES

*Order No. 4 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Diamond Corner in the parish of St. Peter for the provision of recreational facilities.*

SENATOR THE HON. C. A. GRIFFITH: Mr. President, this matter concerns the acquisition of a plot of land measuring 18 371.7 square metres from Welch-town Plantation Limited, in the parish of St. Peter, for the purpose of providing recreational facilities.

This area the Diamond Corner area in St. Peter, at present is devoid of any suitable recreational facilities. The only facility which is nearby, the nearest one indeed, is about two kilometres away at Boscobel. It is therefore proposed to utilize the land for the development of a playing field. It is also planned to put hard courts and a pavilion in the area. It is anticipated that these facilities will serve the needs of the residents of not only Diamond Corner, but Moore Hill and surrounding districts.

The National Sports Council is finalising plans to develop the area.

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

SENATOR E. E. GREAVES: Mr. President. I wonder if Senator Griffith would indicate to the Senate what is the present use of this land. Is this rab land, pasture land, or agricultural land?

SENATOR THE HON. C. A. GRIFFITH: The land is a piece of agricultural land of very poor quality and identified by the people in the area for the specific purpose.

*The question that the Senate concur in the Resolution was put to the Senate and agreed to.*  
12.50 p.m.

#### VESTING IN CARTER HOLDINGS LTD., OF LAND AT WILDEY, ST. MICHAEL

*Order No. 5 was called – To move the passing of a Resolution to approve the vesting in Carter Holdings Ltd., land at Wildey, St. Michael.*

SENATOR THE HON. C. A. GRIFFITH: Mr. President, this Resolution is about the exchange of plots of land between the Government and Carter Holdings Ltd., which needs parliamentary approval. The history of this is that a company, called Carter Holdings Ltd., about four years ago purchased 6 675 square metres of land at Rendezvous, Sargeants Village, abutting and abounding Highway 6. The expressed purpose at the time was to expand the lumber and hardware facilities of the company, but, as it turned out, this land is part of the land being acquired by the Government for the construction of the Airport to West Coast Road.

The company, Carter Holdings Ltd., has informed the Government that, rather than accept financial compensation for the acquisition, they would prefer an exchange of land, preferably in the Wildey area, where there is a lot of business activity. Government has land in the Wildey area of about 10 872 square metres, it is quite close to the National Petroleum Corporation, at the Wildey Junction. The Government has approved the request of Carter Holdings Ltd. for the exchange of the parcel of land.

Because of the difference in sizes, obviously there is a difference in the cost of the two pieces of land. The parcel owned by Carter Holdings Ltd. is valued at \$130 000 while the government's land is valued at \$300 000. The company has agreed to the terms and conditions of the exchange and has undertaken to pay the government the difference, \$170 000, in the value of the two parcels of land.

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

*The question was put to the Senate and agreed to.*

#### SUSPENSION

Mr. PRESIDENT: The Senate earlier agreed that we could resume this sitting on Friday, July 19. It seems to

me that, in view of what is on the agenda and the fact that we have a C.P.A. meeting scheduled for later Friday afternoon, it would be expedient to suspend until 10 o'clock rather than 11 o'clock a.m.

This sitting stands suspended until Friday, July 19, at 10 o'clock.  
12.55 p.m.

#### ON RESUMPTION

Mr. PRESIDENT: This sitting is resumed.

#### CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) (No. 2) ORDER, 1985

*Order No. 6 was called - To move the passing of the Resolution to approve the passing of the Civil Establishment (General) (Amendment) (No. 2) Order, 1985.*

SENATOR THE HON. O'B. TROTMAN: Mr. President, permanent and pensionable posts in the Public Service are created by Orders made under the Civil Establishment Act, and from time to time as Government business expands and changes, it becomes necessary to make amendments to the Civil Establishment Order. Today's amendment affects several departments, mainly the Police, Welfare, Department of Inland Revenue, and it also seeks to establish two new departments, the Licensing Department, which is now in the Pine, and the new Ministry of Environment.

Numbers seem to suggest, Sir, that we have some 263 established teachers in Barbados and the Order provides for an additional amount. We have some 657 established posts in the General Service and at present we have 1487 temporary posts. With the passing of the amendment to the Order this morning, it is hoped that several of these workers who are now holding appointments in the 1487 temporary posts will have an opportunity to get permanent employment in the Public Service and have some security of tenure.

I just want to turn my attention quickly to the question of appointments, because with the passing of the Orders, we also expect the Public Service Commission to make appointments as quickly as possible. No appointments have been made over the last year or so because of the pending amendment to the Pensions Act. That Act has been passed and given the consent of the Governor-General and, therefore, persons who are holding temporary appointments and awaiting appointments from the Public Service Commission will now get those appointments. It is hoped that by the end of this year, some 900 persons in the Public Service will have the appointments, and this will reduce the number of the temporary workers in the public sector.

There are always going to be some temporary workers in the public sector for various reasons; reasons of vacation, sick leave, temporary projects and study leave. There are all kinds of reasons why there will always be a number of temporary posts in the Public Service, so it is not going to be possible to prevent some people of remaining temporary. Even if we established all the posts that they are holding, the point is that when the very people go on vacation, we will have to take on temporary workers to fill their posts. So there is always going to be some group of persons who will have to be contented with temporary appointment while the people holding permanent posts go on secondment or are doing other duties.

I beg to move, Sir, that the Senate concurs in the Resolution to amend the Civil Establishment Order.

SENATOR E. E. GREAVES: Mr. President, I think it can be said that from time to time the Public Service will have to look at its organization and its personnel. Indeed, I believe that for the last two years or so, those of us who pay attention to matters relating to establishments have become very concerned about the high percentage of people in the Public Service who were in acting positions, or temporary positions, even though it was clearly established that there was a need for such posts. One can very well recall the famous joke, I suppose you can call it a joke, which was going around the Public Service years ago - indeed it was under the administration of the Democratic Labour Party - when one public officer described I think the Court Departments as Hollywood, where people had been acting for a long time. I believe that a similar situation has arisen during the administration of the Barbados Labour Party, with large numbers of people who were acting or in a temporary position. The fact that it has been calculated that there is over 1400 temporary posts in the Public Service, and that this Civil Establishments Order will seek to have 900 of those persons get permanent appointment, clearly indicates that there is further room for establishing some permanency in some of the positions in the Public Service.

Security of tenure in jobs is extremely important, because, in a way, if a worker is in a job and he is in a job on a day-to-day basis, then it must affect in some way his productivity and, as I understand it, the situation still applies in the Public Service that if you are in a temporary position, the employer has the right to terminate your service at one day's notice and the employee has a similar right that he can leave at one day's notice. The point is that that kind of situation does not hold good for any kind of morale or productivity, and, certainly from the point of view of the Democratic Labour Party, we are happy to see that the Government has seen the point that we have been making on this matter and have seen it fit to come down and at least establish 900 of these posts.

This brings me to the Police Force. From the way in which we saw the situation developing in the country with the rising of crime, the tremendous responsibility which has been placed on the shoulders of the police, and the inadequacy of the numbers in the Force to deal with these many problems, we in the Democratic Labour Party felt that there was a need to increase the establishment over there. You can very well recall that, in that famous debate on crime which took place in the Lower House less than a year ago, the former Prime Minister, and I believe the former Attorney General, were quite adamant that there was no need for an increase in the establishment in the Police Force. The argument which was advanced was that a number of duties had been removed from the police, and, therefore, a number of people who were performing immigration and some other duties which were formerly done by the police were now done by the Civil Service. In truth and in fact, with all of that, it was still very clear that there were a number of areas where the police had been falling down, and it was clearly established that it was as a result of an insufficiency of numbers over there. I am not at all suggesting that numbers is the only answer to deal with a particular problem, but I believe that the Police Force, with additional numbers and with the expertise which it has at its disposal, and indeed with some measure of goodwill from the public, would be able now to deal with problems which it has to deal with, because there is no doubt that there has been growing concern about the inability of the police to deal with certain areas of criminal activity in this country.

10.15 a.m.

I can assure the members of the Police Force, the Commissioner and all of the officers, that they have the complete support of the Democratic Labour Party in ensuring that this country remains a safe and a relatively crime free country, particularly for citizens of this country and, of course, for those people who from time to time will visit our shores. We are glad that our appeals for some attention to be paid to this area; some consideration to be given to it, have not fallen on deaf ears, and that the Government has responded in a positive manner. One would only hope that, as soon as the usual formalities have been gone through for getting these positions established, the authorities will move with expedition to ensure that appointments are made to the various positions and the various vacancies are filled, and that they would not have a situation where there are long delays in filling these posts.

This brings me to another point. I seem to have heard somewhere along the line that, as a result of these arrangements, there will be an additional 150 people added to the Force. At present, it is my understanding that there are some youngsters who have recently passed out of the Regional Police Training Centre but they have not yet received their numbers, and they are still carrying

the term "special constables". Senator Trotman has indicated by a wave of his hand that this is going to cover this arrangement. I am glad for that, because it is a question of how people feel when they are in a position of security. I have to make this point over and over again, that the question of security of tenure is of extreme importance, because once people are in a working situation and they feel that they are secure in their jobs, their productivity will increase with the kind of leadership, of course, and example, which is very important, coming from their superiors.

Senator Trotman made reference to the fact that this new establishment will make arrangements for two new departments, the Licensing Department and the Ministry of the Environment. I want to turn my attention very briefly to the Ministry of Tourism and the Environment. It seems to me that there could very well be some problems in the administration of some laws which span Health, Environment and also the Ministry of Labour. Take the Factories Act. Under that Act there are certain provisions which are made for the Ministry of Health and the Labour Department to administer. I believe that if you examine the Factories Act you are going to find that some of the responsibilities which have been transferred from the Ministry of Health to the Ministry of the Environment may very well cause some confusion. I happen to be a member of the National Advisory Commission on Occupational Safety and Health, and in looking at the Factories Act we have found that there could possibly be some difficulties there. I want to urge the Government to ensure that there are not any jurisdictional problems arising in the administration of this, and if they foresee any, that the amending legislation should be brought as soon as possible. One wants to see a smooth transition, and I hope that the entire arrangement has been thought through and that we do not have these kinds of difficulties arising in the future.

The environment is of extreme importance, and one would hope that, now that there is a department which has the responsibility for the environment totally, we would see a more concerned approach being adopted towards environmental problems. We are a developing country and we are exposed in a number of ways to all sorts of environmental problem. We import quite a number of chemicals into this country. They are put into use and I dare say that in a number of areas these chemicals have not been completely tested and the general impact on the human system is not entirely known.

I would like to urge the Government to be very very careful in exercising its jurisdiction in this particular area. Certainly one would not want to have a Bhopal situation as developed in India developing here, but when we get into the use of chemicals — and I do not want to scare anyone, I do not even want to call names — but I am sure that one would understand, for example, that the

Bayer company in Lowlands is using very very dangerous chemicals and questions have been raised about the disposal of the waste. It is frightening.

One could also refer to those companies which use TDI — it has a long chemical name which I do not quite remember — which is a very serious substance, and it is used in the manufacture of foam. There are about two or three companies around here which use that substance. I very well recall that when the Barbados Workers Union was looking at this matter, when the factory was operated in Grazettes, we found two very interesting things. One was that there was a fairly high percentage of those workers who developed chest problems, and when they talked, they were chesty, wheezing and this kind of thing. It is true that we did not have the benefit of scientific analysis in this particular matter, but I am fairly sure that it was as a result of exposure to that substance. Also, it was established by people who were living in that area that a lot of the vegetation in that area was adversely affected because of the emptying of some of the gas into the atmosphere. I am told that there is up in Lodge Road, or there used to be, I am not sure what is the position now, the escape of some gases from one of the factories up there, and the effect on the environment was such that it was affecting the vegetation in that area.

10.25 a.m.

All of these are environmental matters, and I am raising them, because, more and more, one will find that we are going to move into industrialisation, and as we become more industrialised, the pressures will be on us maybe to go in for more chemical type operations, because, believe it or not, the developed countries where possible, because of their very high standards for environmental, safety and health matters, will try to export a lot of these factories into developing countries. Developing countries need the jobs, they need the investment and there are some countries which do not particularly care about the nature of the investment. As long as they can at the end of a period show that they have employed 25, 30 or 40 people, or 4 000 or 5 000, as the case may be, that is all they are concerned with. They are concerned with showing the employment figures, how many people have been employed as a result of a particular operation, and my plea, therefore, is for us to be very careful in this kind of investment, and, if it does have to come, that the utmost care and attention and indeed study be paid to these areas.

I welcome the establishment of the Ministry of the Environment. I hope that it will be staffed with the kind of people, the quality people, which will enable it to do an effective job. It is a highly technical area, and I hope that, at least, there will be provision for the creation of posts, the appointment of technical people in these posts, and that there will be proper training made available to these people, because, as I said, we cannot under-

estimate the value to all of us in this country of a healthy environment.

In looking at the posts which have been created here, I notice that they are mainly of a clerical and administrative nature, not of a professional or technical nature, so in the creation of the Ministry of Tourism and the Environment, I would like the Government to pay some attention to this. I may very well be nearly too late, but not too late, and I hope that we will really see some attention being paid to this. I think all developing countries ought to be concerned about this area, and Barbados being the kind of country it is, it is a country which lays a lot of store on tourism, and more and more one will find that tourism will play an important part in our development. Not only for tourism, but also for those of us who are citizens of this country and who have to live here, we ought to be more than concerned with this, and whereas I welcome the establishment of this, I am a little concerned that I do not see in this the kind of direction which would make me feel that the Government is taking a very serious look and would be channelling the development of the department in the direction that would be required in this modern age.

SENATOR J. C. W. WICKHAM: Mr. President, at the risk of repeating some of the arguments used by Senator Greaves, I wish to lend such support as I am capable of to his plea for care of the environment, especially in relation to the physical environment. Environment has much more than the physical aspect to it, but he was concerned with the physical environment.

My own experience of the pollution which is sometimes present in the manufacture of many of the more sophisticated forms of insecticides and pesticides is very personal and very real. Two or three years ago, I came across an article in an English magazine in which a substance used in the preparation of an insecticide, which is very popular in Barbados, had been banned both in England and in the United States because it was toxic. I called up the people who represent that firm here and they did not even know, so they said, that that substance was being used in the manufacture of this particular insecticide.

Barbados is a member of the FAO, and the FAO publishes periodically a complete list of all the substances which are used and which have been banned, or which you have to use with great care. That list, I presume, is available to some particular department of Government. I am not at this moment criticising the efficiency of the arrangement, but what I mean is that the information is available. The knowledge that these substances exist and are used in the manufacture of a particular product is available, and yet the commercial representatives — I wanted to say something that is rather too strong — of the guilty people, did not know, and, amazingly enough,

the Government department which is in possession of this FAO material was not able to help me at all.

SENATOR H. R. LINTON: Mr. President, I wish to take this opportunity to join with all those who would congratulate the Government on the relatively swift action it has taken in seeking to create permanent positions in lieu of the acting appointments which have hitherto existed. This system of acting appointments has a history dating back prior to 1976, because this Government has taken some serious steps since 1976 to correct such defects as have existed prior to that time. Because of certain technical difficulties we could not move at a faster speed, but I think it is well known, the interest this particular Government has in seeking to ensure that those whom it employs can enjoy some degree of security of tenure in the form of employment.

It is obvious why persons would wish to be permanently employed. Their ability to raise loans very often depends not only on the type of employment, but on the permanency or otherwise. Whether these loans be hire purchase loans, or car loans, or mortgage loans, lenders, mortgagors, or what have you, are always somewhat reluctant to make loans if the prospective borrowers cannot satisfy them that they enjoy a certain degree of security of tenure in the office of their employment. I am very, very familiar with this, both in my professional capacity and from the point of view of several persons with whom I come into contact when I am out on the street canvassing and making my intentions known.

10.35 a.m.

It is a cause of worry to persons who are employed, whether or not their services will be terminated, and, therefore, whether they will suffer any financial hardships. I am sure that such persons will welcome this development. I trust that the Government will carry on in this vein and that wherever it becomes obvious that a particular post will be utilized for some time, the temporary post will be converted into a permanent post. I have no doubt that that would be the situation.

I note, with some satisfaction that two Para-Legal Assistants will be attached to the Revenue Department. It may not be such common knowledge that the Community College offers a very, very good course, to those who wish to be trained as Para-Legal Assistants. I have come into contact with several of such trained persons, and I am satisfied that they leave the Community College not only with a full grasp of basic legal principles, but also with a fairly good working knowledge of practical law. They could be of invaluable assistance to departments which require preliminary legal advice and quite often have to send it to the Attorney General's Chambers or to a private lawyer. Legal matters which are not of great substance arise sometimes and they just want some person with a trained eye to render the advice which is

required. It could be frustrating when one has to wait until the Attorney-General or a private lawyer has to give legal advice on a matter that is really fundamental, rudimentary.

I was wondering whether or not my friend, Senator Williams; who has responsibility for the Immigration Department, did not think it wise to request the services of a Para-Legal Assistant. I note, however, that he is being allowed four Immigration Officers, Grades 2 and 3. I believe that he could take the opportunity to recruit as one of those officers a person who has undergone para-legal training at the Community College. If he experiences any difficulty recruiting such a person, I know of two up in St. Philip who can be of great assistance to him, and I would have great pleasure in recommending them to him to fill such a post.

Seriously, very often the Immigration Department requests submission of affidavits from persons who have simple queries and the officers in the department not being trained para-legal assistants or indeed lawyers have to go right through the line and get legal advice on what is very often a simple matter. Sometimes, the name on the Birth Certificate differs from the name on the Baptismal Certificate. These are simple legal matters that could be dealt with by a para-legal assistant. There is some need in the Immigration Department for at least one para-legal assistant, and I repeat that I am quite willing to recommend a suitable person from St. Philip, if the Minister of Immigration is so minded.

There are, of course, other departments which can do with the services of para legal assistants.

SENATOR THE HON. N. A. BARROW: On a point of elucidation, Mr. President: Do I understand Senator Linton to be advocating appointment of para-legal assistants in circumstances where there is no attorney to supervise the work? I am a bit lost, Sir.

SENATOR H. R. LINTON: That is quite possible, Mr. President. Some of the legal problems encountered in departments require someone with a basic knowledge of law. The point is that you do not require the advice of a fully-trained lawyer. If you have someone who is trained in drafting affidavits, that person can perform the function that the department requires. If, for example, you go to a private lawyer's office, you will more often than not find that his Law Clerk does that. Very often they do not have to be vetted by the lawyers. And it saves time. I have no doubt that a person trained in para-legal work at the Barbados Community College is quite competent to vet affidavits, to prepare them and to advise the department that they are in order. I give affidavits as an example, but very often, they are simple matters which require a trained eye, that is, trained in basic legal principles, and very often do not require the full advice of a fully-fledged attorney.

I almost called him my learned friend, forgetting he is not a fully qualified lawyer....

*Laughter.*

SENATOR H. R. LINTON: ..... but if my friend and colleague, Senator Barrow, would recall ....

*Laughter.*

SENATOR H. R. LINTON: ....years ago, there were in fact, several persons performing the functions of attorneys-at-law who were not qualified attorneys-at-law, and who were subsequently made attorneys-at-law by statute, but they were fully competent to perform the duties. So I do not see anything wrong with a para-legal assistant vetting an affidavit. It is well known that you do not have to go to university to know what an affidavit is.

*Asides.*

Mr. PRESIDENT: Order, order.

SENATOR H. R. LINTON: I do not see the argument as being dangerous at all. I do see that they are functions that para-legal assistants can properly perform without being supervised by an attorney-at-law. I am not asking that they be called upon to give legal advice. What I am saying is that they can do things like vetting affidavits, and I am positive about that. I would like Senator Williams to give some consideration to that.

As the police are concerned, I, like Senator Greaves, am extremely happy to see that the complement of police officers has been increased by what is a fairly substantial number, 150. I hope that some of the officers would be used to further establish I think what was called the Resident Beat Officers Scheme. I feel that that system is a very good system and it should be fostered and encouraged. I would like to see it extended more vigorously to the country parishes, particularly those country parishes in which the parks, gardens and developments have now been established.

The olden, golden days where the village policeman was a man who came from the village are over. I do not expect every policeman operating in St. Philip, for example, to be a resident of St. Philip or to be born in St. Philip, but I would want to see at least, the Resident Beat Officer be a man from St. Philip. The reason for that is quite obvious. He would know the people and he is likely to get co-operation.

I would also like to see the system of the Resident Beat Officers on bicycles again. I think you can learn a lot more if you are travelling in that exposed manner, than if you are driving a police car or a police van. I enjoin

the Commissioner of Police to investigate the possibility of providing more Resident Beat Officers and equipping them with bicycles. I was going to advocate horses again, but it would be more expensive to keep, maintain and train the horse than it would be to maintain and keep a bicycle. I would suggest that we revert to the system of bicycles.

10.45 a.m.

To turn my attention to the Ministry of Tourism and the Environment,.....

*Asides.*

SENATOR H. R. LINTON: I heard a voice on my left saying "Parks and Beaches." It is now the National Conservation Commission, and I intend to see it that way.

I am happy to see that the staff of the Ministry has been agreed upon and that they will now enjoy security of tenure *vis-a-vis* establishment of their particular positions. I can foresee, however, that it may become necessary to increase the staff of the Ministry of Tourism and Environment at a very rapid rate in the not too distant future. I have no doubt that the Minister is in full control of the situation, and I am very pleased at the manner in which he has been running the Ministries. He has certainly achieved a degree of co-ordination in terms of the several boards and departments which fall under his Ministry, which was perhaps unthinkable. I feel, however, that if his Ministry does not already have a fully functionable research department, the time is not far off when such a department will be necessary.

At least, as far as the National Conservation Commission, which falls under the Ministry of Environment, is concerned, that department has certain developmental plans which have begun to take off. Actually, we are taking off tonight. Tonight, commencing at 6 o'clock, the National Conservation Commission is having a dress rehearsal on night tours. We are providing night tours every half hour from 6 p.m. right through to 10 o'clock. Those persons who have been fortunate to be invited tonight, and I do believe Senator Greaves will be among them, will have the opportunity to observe the manner in which the night tours will be conducted. We have developed a scenic walk and we are tying in these night tours with a buffet-styled dinner. I can see that if we can develop this further, we will have to do some serious research, which will be tied in with the Sanitation Department and the Ministry of Tourism.

The first commercial night tour will be conducted on July 26, that is on Friday.....

Mr. PRESIDENT: Senator Linton, do you really think that these details are relevant?

SENATOR H. R. LINTON: Well, may be not, Sir.

We are also looking into the possibility of developing the National Park, and we are looking, as I said, at two ends. We are also looking at the Underwater Park and the Graeme Hall Swamp, and I can see that it is going to be absolutely necessary for the Ministry of Tourism and Environment to be provided with a fully functionable research department which can assist us in working out the best strategy for fully and seriously exploiting all of the revenue earning, social, and other potential with the development of these areas, including the night tours at the Cave which will commence on July 26, and will benefit not only tourism but the country.

I am very pleased with the manner in which the Government has moved to establish these positions. I hope that we will carry on in this vein and that those persons who have been acting for any length of time will have their positions permanently established, so that they can be as happy as anybody else.

SENATOR H. E. YEARWOOD: Mr. President, I would like to congratulate the Government on something which has been needed for a long time, that is making permanent these several posts which exist in the Government Service. I think we should all be proud that the Government has seen it fit at this stage to make permanent the posts of 900 persons by the end of December.

This is a very good move. It has been a sore point for a very long time, and many people who have been in the Government Service have been making a lot of complaints about this situation over several years. It is not something which started with the Barbados Labour Party. As you know, this has been going on, and Senator Greaves quite rightly said that some years ago some Government departments were referred to as "Hollywood." Unfortunately, nothing was done to stop this acting, and I feel very proud of this Government that it has now moved to make these posts permanent. It makes a lot of difference in the lifestyle of a lot of these persons because they can now be assured that they can get mortgages and various loans. It seems to me that many of these persons in the appointments were denied loans from various banks.

The police should be particularly happy with the new move. I was very pleased the other evening when the Commissioner of Police was interviewed. You could see how pleased he was to make the point that he had got another 150 officers to help to fight crime in this country. It is true that crime, as he reported, is down but I think another 150 policemen will make a lot of difference. It was said that 1200 policemen would be sufficient to police the entire country, and I think that by the actions

of this Government the complement of the Police Force is very near to this. The Police Force has got a lot of the equipment which they have been trying to get for a lot of years, and this is something which should go to the credit of this Government. The Resident Beat Scheme, which was brought in not too long ago but was suspended with these extra officers coming into the Force, could be introduced once more.

This Government has done more, I believe, for the police than any other Administration. They have built new police stations. As you know, there is a police station at Oistins which they call, "The Hotel". There is the new District 'A' Station, which is a very good building, up in Station Hill, and I think there is supposed to be a new building put up very shortly at Charles Rowe Bridge. The Government has done a considerable amount for the Police. I hope that soon they will be able to do more, but, as they say, Rome was not built in a day.  
10.55 a.m.

Turning to the environment, there are several of the officers in the Public Health Engineering Section who have been on a lot of courses, and the Government, of course, looks forward to the improvement of this section. There are a lot of very dangerous chemicals which are used in this country with the new industrialisation, and a lot of the officers are trained to make sure that the safety of the environment is maintained. I know particularly industries are visited from time to time by these officers to make sure that tests are carried out. So that the chemicals are not getting into the water supply, and to monitor the manufacturing processes where noise and dust are very much a threat to the health of the workers.

SENATOR Miss J. CLARKE: Mr. President, I think it is a very happy day for us when the Government is able to move with such speed towards the correction of a problem which has been with us for a long time. We know that there have been technical difficulties which have made it impossible for the creation of additional posts in the Civil Service for a long time. Now, having overcome those hurdles, it is very heartening to find that, within a matter of months, we will have increased the establishment by some 900 posts. I am sure that the unions and associations which represent public workers must be very happy today and will now feel inclined to do all in their power to stimulate a new spirit towards improving motivation and job satisfaction. We all know that it is a very unhappy position for a person to be in if they cannot be sure that their jobs are going to be their jobs for any length of permanency, and therefore I am happy to support this Resolution, and to say that, like those other people who recognise the difficulties, the world was not made in a day, and the day has now come when certain corrections can take place.

In so far as the increase in the Police Force is concerned, we must acknowledge that the Police Depart-

ment is receiving the largest number of new posts. I think that this is wise, I think that this will now make it possible for the department to ease the load on the Force, and hopefully to applying new programmes, new techniques towards improving the successes which they have to strive for in the fight against crime.

Like others who have spoken, I also look forward to the resuscitation and the expansion of the Resident Beat Scheme, since I think that such a community-oriented approach is very necessary if we are to help our young people, and our older folk as well, keep on the straight and narrow path. I would hope that under this scheme we could see some new emphasis being placed — which was introduced many years ago — on the Police Girls' and Boys' Clubs.

There has been some mention of the environment. The very fact that we have with us now a Ministry of the Environment is an indication of recognition of the need to police this area. The concerns expressed by Senators Greaves and Wickham, I think, are well taken, and one would hope that that department will move with all speed to ensure that there are no weaknesses in our midst which could lead to tragedies of any sort. In terms of imported products, it will obviously be necessary for that department to ensure that the business community is aware of the dangers which exist, and if necessary, it will have to move to ban such products which are imported and which may be dangerous to the community.

I notice that there seems to be a disappearance of the Women's Bureau. This must be a mistake. I have not been able to see whether it is absorbed in any other section of the document, and I would therefore like to ask the Minister to clarify that, since I feel that it is a very worthwhile bureau, one which needs to be encouraged and expanded.

SENATOR C. E. JEMMOTT: Mr. President, I too, would like to congratulate the Government for having the Civil Establishment Order amended so as to make provision for people who are acting in jobs. As Senator Greaves quite rightly said, in the days of the former Administration it was mentioned that some of the Government departments were like Hollywood, and I am glad to see that the Hollywood stage has passed.

I am glad to see that the Police Force is being strengthened with numbers, and I would like to appeal to the public to give the police their co-operation and goodwill. Recently, they have been under fire by people accusing them of brutality and other things like that, and even some responsible people in the community have been subscribing to that. I am appealing to them to give the police a chance. Quite rightly, I heard it being said that the lawyers in particular have been doing it, and it is the lawyers from certain political parties that are

perpetuating that sort of attitude where the public is concerned.

11.05 a.m.

At the QEH, you have nurses who have been acting for over a period of ten years. You cannot expect people to give of their best when they are not sure of their security. I hope that Government will expedite the permanent appointment of these nurses, and others in other departments that are relevant and that is needed.

I am sorry we do not have some department to teach some of us manners in relation to some of these asides I am hearing.

*Asides.*

SENATOR W. W. HALL: Sir, I am waiting on Senator Jemmott and Senator Greaves. The cross talk.

Mr. PRESIDENT: Just a minute, Senator Hall. You have to address the Chair.

It surely should not be necessary for me to keep repeating that the Standing Orders do not permit these interruptions. It is, apart from being bad manners, against the Rules of the House. Members must not interrupt other members when they are speaking. They can rise on points of order.

SENATOR W. W. HALL: Thank you very much. No one has interrupted me yet; it is just that I felt I could not start until I had some peace of mind. What I have to say is not too controversial, although it might enlighten the dark corners of some people's minds.

I am very happy today that the Government has acceded to the numerous requests of the Democratic Labour Party to make these appointments in the Public Service. I know that one will say that under the Democratic Labour Party regime there were a lot of acting appointments, too. At least two speakers have alluded to the fact that the Port Department was called Hollywood. I think it is a good thing that we have now passed that stage, because when you have, as I understand it, some 1 487 temporary posts in the Public Service, you must have some remedial action, and since 900 posts now are made permanent, I would think it is something good.

If a person is acting for four months or six months, you will find that the worker tends to impress or tries to impress. He does his best in the job, ever hopeful that he would satisfy his superiors to such a degree that it would be automatic when the time comes for him to be appointed. If, however, the appointment is not there because they are not satisfied with his job content, then he has to take remedial action. He can try and improve on his work output, and by so doing you will find that

he hopes that within another four or five months his superiors would see it fit to appoint him. But when you are in an acting position for many years, as Senator Clarke said, there is no job satisfaction. That is one main ingredient in the managerial structure where you find that people hanker to have job satisfaction. Unless you are satisfied in your job, you will probably find that people become rather neurotic and bury themselves in trouble making, and you will find that the work place then is one of turmoil.

I feel that the fact that we have been able today to have this legislation before us is a good thing. We have to, however, look at the diversification of employment opportunities in the public sector. We have to watch the growth carefully, because we can see what happens in cases where the economy is very tight. It was tight lately in Jamaica and they had to tighten their belts, and in so doing they cut back on their staff to the extent of 26 000 in the public sector. That is one thing that I think we should watch carefully.

We have to really look and be satisfied with the appointments in some very crucial departments. When one looks at Tourism and the Environment Ministry, I think Senator Linton alluded to the fact that you may need more staff. I tend to concur that you may need more staff in that department, but you only need more staff if you have a comprehensive plan, and you are able to take the staff to carry out that plan. As you know, a bad plan is better than no plan at all, but if you do have the comprehensive policies which must be pursued, it is a fair argument to say that you will need even an increase in this work force.

The Customs, another crucial area, Income Tax, and I must not forget the Ministry of Health and the Land Tax Department, those are areas where it is fair to say that it is a good thing to see that the people have been appointed in these areas. As I said, it is not only for their own peace of mind, not only for their security. I think it was Senator Yearwood who said that people who are in acting positions do not particularly get loans as easily, this is true, as people who are in permanent positions. After all, banks do need some sort of security in terms of giving people loans, and I think that this has been one grey area in the Public Service over the years, where you found that the people in acting positions were just going through the motions, as it were, because there is no confidence as you approach your job, and when that happens, nearly all is lost. One has to understand the philosophy that if you eat a lot of food today, it does not necessarily mean that you will not eat tomorrow. You do have to eat again, and if a man is working today and not working tomorrow, the obvious confusion sets in.

Senator Clarke wondered if it was a mistake that the Women's Bureau had disappeared. I would hope not, and on behalf of the ladies of this country I hope to God that it is a mistake. If it is a mistake, as the fellow said, mistakes must be detected and, of course, they must be corrected. I am assuming it is a mistake, so when the Minister speaks he will be able to tell us exactly where it is now located and whether we can with some degree of certainty be happy in our minds that the Women's Bureau is still intact and everything is okay.

What is the situation with the National Youth Service? For three or four years I have been continuously asking about this, because I feel that the youth of this country need a very good chance in life. They need to be trained properly, they need opportunities, which we as youngsters did not have, to cope with this turbulent world.

11.15 a.m.

I do not know if the Director of the National Youth Service is now redundant or not because I have not heard anything coming from the Government side in the last two years as to what is happening. In the Throne Speech by the late Governor-General, two years ago, it was said that things were progressing quite well. In the Budget Speech last year, I queried it and I was told, to the best of my memory, that things are progressing. Since then, I have not heard a word about it, and I am just wondering. While you are replying to Senator Clarke on the Women's Bureau, perhaps you could say something about the National Youth Service and whether the Director is still working and whether that staff down there is redundant or whether they have been transferred somewhere else.

Mr. PRESIDENT: Just a minute, Senator Hall. Just to save time, because it has been repeated, if you look at the Order itself, on page 5, you will see, right at the bottom, "Delete 'Welfare Department'.....and substitute the following:" Under that is, "Women's Bureau".

SENATOR W. W. HALL: Sir, that is rather enlightening and perhaps that is for Senator Clarke's elucidation. But certainly I .....

(SENATOR THE HON. O'B. TROTMAN: And yours!)

SENATOR W. W. HALL: And yours, too!

Mr. PRESIDENT: Order, order, order, order. Let us get together on this.

SENATOR W. W. HALL: Yes, Sir. Let the President adjudicate here, Sir.

I am very happy that that is the situation with the Women's Affairs. All I would like to know now is what is the position with the National Youth Service, the Director, for instance? What has happened? Is the National Youth Service still going on or is it defunct?

SENATOR M. O. REECE: There has been much discussion on chemicals. The Sanitation Service Authority has been concerned about this for some time. I hope that next time a measure comes down that we would see the wardens being appointed. SSA has been asking for these wardens for a long time to help to curb the illegal dumping. Some of these industrial estates are guilty of this offence, and we could certainly do with these wardens.

SENATOR THE HON. N. A. BARROW: Mr. President, if I take the last point, made by Senator Reece, first, it seems to me that, unless we are talking about wardens to be appointed in the Government as part of the Civil Establishment, I have some difficulty understanding how it fits into this debate, because I thought that the wardens Senator Reece is talking about were to be employees of the Authority. In that case, if they are, then, perhaps, it is a matter of when the negotiations with the Ministry is completed, the Authority being funded to do the particular job.

The NCC does have wardens of one sort or other, rangers, I think, in relation to the beaches, so I am not sure what we are dealing with. I want to know whether the wardens that Senator Reece is talking about are to be members of the Civil Establishment or whether they are to be employees of the statutory corporation. Then I will be able to understand the point.

Apart from that, Sir, I am happy that you made the point about the Women's Bureau, because that point took me entirely by surprise, since I thought, that, by now, it was a matter of common knowledge that in the Cabinet reshuffle, the items on the Information side of the Ministry of Information and Culture remained with the Ministry of Information and those that were in the Ministry of Culture that asked went to the Ministry of Education, which became the Ministry of Education and Culture. Youth, Community Development and Women's Affairs went to the Ministry of Labour, which lost its social Services element, and that Social Services element went to the Ministry of Health. To the best of my knowledge, all of the Welfare aspects went from that Ministry to the Ministry of Health.

The only subject relating to that area which some people will argue might have gone to Health would be the matters relating to the Child Care Board. On the other hand, it was evidently felt that where Youth and Community Development were, the matters relating to the Child Care Board ought properly be. One can look at it one way or the other, but certainly there could not be

the slightest doubt that the Women's Bureau was transferred to the same Ministry to which Youth and Community Development went. There never has been any doubt, about that, and I am amazed the question could come up.

The other point which I heard heavy weather being made of was a point being made by Senator Hall about job satisfaction. I understand all the reasons for increasing the Establishment. The basic reason is that where it is clear that a post is going to be a permanent feature, then that post should be put on the Establishment. Where there are posts, such as a number of posts relating to project management, which will exist for the life of a particular project only then such a post could not possibly be put on the permanent Establishment because its term of life is finite, the term of its life is easily determined.

I think we should be careful, therefore, not to make points relating to job satisfaction. I think if Senator Hall thought about it a little longer, he would recognize that you can experience job satisfaction and not be appointed in a particular post. As a matter of fact, there are many instances where people seek to be permanently appointed or wish to have the posts they are in established because of the factor of job satisfaction which really makes them want to remain in that particular employment environment. It is not, therefore, in my view, correct to suggest that if you are acting in a job, you cannot be experiencing job satisfaction. The two things really do not relate. You can be permanently appointed to a post and not experience job satisfaction, and you can be acting in a post and still experience job satisfaction. The facts in making these posts permanent are quite different from that.

I really cannot agree that Government ought to make provision on its Establishment for para-legal assistants in circumstances where there are not attorneys-at-law directly available to supervise the work.

SENATOR H. R. LINTON: On a point of elucidation; Mr. President: Senator Williams assured me that there is at least one trained para-legal assistant on his staff, and other members of his staff are encouraged to seek the training at the Community College. So, it does happen.

*Laughter.*

SENATOR THE HON. N. A. BARROW: That may be a point of information, but the point is obviously a point of irrelevant information.

If I happen to hold a law degree, as I do happen to this does not mean that I am appointed to give people legal advice. In fact, a lot of people who have such qualifications are well advised, more often than not, not to

give people legal advice. Unless you are being employed in that specific capacity, you run the risk of being your own lawyer, and you know what they say about the man who has himself for his lawyer — he has a fool for a client. These people who are para-legal assistants, as they are correctly so described, are not competent to discharge the responsibilities which a client requires of a lawyer. The risk for which the client is paying cannot be discharged by these people, they are not trained to that level.

11.25 a.m.

Within this same Civil Establishment Order, we will see that the Government has established a National Library Service, and one of the reasons for establishing a National Library Service is that all through the Public Service you have scattered in the departmental libraries people called Library Assistants working without the supervision of any professional, and the service being given is just what you would expect. By rationalizing the entire library service, we are able to staff the Schools Library Division or the Public Service Library Division in such a way that you use a certain number of trained librarians and a larger number of library assistants. They are working in this atmosphere of supervision, and so it must be with all people in that kind of relationship, whether they are library assistants or para-legal assistants.

I am afraid that Government has not moved away from that, even if one or two people were appointed in certain places and may have had the training of para-legal assistant. They were not appointed for that purpose because they are not competent to give legal advice, and I think we should understand the difference between people who happen to have some level of training and people having been appointed for a specific purpose with a level of training such as described by Senator Linton when he was talking.

#### *Asides*

SENATOR THE HON. N. A. BARROW: You know, there are a lot of lawyers who are bound to be embarrassed if they heard the point made earlier in here today by a lawyer that his law clerk prepares certain documents and he does not supervise them. They are not getting the service they are paying for. If you take people's money, you undertake to give them a certain level of profession. The trouble with the legal profession in this country is that too many people are short-changing their clients. You see a profession, which should be an honoured profession in which people steal client's money left and right. The profession wants pulling up!

We are supposed to be bringing these matters down because of constant requests by the Democratic Labour Party. Before I sit, just let me mention that the Record is absolutely clear that there did not have to be a temporary post, because the constitutional amendment of 1974, which allowed for the political road to be played in

the appointments of Heads of Departments, came after the attempts of the political directorate to block the appointment of Mr. Dean as Controller had failed. Their attempt to block Mr. Pedro Welch in the Ministry of Labour, however did not fail. So I do not think that party has any record to campaign on this point.

SENATOR THE HON. C. A. GRIFFITH: I must comment on the fact that there is a bit of testiness in the air, but I suppose that is because of what I call the "silly season." The horses are on edge, I suppose, so we get this kind of reaction.

The first point we ought to clarify relates to transferring the posts from the Ministry of Health to the Ministry of Tourism and Environment. The posts are already established, they were in the Ministry of Health. The posts of Chief Research Officer, Research Officer I and II, Environment Education Officer, Senior Public Health Engineer, Public Health Engineer, Draftsman and Technician will be transferred from the Ministry of Health to the Ministry of Environment. So you have your technical staff that Senator Greaves alluded to, and it does not ordinarily come to this Chamber for the attention of Parliament.

The question of occupational safety and health is a very salient point when it comes into the realm of Government activities. Somebody said that because of the advancement of the industrial and technological age, one has to constantly monitor the use of chemicals and their derivatives. We have had an application to build a petro-chemical plant in Barbados, as we did have at one time, and we had one site set aside from any established residential area very close to the sea, where the environment, both in the area of noise and threats to the person's health, would not be threatened.

We hear much talk from the Democratic Labour Party about the pressure they have brought to bear on the Government to give additional police. It has nothing to do with that. If we go back to the history, you will find that when most of the Government departments went on a 40-hour week, the police kept on working and they got a duty allowance. Remember this duty allowance was a bone of contention for years, and it predated the regime of the Barbados Labour Party. We had the courage to give the police the duty allowance. What has happened is that now that the police have been working a five day week, the additional posts will help to alleviate some of the difficulties that we have been having as far as manpower and employment are concerned. The duty allowance will be abolished. It has nothing to do with the Democratic Labour Party putting pressure on the Government. Neither does it have anything to do with some well-meaning piece of nonsense I heard from the other side, that the Government acceded to the request of the Democratic Labour Party to appoint people in the

Civil Service. I could not believe that we would hear that from Senator Hall.

The public knows the truth, that we took it on our own to try to relieve the problem. It is a problem that we have to seriously address, and we have to look at the reasons for it. We have a situation in which some people have been seconded and acting for many, many years, 10, 12 and 15 years. We had to take steps at some point to make the people who were acting in those positions feel comfortable, so we have taken a decision on our own to resolve the difficulty. Indeed, what it must do is to make some of the people who are outside of the Government Service and seconded to other Government institutions take stock of their own situation.

We have been talking for quite some time about establishments in the Civil Service and the creation of post, and I do not think that anybody has seriously looked at what it costs the Government. This is the point I want to address. It is not being made maliciously, it is being made for the benefit of the Chamber and for all those concerned. In this financial year alone, the Government's wage bill would be \$260 million, and when you look at what the total Government expenditure is for the whole financial year as approved in the Estimates, it is \$646.5 million. The wage bill alone represents 40 per cent of Government's expenditure. If we look at the last wage settlement — and we have to wonder whether we can afford these wage settlements when inflation is virtually at zero level, between zero and four per cent a year — we had a wage settlement for the two year period 1984–86 of \$52.4 million. When you compare these things, in 1983–84 the wage bill was \$207 million; in 1984–85, \$243 million; in 1985–86, \$260 million. That is very, very relevant when you are thinking in terms of the cost of providing Government services in this country and looking at who has to provide the cost.

There has been considerable talk in the Other Place about the Government stopping training. That is absolutely not true. The figures we have been able to produce show that there is still training going on in the Government Service, because we recognise that you must have trained people at every level. In April 1984 to March 1985, the last financial year, 792 people were trained. In the Other Place, some Opposition spokesman said there were none. Five hundred and eighty were trained in in-service courses in the Public Service, 78 went on study leave abroad and 134 were sponsored for training. We must put this wild, careless talk to rest, that the Government does nothing for the training of the people who work in providing service to the public. We cannot escape that reality, we constantly have to try to provide the people with the skills necessary in this advanced day to equip them for public service, not only domestically but to deal with the country's problems abroad.

I want all of us in this country to recognise that when we have a wage bill for this financial year of \$260

million, which as I said represents 40 per cent of the Government's current expenditure, the money has to come from somewhere. One would believe that there has been a sudden rush in taxation to meet this kind of wage settlement. That point was made before in here, that we have been seeing a spiralling increase in direct taxation, and I was seeking to correct it. I just want to point out again, for the benefit of the Chamber, that if we look at the year 1975–76, the contribution of direct taxes to Government revenue was 40 per cent. In 1979–80 it was 38 per cent, in the year 1983–84, it was 35 per cent and in the last financial year it was 32 per cent, so it has been falling. It has to be relevant that while you are having increasing wage bills in the Public Service, in relation to Government expenditure, the tax rate, as it relates to a percentage of taxes, to fuel Government expenditure has fallen.

We have been meeting a number of suggestions as far as changes in the laws where specific mention is made of ministerial portfolios, and what has happened is that sometimes when there is a reshuffle, change of responsibility, you may have to amend the Acts which are relevant. We did one in here a few weeks ago. What the Government is planning to do is to bring down an Act which will not make specific reference to the Minister of Trade, or the Minister of Health, or what have you, but just say "Minister", so that we will not have to go through a number of amendments from time to time. I think that this ought to be pointed out, because it was mentioned before by Senator Greaves, and I just want to make that point for public information.

There has been some talk about the special constables. We heard that we were just making fun. This was another political statement from the Opposition, but there was a reason why when they were trained they could not be brought into the Police establishment immediately, because the jobs were not created, there were no posts for them. We were hearkening to the suggestions made by the Commissioner of Police for more bodies, but the jobs were not created, so there could not be any appointments made. The other thing is that we had frozen all appointments in the Public Service until we had made an amendment to the Pensions Act, which has now been done.

*The question that the Civil Establishment (General) (Amendment) (No. 2) Order, 1985 be approved was put to the Senate and agreed to.*

#### THE NATIONAL INSURANCE AND SOCIAL SECURITY (AMENDMENT) ACT, 1985

SENATOR THE HON. O'B. TROTMAN: Mr. President, Section 21 of the National Insurance and Social Security Act provides, among other things, that persons insured in accordance with Section 12 should be eligible for maternity benefits. It says at Subsection

6, "maternity benefit," that is to say, periodical payments in the case of the pregnancy or confinement of an insured woman. The Act provided for the insurance of women who became pregnant and who were insured and who had paid the appropriate number of contributions. 11.45 a.m.

We have discovered that the provisions of that section were not adequately covering women who were giving birth to children in Barbados. For example, last year, 1984, the Registration Department recorded 4 214 births, but the Department of National Insurance considered only 1 384 claims for maternity benefit. What it suggests to us is that the large majority of women in Barbados are not protected under the present provisions of the National Insurance and Social Security Act, and today's proposed amendment seeks to make an arrangement where in those cases where the woman would not be normally eligible for any benefit because she was not insured, she could still get some benefit from the scheme if her spouse was so insured under the scheme. And "spouse" in this amendment is not restricted to a partner in marriage, because it says in Subsection 7 that for the purposes of paragraph (c) of subsection (1), "spouse" includes a single man who is living together with a single woman for a period of not less than two years immediately preceding any application made by that woman in respect of a grant payable under that subsection; and "single man" and "single woman" shall include a widower and a widow respectively. So in any arrangement where a man and a woman are living together for more than two years, the contributions paid by the male partner will in effect cover his female partner for maternity benefits.

We hope that this amendment would go a far way in bringing more benefit to women when they need some measure of monetary support.

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

SENATOR E. E. GREAVES: Mr. President, basically this Bill seeks to cover, I suppose, what appears to be a situation in which there are some women who have children but are not contributors to the National Insurance Scheme, or in a situation where they do not have enough contributions, that through contributions by their spouse, as defined in the subsection in this amendment, they can benefit. Right away, I want to ask a question which in the context of the Caribbean and in the context of Barbados could be a real question. What would be the situation where one man may have two women pregnant? It has happened and it happens. Which one will qualify and how would the National Insurance Department determine which one would qualify for this benefit under this amendment? This is a real question I would like to have answered. I know it is a problem which will have to be grappled with, and I am not too sure that this particular amendment covers that. I suspect it may very well be

that the man may have to determine which one he would prefer; but it is a fact of life that there are some men who live under two roofs, and it can be established that they live two places.

Sénator Yearwood is telling me three, but I would not go that far. Those may be rare cases, but a fairly regular one is a situation where there may be a man living under two roofs, having two women and both of them are pregnant at the same time and having babies, and therefore would want to make some claim on the National Insurance. I leave that there, because, as I said, it is a practical problem, and I am wondering how the department would grapple with it.

National insurance, to my mind, is an evolutionary process, and this particular provision is something which would evolve, based on history and on experience.

Our National Insurance and Social Security was started in Barbados in 1967, by the Democratic Labour Party. It was, I believe, one of the most fundamental pieces of social legislation that has ever been introduced into this country. I do not propose at this point to go into any historical and indeed philosophical analysis for this kind of arrangement, but suffice it to say that it evolved out of a felt need, and in the early days when the fund was in the process of being built up, it was fairly obvious that the fund could not extend a helping hand to all of the areas and the various situations which may have called on it for assistance.

Our system here, and indeed the system in most parts of the world, arose out of very important work in this area which has been done by the International Labour Organisation. There are about seven or so basic benefits which are normally provided under systems like these, and I think that we have probably reached the point where we may have almost all of them, and, if the fund builds up to such a point, we may be able to afford some more. All I am saying, and I am saying this in the context of the evolutionary situation, is that when the fund first started, there was a time before people became entitled to sickness benefits, because you had to contribute for a certain period of time before you qualified. So sickness is one of the benefits provided, maternity is another one with the various aspects of that, and I would see this amendment as an extension and a variation of the traditional benefits in that area, and certainly the provision of a maternity grant is very important. Employment injury benefits is another one, death benefits, survivors benefits and unemployment, and there is another one which I was trying to remember which escapes me now, but basically what we are saying is that we are evolving into a situation where we are now offering a scheme which covers a very wide area of felt need.

It is a fact that when a person falls ill, if a person is insured, if a female worker has a baby and has to go

home, that there is some need for some financial cushion to assist them during this particular period. That is the background against which National Insurance was introduced, and I think that we would want to see this process continue, and wheresoever there is any possibility, without wrecking the fund, of improving and increasing the benefits to the contributors, that this would be done. I make the point very clearly that National Insurance is a most worthwhile activity, a responsibility which the Government has to provide for its citizens.

11.55 a.m.

Having said all of that, I would like to say that there are still a number of complaints which one would want to voice, relative to the general administration of National Insurance. I will not be particularly scathing in my comments. There are a number of things which I could say but which I would refrain from saying, because I think that sometimes one has to recognize that there are certain responsibilities that one must understand, and it is not always an exposure which is the best way of dealing with a particular problem.

People who qualify for National Insurance benefits are still complaining about the long delays which are experienced in getting their benefits. Over and over again I have made reference to this. I have pointed out that people sometimes go on sick leave, they may be on maternity leave, they get sometimes a portion of their money, they return to work, and weeks, and sometimes months after, they are then getting the balance of their benefits, after visiting the National Insurance Department many, many times. This kind of situation ought by now to be corrected. There have been too many complaints too frequently. We have heard, for example, that the Government has begun plans to computerize the whole operation. I know that when this is completed that we will see some drastic improvement in that particular area, but we ought to speed that up.

There have also been complaints about the long wait which has to be encountered in getting unemployment benefits. Once more, I would hope that the administrators of the National Insurance Scheme would pay some attention to this. It is not a matter of their not recognizing the problem, or of being inhumane, of not having any particular feeling for people who have to suffer as a result of these things. I believe it is because of maybe not having the proper systems in place in order to ensure that these long delays and these very serious inconveniences that people are put to are met and eradicated. I hope that the Government would do whatever it can to ensure that this problem would be put right very soon.

I know that sometimes the argument which comes out of the National Insurance Department, and I have

to deal with some of these things from time to time, is that some employers do not send the information to the National Insurance Department. This is a matter which has to be looked at. I seem to recall that there is some new arrangement. I think the Prime Minister's Budgetary Statement did make some reference to a different arrangement that would be brought into place. But where an employee has to rely on the information coming in from the employer before the National Insurance can pay out the benefits, and where the employer adopts the kind of callous attitude which prevents the claim from being processed, that is one which cannot really be supported. I hope that whatever means the Government has at its disposal for correcting this particular problem will be used as soon as possible.

SENATOR H. R. LINTON: This Bill is really designed to facilitate the single woman who does not, in her own right, qualify, but who could qualify if she is permitted to rely upon the contributions of a man with whom she is living. To that extent, I welcome this, because I know the difficulties that exist in that regard. I would therefore not wish to see any administrative or even legal difficulties created in the application of this Bill. I do believe that the number of genuine cases where a woman can prove that she is living with a man would far outweigh the number of less genuine cases. For that reason, progress should not be impeded.

I take comfort, too, from the fact that the Family Law Act of Barbados bears a somewhat not dissimilar provision in that it speaks about the union other than marriage. This legal device has not, to my knowledge, been creating any special difficulties for the High Court. I do not envisage, therefore that what we have here for the definition of "spouse" would create any difficulties, because I do think that the precedents that are set by the Family Law Act of Barbados, by the interpretation placed on the Family Law Act of Barbados, are likely to be followed by the Department of National Insurance and Social Security.

I have the utmost confidence in the Director of that department. I have had occasion to sit in on the Appeals Tribunal on a matter concerning the grant of invalidity benefits — the present Director was not then the Director, he was the Deputy Director — and I understand that cases such as that would be used as precedents.

I feel that the Director will ensure that this particular piece of legislation receives a fair and liberal interpretation, and that such difficulties as may be envisaged with regard the definition of "spouse" in this Bill will be eliminated wherever possible.

**SENATOR W. W. HALL:** I have no difficulty with this Bill, I am going to support it, but I have a few queries.

Following on what Senator Greaves asked about a man living two places, I am worried about the fact that there are many businesses in Barbados where the employers seem not to pay these National Insurance deductions. As a consequence, you find that it brings a lot of hardship on the worker when he or she is out of a job. I know that the only provision is through the unpaid certificates where you can levy on one's property; they are given notice that if in four weeks they do not pay the money, they would levy. Sir, since there are many such cases, I can only conclude that if the National Insurance Office pursue this rather energetically a lot of businesses would go out of circulation, and workers would lose their jobs.

12.05 p.m.

There seems to be no remedy in law that I am aware of. I am no lawyer, but even the lawyers seem to come to blows at times in the interpretation of the law, as we have seen today. We think that there can be some criminal action because it seems to me that it is a long, drawn-out process. If an employer is paying .25 per cent into the insurance scheme and he cannot do it anymore, the provision would be that the worker will then have to go to the National Insurance Office, which will pay him out of the fund, and I am aware of this, but they will seek to get that from the employer. All I am saying is that there seems to be no remedy except levy on him within four weeks. I am saying that because there are so many of them out there who do not do it, and if the National Insurance Office levy on all of them, it would seem to me that it would be making the precarious situation rather worse. I wonder what would be the Minister's retort to that.

He did not say what the grant would be. I do not think that was purposeful, I think that perhaps it is an oversight. One would like to know if you are getting a grant. The ladies of this country would like to know how much money they are getting. If any lady in this Chamber becomes pregnant tomorrow.....

*Asides.*

**SENATOR W. W. HALL:** I do not know why that should be a problem. I am satisfied that they all are working. They all have jobs and they are qualified. If the Minister wants to refute anything I say, he has the right to reply, so let him tell me. I am only saying that it is my view that they all are working and qualify, and they will get three months before pregnancy and after pregnancy.

*Asides.*

**SENATOR W. W. HALL:** I was not a Personnel Officer because I was good looking. Everybody understands that. It is the ladies who do not qualify, who have no way of getting help, and from the figures that the Minister read out, I think he said something like 1300 claims out of some 4214 births, it is obvious that something must be done. That is why I am saying that perhaps he can let us know what the grant is. I am sure he knows.

There are times when the National Insurance Office takes a rather long time to get these claims processed, as Senator Greaves said. But sometimes it is not their fault. I am sure that sometimes they get all sorts of wrong information and as a consequence they can do hardly any better. However, I believe that some businesses can help. For instance, there are some progressive thinking businesses that will pay the worker his full pay for four straight weeks when he is on sick leave, and this will give the National Insurance time. By the time they process the claim, the worker would obviously not have suffered any reduction in pay. I have sat at many a negotiating table where the unions pursued this very vigorously because they feel that it will help the worker.

There is one drawback in this system. I have known companies do this sort of thing where they pay the money straight out, and as far as I understand it the check cannot be made out to the company — I stand subject to correction — it must be made out to the worker, and because it is made out to the worker, do you know what happens, Sir? The worker pockets the money and still has the company's money, too. Somehow in this country we have to teach the people what is right and what is wrong, what is ethical.

Some companies do not indulge themselves in this sort of exercise. I know that the unions do not agree with that, but what do we do? They say that we have to sit down and talk about it because we do not condone workers keeping the money after being paid. I think that is something that needs looking at. It is all well and good to tell a businessman that he should try and help out the worker, but at the same time he must be assured that the worker can get the money back to the company. I do not know if there is anything in the law which allows the National Insurance Department, even by way of a signed letter from the employee, to get the money back to the employer. If that is done, I think that will alleviate many a problem. I have seen it happen many times where the worker somehow thinks that it is very smart to take the money as given up front and then when the check comes from the National Health Scheme, not return it to the company.

**SENATOR THE HON. O'B. TROTMAN:** It is a long time since Senator Hall has been trying to get me to reply to him and I always like to avoid replying to

him, because usually he is full of half volleys and long hops nowadays. But he bowled a good ball today. I made an error in my presentation. I did not inform the Chamber that the grant was \$250. I am obliged to him for drawing it to my attention. I am much obliged to you, Senator Hall. For the first time in many years you have delivered a good ball, Sir.

*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. 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 4 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. PRESIDENT in the Chair.*  
12.15 p.m.

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

#### THE SEVERANCE PAYMENTS (AMENDMENT) ACT, 1985

*Order No. 8 was called – To move the Second Reading of a Bill to amend the Severance Payments Act.*

SENATOR THE HON. O'B. TROTMAN: Mr. President, redundancy payments in Britain, from which we took our own Severance Payments Act, started because of the closing down of factories, the removal of factories from one place to another, with the result that workers were made redundant. However, in 1972 when we adopted the British Severance Payments Act, we took other matters into consideration, the question of short time and being laid off.

The scheme has been performing fairly well so far, and several workers have benefited through the scheme. I want, for the Record, to give some idea of the operation of the Severance Payments Scheme in Barbados. The scheme has to date paid workers some \$13 million – these are payments made directly by employers because of the scheme as it now exists – and the employers have paid \$1.6 million. As you know, there are those cases which were mentioned in another debate, which I believe Senator Hall has not picked up, workers not

being able to get their severance directly from their employers, and the Board has had to make payments in those cases to the tune of \$3.48 million for the period 1980 – 1984.

We discovered that severance alone was not enough to protect the workers from unemployment, because our two big employers in Barbados are seasonal, tourism being one and agriculture being the second. In the case of tourism, we have a winter season established from November to April, or it might start in October if things go well, and then there is a short period, July – August, with a little summer traffic, and then September is low again, with the result that hotels are forced to lay off workers during this period. Similarly in the harvesting business, people in agriculture start harvesting vegetables I believe around November, and then the sugar cane harvest starts in February and goes on to April, May and June. So the effect of both industries is that in May – June there is going to be high unemployment, since both seasons have come to an end.

The Severance Payments Act as exists now gives the worker the right to claim severance after four weeks of unemployment. The amendment seeks to extend that period to 13 weeks. It would appear that that Act was a disadvantage to the worker, but in fact the worker is not being disadvantaged, because when the Severance Payment Scheme was initiated, there was no unemployment benefit. Since 1982, we had an Unemployment Scheme, and that has been performing fairly well, although not as well as we would want it to, and part of our efforts is to make it perform even better. In 1982, 810 claims were allowed for unemployment, and workers got \$200 000 in claims. In 1983, the claims went to 3 675, and the payments went to \$2.2 million. In 1984, 7 200 claims were made and the Board paid \$4.9 million. Up to the 30th June this year, 3 574 claims were made, resulting in \$2.7 million in payments. So that workers now have two avenues from which they can draw resources when they are unemployed; one, the Severance Payments Fund and, two the Unemployment Benefit Scheme.

In the meantime, the Unemployment Benefit Scheme has been contributed to by workers and employers, one per cent on either side, and that has resulted in the scheme building up, I would say, to over \$30 million in the last two years. It is not the intention of the Government that the fund should be one of accumulating money, but one for protecting workers, and therefore the benefits of the Unemployment Scheme are being relaxed in order to give workers further coverage. At present, workers draw unemployment benefit for 13

weeks, and we propose to extend the period to 26 weeks so that there is a longer period of unemployment benefit. The result, of course, is that the reserves of the fund would be run down a little bit, but that is as it is intended, because at first we had to build the fund up before we could pay. Now we are in a position to pay, and we can be more liberal with payments and we can ease the contributions, as we propose to drop the contributions from two per cent — that is one per cent and one per cent — to .5 per cent from either side, making a one per cent contribution in future to the unemployment fund.

That takes us back to the question of severance, because we cannot separate the two schemes. The two schemes have the same object, that is, protecting workers when they are unemployed. We took the 26 weeks deliberately, because in both industries I mentioned earlier, the approximate length of the season, whether it be harvesting or tourism, is 26 weeks, so we have a situation now developing in Barbados where a large number of workers can be guaranteed employment for 26 weeks by their employer and they can benefit to up to 60 per cent of their wages for the other 26 weeks. For the Record, I can say that eventually we hope to be able to build that 60 per cent up to 90 per cent, as it is in some other countries, but that will be down the road as the scheme builds up, and not next week or next year.

The reason, therefore, for extending the four week notice period in the Severance Payments Act to 13 weeks is to give the employer an opportunity to so reorganise his business that he is not faced immediately with severance, because if a hotel that is going to close down for six weeks because of the low season is forced to pay severance at the end of four weeks, it means that we are adding an additional burden to the hotel industry without really giving any benefit to the workers. It would be better to give the worker the guarantee of unemployment benefit of 26 weeks than to merely give him the severance he is eligible for over the two year severance pay, which would hardly come to more than one month's pay. Under the new arrangement, both the employer and the employee would be better off. The other point to be made is that it is proposed that when the worker is re-employed, when he comes back from his layoff — at present he is laid off for up to sixteen weeks with various breaks — when he returns from his layoff under the new scheme, the employer has to guarantee him 26 weeks employment and thereby keep the whole concept of 26 weeks intact. The hotelier can therefore lay off for 26 weeks, the worker gets his unemployment benefit, but when he returns from the layoff period he must be guaranteed 26 weeks employment as a minimum. At present, he is only guaranteed 13 weeks, so there again the worker is better off without putting any additional burden on the employer.

12.25 p.m.

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

SENATOR E. E. GREAVES: I sat here and listened very carefully to the reasons which Senator Trotman gave for this amendment to the severance payments legislation. This is not a simple amendment. This amendment is fundamental and will have very serious and adverse consequences on the entitlement of workers to severance pay as I will demonstrate during the course of my presentation here this afternoon.

The reason which Senator Trotman has given is that in Barbados the two major employers, the hotel industry and the sugar industry, are to a large extent seasonal employers, in that there are periods during the year when there are high points of employment both in the sugar industry and in the hotel industry. So the reason which has been given by Senator Trotman as far as the thinking of the Government is concerned on this amendment is, to quote him, to give the employers a chance to reorganise their business so that the possibility of being faced with the burden of severance pay after a four week period would be removed. This is said, as he pointed out, in the context of the sugar industry and the hotel industry.

There are a number of flaws in that argument, and I cannot accept that argument, because the sugar industry and the hotel industry are not the only two areas of employment in Barbados, so that when you amend this legislation, supposedly to help the employers in the sugar industry, and more particularly the employers in the hotel industry, the law does not specify them, but all other employers in Barbados will be at an advantage as far as this bit of legislation is concerned, and workers in every sphere of economic activity in Barbados who would normally qualify for severance pay, I am submitting, would be put at a considerable disadvantage as a result of this amendment. I am going to demonstrate by the use of an example the point which I am making, but before I do that, I think it is important for us to look at a number of things.

The Prime Minister in his Budgetary Proposals on Tuesday, 7th May, 1985, at page 23 in the published document had this to say:

"I have always been of the view that the unemployment benefit scheme and the severance payment scheme should be integrated and should be so administered that the rights of workers would be protected without the schemes being a burden to employers. In other words, Mr. Speaker, such schemes should not deter employers from hiring additional labour."

This, when coupled with other proposals in the Budget, has led the Prime Minister and the Press to call the Budget an "employment generating Budget." In short,

what they are saying, and what indeed is implied in the statement from the Prime Minister, particularly where he says it should not deter employers from hiring additional labour, gives the impression that this amendment to the severance payments legislation would provide ample opportunities for employment to be created in this country. I say that, far from being a contributor to employment in this country, this amendment will further add to the very serious problem of under-employment, which is an aspect of employment which currently exists in this country.

Under the legislation which governs severance pay, which was originally passed in 1971 and which came into effect on 1st January, 1973, there are a number of conditions which are laid down for qualification for severance pay. Section 3(1) under Part II of the Severance Payments Act sets this out very clearly. The three major areas are: if an employee is dismissed by his employer because of redundancy; secondly, if an employee is laid off or may be on short time to the extent specified in subsection 1 of Section 6 and complies with the requirements of that section; or thirdly, is dismissed by his employer because of a natural disaster, and it says that his employer in this situation is liable to pay him a sum calculated in accordance with the First Schedule.

I think it is important for me to make some reference to these areas of qualification, particularly in relation to No. 3, where an employee is dismissed by his employer because of a natural disaster. I can very well recall, that in the late Sixties, probably about 1969 or 1970, it must have been 1969, when those fires took place in Bridgetown. You had, I do not remember the order now, Cave Shepherd, Fogarty's, Cole's Printery, I think it was, Knights Limited or Collins. The point is that there were a number of fires which took place in Bridgetown in a very short space of time, and you had a situation where about 500 or 600 people, maybe more, were put out of work, and there was no arrangement made for the persons who were so put out of work to qualify for severance pay, even although at that time the Barbados Workers Union, in agreements which it had with employers, had negotiated a severance payments clause.

Severance pay goes back way into the Fifties, when the sugar factories in Barbados started a rationalisation programme, closing down the small and the uneconomic sugar factories around the island. The Union was able to impress upon the employers then that you just could not throw people out of work like that without any compensation, particularly in view of the fact that they had made considerable contribution towards the business. As a result of that, there was this clause included in our collective agreements which entitled people to severance pay. It started with the sugar factories and then went into almost all the other areas. But there was no provision for a fire, damage by hurricane, earthquake or other natural disasters, and I recall very clearly the kind of arguments

which were advanced by the Barbados Workers Union in those days, in order to make this one of the qualifying aspects for severance pay. We were particularly happy when the severance payments legislation was drafted and was passed to find that there was this kind of arrangement in there.

12.35 p.m.

Senator Trotman alluded to the other areas relating to redundancy. Factories sometimes close down. Or they might introduce a new method of production, maybe new machinery, which may call for fewer people, so that people who might have been working for ten, or fifteen years would suddenly find themselves without work. It was felt that some provision ought to be made for them.

It was also recognized that there were some employers who would employ people on an on-off, on-off basis. It was particularly noticeable in the hotel sector but also in some areas of manufacturing. The law made it possible for a situation where if this kind of thing continued over a particular period, the worker could file for severance pay. In this particular instance, it said that if a worker was laid off for four consecutive weeks, then he could file for severance pay. It also provided under the existing legislation, however, that if an employer indicates to a worker, a time period within which he will be re-employed, the worker would not then be eligible for severance pay. What has been happening in a number of hotels is that when it comes to the slow period, they have people week on, week off, three days a week. In some instances, if they have to close down, for example, Colony Club and some other hotels close down during the slow period, they would indicate to the workers when they would be taken back on.

It is important that we get a historical analysis of this. The Barbados Labour Party seems to have something against the workers and their eligibility for severance pay. Their record in this area is really very bad. About two years ago, they had a proposal circulated which would have been so devastating to workers, so shattering, in their eligibility for severance pay that widespread dissatisfaction was expressed. You all remember those proposals and how they got out of them. They said that they would drop the proposals which, as I said, would have wiped out severance pay, reduced the provisions considerably.

Then, they came with an amendment to the Income Tax Act which made severance pay above \$25 000 taxable, at 30 per cent between \$25 000 and \$50 000, and 50 per cent on anything in excess of \$50 000. That was the second blow. The workers were able to fight the first blow off, but the second blow went through, and that is the position now, as far as severance pay is concerned. There were reasonable provisions made for the eligibility for severance pay and for the amounts

which people would get, if they so qualify. But in the circumstances described, this Administration has seen it fit to make it more difficult, in the first instance, and now today, this is the third blow which is being struck against the workers in terms of severance pay.

This amendment will open the way for the most wicked and vicious kind of exploitation by employers. Secondly — I am going to demonstrate to you — it could reduce, by a considerable amount, the total severance pay that a worker can get. Thirdly, it will make it more difficult for workers to qualify for severance pay. Fourthly, it will further confuse an already complicated piece of legislation.

When this amendment goes through — I will vote against it, Senator Hall will vote against it, but everybody else will vote for it, I know that — an employer can, without any headache now, employ a worker for half of a year, twenty-six weeks only, and escape his severance payment obligations which, if this amendment were not there, he would have under the existing legislation. He can lay off a worker for twelve weeks, because a worker cannot claim severance pay under thirteen weeks, when this amendment comes in. He has to be laid off for thirteen weeks before he can claim severance pay. At present, it is a four week period. So an employer, and there are lots of them around who will do it, will lay off a worker for twelve weeks, bring him back on for a week or two, and then lay him off again for another twelve weeks. It is quite possible for an employer to only employ a person for half of a year, six months, and escape his responsibility to pay severance pay. As long as his lay off does not exceed the thirteen week period, then he will be okay. This gives an opportunity for employers to exploit the workers legally.

*Aside.*

SENATOR E. E. GREAVES: I expected to hear this, quite apart from the interruptions. It would seem that as far as cross talk, I am the only person who talks in here. So I am interrupted by one of the unmannerly Senators on the other side, who asks me about the unemployment benefits. I anticipated that somebody would have talked about the unemployment benefits. 12.45 p.m.

We have to be very careful that we do not mix the two of them up because one cannot be a substitute for the other, and will never be a substitute for the other, because they are premised on a different basis. Furthermore, how much do you get for unemployment benefits? You get 60 per cent of your insurable earnings, you do not get the full thing, and that cannot be an answer. Furthermore, the worker makes a contribution towards unemployment benefit. The contribution to unemployment benefits is 50 per cent by the employer

and 50 per cent by the worker, so the worker is contributing towards his unemployment. Severance, on the other hand, is contributed to by the employer, and the whole philosophy behind severance pay is that it is the responsibility of the employer, who, for one reason or the other, would make the worker unemployed, severed, or redundant. It is his responsibility alone to provide for that. So I cannot accept any argument about unemployment benefits and severance. They are two different areas operating, and certainly on a different basis.

My second point was that it could reduce considerably the total amount of severance pay that a worker can get. If the above is the case, and when the above becomes the case, that is, where an employer can lay off a worker up to 26 weeks in one year without meeting his obligations for severance pay, and then perchance his business goes into bankruptcy, or he has introduced some new systems that will cause people to become redundant, or a flood, hurricane, earthquake or fire destroys his business, the worker will still qualify. But look how the worker will be put at a disadvantage.

As I hope most of you are aware, the way in which severance pay is calculated is as follows; that is your average earnings over the last 104 weeks are the ones which are taken into consideration; your total earnings for the 104 weeks divided by 104, and you get your average. It is on the basis of that average earning that you then get four weeks pay for every year's service. When we come to the situation where people can be laid off up to 26 weeks without an employer meeting his obligations for severance pay, then one will recognize the point I am making, because you will not be earning money in the 26 weeks and your average earnings would be considerably reduced.

If we have a situation where, let us say, a worker is working for twenty years at an establishment and his earnings were \$200 a week, normally, under the existing legislation, his severance pay, if he qualifies, will be \$200 by 4 by 20, which will give him \$16 000. If you were working for twenty-five years for the same \$200 a week, his severance pay will be \$20 000, and if he was working for fifteen years, his severance pay would be \$12 000. With this proposal from the Government, where a worker could be laid off for 26 weeks, and I am going to take the extreme case to make the point, his average pay over those last 104 weeks will be \$150 per week. Over a twenty year period, if you apply the same formula, your average pay, by the number of years service, by four, you will find that in the first instance, that is in the instance of a person working for twenty years, his severance pay will now be \$12 000 and under the new proposal will lose \$4 000. In the second instance, of a worker of twenty-five years whose average pay is \$150 as against \$200, his new severance pay will be \$15 000 and he will lose \$5 000. In the instance of a worker working for

fifteen years, averaging \$150 a week now as against \$200 before, his severance pay will be \$9000 and he will lose \$3 000.

It is very clear from these examples that these proposals by the Government will be of no benefit to the worker. The worker stands to lose by these new severance payment arrangements. They are going to be exploited in a legal way, they will be taken advantage of by the employers in this country — and you will not be able to do anything about it, because the Barbados Labour Party Administration has made it legally possible for it to be done. This is where my quarrel is.

The existing legislation has made some basic provisions which are acceptable to workers. There is a little problem here and there with the interpretation, but basically, as far as the benefits are concerned, these are benefits which we fought hard for. Now, we find that everytime the Barbados Labour Party comes down with legislation, they are trying to eat away at these benefits, making it more difficult for workers in this country to weather any economic storm, or indeed to be compensated for any contribution which they have made towards the development of any firm or industry, but which the firm or industry may no longer have any uses for them, because they have replaced them with machinery, or they are overstaffed, or some natural disaster has occurred.

This matter of severance pay and the benefits which workers get from severance pay cannot be treated lightly. This is a very serious matter, and the Government cannot deal with this by just coming amending here and amending there, and each time that an amendment is made, it is made to the disadvantage of the worker. This is my quarrel.  
12.55 p.m.

We have to make this point very very clear — this is not acceptable. This legislation has to be reviewed, and I would certainly like to see the benefits which the workers previously enjoyed under the legislation returned to them in the review. It is important enough, and it is an area where the Government, rather than by this piecemeal and this slipshod method, maybe could call on the assistance of the International Labour Organisation so that consultants could be brought in to look at this matter after having discussed the matter with the parties involved — trade unions, employers, the Government — and really get a proper approach to this, rather than just the Government deciding one day that this is what they are going to do and that is the end of it, no discussion, consultation or anything like that.

If one were to even pay attention to unemployment benefits and the increase which has been granted under this, as I said in the previous debate on National Insurance, this is something which is a evolutionary process

under National Insurance legislation. Unemployment benefits had to come at some point, the scheme could not start off with unemployment benefits. If it had started off with unemployment benefits, the scheme would have been broken before it got off the ground, it would never have got off the ground, so you had to build up over a period of time. Furthermore, as I said, the workers are contributing towards unemployment benefits, so you cannot substitute one for the other, or use one as a substitute for the other. This is a sop which is being offered in order, hopefully, to cushion the shock of severance pay.

I believe, and I am convinced, that this amendment is unfair to the workers. I know that it will redound to their disadvantage, and the sooner the Government wakes up and understands that and not go through with it, the better it will be. It will not create any employment. As a matter of fact, as I said at the outset, it will give the employers an opportunity to further add to unemployment and under-employment in this country. That is going to be the effect of this amendment here today.

SENATOR THE HON. N. A. BARROW: Mr. President, if you hear something hammered long enough, it tends to sink in. I got up almost before Senator Greaves sat down because I really would not want that foolishness to sink in. I had to listen to him very carefully before I realised that I was really hearing what he said he was saying.

What in effect he was saying was that if I give you a benefit and the result of my giving you that benefit has an impact on another benefit which I give you, I am not to examine what that impact is. It is a fact that the combined effect of the operation of the severance payment and of the unemployment insurance means that the worker gets more money. I want to know the mathematics by which Senator Greaves is going to overcome that simple fact.

If he has reduced, in the way in which he has done by his mathematical formula, the average over the 104 weeks, he is reducing it because during that period the worker is receiving unemployment insurance at the rate of 60 per cent of what he would ordinarily have earned. If he does the same multiplier on that 60 per cent, he will then find that the worker in that period of time has received more money than if he had just got his severance payments amount undiluted. That is the fact, and that is what we must look at, because, when the severance payments legislation was put on the Statute Book, there was no unemployment insurance.

One of the reasons the generosity of the severance payments legislation has been understood and supported for so long is the fact that there was no unemployment insurance. There was no buffer when things got really

tough. Is Senator Greaves going to sit here and tell us that if you put severance payment legislation on the Statute book when you have done other things which now tend to provide more security for the worker, you are not to look at that? Nothing is to impact on it? So you go on and you add to the system of benefits willy nilly?

When a potential employer comes to invest in this country, he has to look at a number of things. He says what is the state of your transportation system? He says good, you have the best public transportation system in the Caribbean and one that can hold up its head with any in the world. What is the state of your telecommunications? He says it is first class. The telephones work, he can get a telex to his people abroad; if he has offices abroad he can telex them, he can link them into his telex. He can pick up a telephone and phone anywhere in the world. Everything is in place for data transfers very easily. He can get a facsimile out of London in almost no time. He is looking at the infrastructure. He says what is the industrial climate like? The industrial climate is good.

*Aside.*

SENATOR THE HON. N. A. BARROW: Senator Greaves does not negotiate, remember that. When he now comes to looking at the other expenses of operation, it makes a lot of difference to the potential investor whether the severance payment and unemployment benefit legislation requires him to cost every worker at 13 months a year or at 14 months a year or at 15 months a year. There are things we have to look at seriously, so do not tell me it is not going to create any employment if the level of expenses on your payroll — because all these are payroll expenses — will be such that, instead of budgeting for a 12 month year, you have to budget for a 15 month year. The money has to come from somewhere. If you do this, if the man says he will still employ the people, we may then be hearing the other argument, which, when I hear it, I support Senator Greaves in it, because I do not think we should ever be in a situation of paying substandard wages, so you are either going to come in and pay your substandard wages because you have so many things up top, or he looks and he is not coming. We know, that every year when wage bills get too high the employer has to make a decision. If he can only afford to spend X amount in wages, he has to make a decision, and that decision to pay the 30 per cent — sometimes you can get away with less, when according to the figures of inflation you should be paying less — means that people that you might normally have brought on to your staff you do not bring in. So we cannot just put our heads in the air or bury them in the sand, whichever you prefer, and behave as though these things are not interconnected. They are not only interconnected, but they cannot consider an employment climate without considering precisely these things.

1.05 p.m.

What is Senator Greaves telling us? He is telling us that he cannot support a measure which, even though it impacts on the severance payment in a way in which he says it does, impacts on unemployment insurance in such a way that the net effect of the combined two things is to give the worker more money. It is the first time I have ever heard a trade unionist say he is opposed to anything which, in fact, has the net effect of improving the financial position of the worker, because that is what this legislation is about.

SENATOR L. A. WARD: Mr. President, I support this Bill, and I would like to thank Senator Greaves for the compliment he paid the sugar industry. It seldom gets a compliment, but at last it was a leader in something; it was the first to pay severance payments.

I think that this Bill will assist largely in maintaining jobs that otherwise may be lost to the island, and the island cannot afford to lose jobs anymore. If the sugar industry or the hotel industry or small manufacturing has peak periods or low periods, it means that if they have to go through these low periods and lose a lot of money during these low periods, the industry, whatever industry it is, would find itself in a position that it may fold up for financial reasons, and the capital which it has taken to put the jobs there, would be lost to the country unless it could be used for some other purpose.

Take a small manufacturing business. If they were making shirts and they were making more shirts than they could sell, they would be building up an inventory of their product, and they would run into a serious financial position if that product could not be sold. In other words, their cash flow would be robbed, and probably that small business would fold. If using this unemployment benefit, they could close for a period, when the workers would be able to get 60 per cent of their wages, and give the small manufacturer a chance to sell his stock, it would put him back in a cash position. He would be able to restart his business, after he had reduced his build up of stock, and continue to employ people who, otherwise, he might not be able to employ at all.

In the hotel business, it is the same. You get your winter season, when you have a good occupancy and better rates, but then comes the low season, where you find yourself with an occupancy and at rates which make it, in many instances, impossible to earn enough money to pay wages and utility bills, far less supplies or anything for the hotel or meet your interest charges. This Bill will give a measure of relief to that hotel to allow it to be able, instead of refurbishing in between guests that are in the hotel, to close the hotel, do their refurbishing, stop the complaints that a hotel gets all the time that the guests are being annoyed by people refurbishing the hotel, emptying their pools, and the worker is still in a position,

using Senator Greaves' figure of \$200 a week, to draw \$120 unemployment benefit, which would tend to carry them through the period, and when the hotel is in a better position, it would then reopen and continue to find jobs for workers in the country, and also to earn foreign currency for the country.

If this were not so, and it has happened in the past, people would have to pay severance pay, or continue to employ the people, which would be a burden on that hotel. It would be such a burden that the bank would foreclose on them and they would go out of business and the people lost their jobs entirely. Barbados is in no position at this time, or, really, at any time, to see jobs that could be saved go by the way.

I feel that this is a measure of relief. Instead of us seeing year after year more and more small businesses closing, more and more hotels closing, it is a measure that could keep these businesses and hotels open, and continue to keep Barbadians in employment, and for that reason I would support this Bill.

SENATOR THE HON. C. A. GRIFFITH: On hearing Senator Greaves, who is the Assistant Secretary of the Barbados Workers Union, one would have believed that the present Government of Barbados does not believe in workers, and that every act we take is to the detriment of the working class in this country. I wonder when it is that the spokesmen for the union would appreciate that all of us have a stake in this country and that, without the private sector, the country cannot survive. The Government has to take a position where efforts have to be made to encourage employment generation in the private sector, and it bothers me to see the union leadership taking a position that the only people that matter are the workers. It is our considered opinion, and we have demonstrated it by the decisions we take in Government, that the workers matter, the employers matter, and we have to strike a balance.

It beats me also to try to understand how it is that the union is always content to ensure that it gets as much for the existing employees without making any contribution to expanding the roles of employees in the country. It seems to be a blinkered approach, because every time you hear these people who are supposed to be operating in the interest of the workers talk, you keep hearing that the workers are at a disadvantage, and they are only talking of the people who are employed. We all need to take stock of the situation where opportunities are provided for employment generation. I would think that opportunities for employment generation would redound to the benefit of the unions in this country, and I just do not understand it.

1.15 p.m.

I want to correct the impression that has been left by Senator Greaves because of the false premises that were made in support of his arguments. In his submission, he mentioned the fact that the basic pay is calculated on 104 weeks, and he used the average of 104 weeks to support the ridiculous contention that he was making, that the workers are worse off by the amendment. When we go to the First Schedule of the Act, Section 6. 1 d in the Act, where the calculations are shown, it clearly states that the basic pay has other factors involved. There are other provisos for the calculation of basic pay which have been deliberately left out by Senator Greaves. I am sure they are deliberately left out because he knows the Act very well. It says here that:

“ “week's basic pay” means —

- (i) in relation to an employee — employed in work of a seasonal nature with average basic pay per week in the two full seasons immediately preceding the date on which he ceases to be employed;
- (ii) in relation to any other employee his total basic pay during the one hundred and four weeks immediately preceding the date on which he ceased to be employed divided by one hundred and four.”

That is the one Senator Greaves used. But here is the proviso:

“that, where in any of those weeks the employee was laid off or kept on short time, his earnings in respect of such weeks shall be taken to be at the average weekly rate of basic pay during the four weeks of normal employment immediately before the commencement of a period of layoff or short time;”

Here is where we get the chicanery. He is trying to fool the public that the Government is trying to take advantage of the workers and citing one section of the Act to have us believe that the Government is taking deliberate steps to hurt the workers of this country.

I wonder where Senator Greaves has been all these years, because it is this Government which brought in unemployment insurance, which has made provision for 60 per cent of the earnings to be paid. And in the Budget, the last Budget that he just quoted, we moved it from thirteen weeks to twenty-six weeks. That is for the benefit of the workers of this country.

SENATOR H. R. LINTON: I just rise to make one point which relates to the mathematics of this problem,

because, according to how I work it out, I cannot come to the conclusion that the worker is worse off.

For the purpose of the exercise, I have taken a worker who works for \$100 a week and who has worked for ten years. His average earnings over the last four weeks, \$400. He would be entitled to four weeks' pay for every complete year of employment, so that would be  $4 \times 10$ , which is 40, by the basic pay, which is \$100, which is \$4 000. If that worker, who is getting \$100 a week for ten years is severed, he receives \$4 000 and he loses his job.

Let us take the same worker who was working for ten years, but in his tenth year, he is being put on short time for 26 weeks, and bearing in mind also that if an employer puts such a worker on short time for 26 weeks, he is under a duty, according to this Bill, to re-hire him for 26 weeks. In his tenth year of employment, when he is put on short time, the 26 weeks that he is not employed he gets 60 per cent of the insurable earnings, that is \$1 560. For the 26 weeks that he must be compulsorily employed, he gets  $26 \times \$100$ , which is \$2 600. So he gets \$2 600 plus \$1 560, \$4 160, and he still has his job. According to my mathematics, with two men in that position, the one who is put on short time after ten years' service, at an average pay of \$100 a week, and is put on short time for 26 weeks, he has to be re-hired again compulsorily for 26 weeks and is better off by \$160 — and he still has his job.

That is the tenth year. If he goes on to work for the eleventh year and he is severed, he has already got this \$4 160 and he is still entitled to severance payment, as I understand it, for eleven years of service. If he goes on for twelve years, he would get paid and then he is still eligible for severance payment. But if you take the situation of the man who worked for ten years and was severed, he gets \$4 000 and that is the end of that.

I do not know if this is the way Senator Greaves has looked at it, but once we look at it from a mathematical standpoint, it is quite clear that the provisions envisaged by the present Bill are more beneficial to the worker, in two respect, than the one that has hitherto obtained. I do not think it is fair, or indeed accurate, to state that by the introduction of this legislation the Government is seeking to erode the rights of the worker. I think it may have been overlooked that, under this proposed Bill, the employer who lays off an employee for 26 weeks is duty bound to take him back for 26 weeks and that is the point we ought not to miss.

SENATOR W. W. HALL: I am not a mathematician, and, therefore, I seek not to add up a list of figures today to prove who is right, and in a rather *ad hoc* situation too. I feel that if that is the situation, the Government would come with these same figures and

prove to all and sundry what a good thing it is, if they think it is a good thing, and then everybody would be able to judge for themselves. But in the Other Place, I do not recall any reasons given, except that there is nothing wrong with it. That is what I read. There might not be anything wrong with it, but there is nothing right either. This is the whole point.

1.25 p.m.

We have to look at this Act very carefully. It is not a nebulous issue at all. The truth is that the worker does not pay any sort of contribution to the severance scheme, he contributes to the unemployment benefit. He used to pay one per cent of his salary; I think it is now .5 per cent, and the employer pays the same. We on this side feel that not only is the worker going to be worst off, but you have to think in terms of the frustration of the worker, which I do not believe can be measured in the dollars and cents that Senator Linton just called out. I think that it is very important that he understands very clearly what is happening, and if the case is put firmly to him, I think he could probably see it.

When I was coming here on Wednesday at 11:00 o'clock, the 11:00 o'clock news said two things. The news item said that 1984 was a bad year for the manufacturing sector and that 400 jobs in the garment industry had been lost. In the garment industry, I feel that if you have 400 jobs, you can be guaranteed that at least 60 or 70 per cent are ladies. That has a ricocheting effect, because when you say that 400 people have lost their jobs and they are ladies, you could multiply that by four. That is a serious state of affairs.

Senator Barrow said that if you have a good transportation system, the best in the Caribbean and one that can hold its head up among the best in the world, and if your communications are considered to be excellent, and you have a good industrial climate, that is a healthy climate to be in, and I agree. Perhaps one could claim that that is the reason why many heads of international firms would seek to come to a place like Barbados. Perhaps it could even explain why Barbados was considered very seriously in terms of being the capital of the Federation. These are factors that are really to our benefit, and it is good.

But what is equally true is that we are in the situation where we have had a lot of redundancy. We have had places closed down in the last month or so. You could read about Koves, Evelyn Roach, and the Foundry. You have a place like Intel going one off and one on, the hotels, the people in the bottling industry, like Coca-Cola and Banks, bottling three days off. They might not be sending people off, but they are finding other work for them to do, but everybody is not going to find work for you to do if your specific job cannot be maintained. So whereas it is true to say that, on the

one hand, we look pretty good, on the other hand things are not as good as they used to be, and we have to look at it very seriously.

The business sector has been crying out for help, and the Prime Minister has heard their cry and has set out to alleviate some of the problems they have. But if you come and tell me that you are going to move away from a situation where you can have severance after four straight weeks or six in 13 weeks, to 13 straight weeks or 12 in 16, that is a big jump.

The Minister has said that we now have money, we can pay now, and to give the worker further coverage, they are increasing the unemployment benefit to 60 per cent from 50 per cent, and they are being paid 26 weeks instead of the 13 weeks. It is a very serious thing when you are laid off, because sometimes you are laid off but your employment is not terminated — you are still employed but you are not working. That is the point. You cannot go anywhere and get any work, because when you are in this predicament, the minute you go out there and get something, it prejudices your chances of severance. Look at Husbands Wrought Iron, I am sorry Senator Seale is not in here. It was in receivership some years ago, and today I hear that they owe people \$4.2 million. At least they owe the bank \$3.5 million, I understand, and another \$700 000 to people, and the people are out in the streets not working. People in managerial positions with 15 years of service still are not working today, and if you go and get a job within this time, you cannot get your severance.

It is all well and good to get up and say that everything we say over here is a lot of nonsense. That is not true. I feel that you should look at what we are saying very carefully and try and see if you can take some remedial action. If the country is in a bad state and you come and tell me that if we do not ease the burden for the employers, you will find that things will go worse, because there will be more unemployment and all hell will break loose, then I would begin to understand that you are taking remedial action and that these things, as unpalatable as they may seem, must be done. But I have not heard a reason given in the Other Place, and the reason given by the Minister today is to give the employer an opportunity to reorganize his business, that it is better to get a guaranteed unemployment benefit for 26 weeks than severance after four weeks.

We have to say that the rosy side of it all is that perhaps you can say that the recession will pass, but the dark side is that we are in a lot of trouble. That is my contention, and you can come to the people and say things are bad. We have seen it already. In 1981, just after election you said you never had it so good, and then in October you came in here and we could hear about all sorts of situations where things were not good

at all — in a matter of months. I feel that you need to come honestly to the people and say the situation is tight, if we do not come to grips with the situation right now you will find that the employers will of necessity have to continue to lay off more and more people, and we will play bat and pad, we will take remedial action. People will more readily understand that than when you say nothing at all in the Lower House and then come in here and tell me that it is to give employers the opportunity to reorganize their business.

That flowery language is not acceptable to me. I feel that we need to have a clear analysis of the situation. Find out what is really wrong and go to the people and put the cards on the table. This is a managerial facet, it is something that must be done in management, and the Prime Minister and his Cabinet are the managing director and the managers who employ the most people in the public sector, and you will find that if you tell people why you are doing things, at least they will understand. Maybe it might not be the thing that they relish at the time, but in their wisdom they will understand what is happening. If you do not tell a man why you are doing things, then there will be all sorts of rumourmongering, and he, obviously in his ignorance, will listen to any sort of thing people tell him. Therefore, we need to find out why things are so bad, what has occasioned all of these lay offs and all these situations where suddenly the employer must be helped. We have to tell the people straight from the shoulder what the true position is. If you do, they will be able to understand it a lot better. 1.35 p.m.

Not only in the manufacturing sector, but we have seen in the furniture industry — perhaps the Ministers over there do not know — that because of the situation with Trinidad most furniture people had to stock their furniture for months on end and cannot get a market for it. I suppose that with Christmas coming up they might sell a bed, but your cash flow is affected and you must lay off people if you cannot get markets for what you produce. The Ministers might laugh, but they do not understand exactly what the situation is. They might not have taken the small people out there into their consideration, they might just have looked at it from a position where they can just come in here and tell people anything, and because they say it, you must believe it.

I have not heard anybody try to disprove what Senator Greaves has said, that the workers are worse off. Everybody has just got up and said it is not true — but no facts, no figures whatsoever. The Minister should be in a position to let us know what the situation is. As it stands, if it is not a fact that we are in a precarious position at the moment, and that is the reason why we have to do this rather big jump in which, indeed as the Minister said, it would appear that workers are dis-

advantaged — that is what he said — it would appear that one must consider the Unemployment Benefit Scheme which has paid out so many millions of dollars. That is what he said. He conceded, in other words, that it would appear. I do not want to hear anything about would appear, I want to hear the true facts.

If it is not a situation that we are in a precarious position and this is the reason why we have to do this, then I would say it is iniquitous. In other words, it is one of the most wicked, it is devilish. But if you can come and tell me we are in real trouble, we need this to get out of a hole, then I can quite understand what the position is. If that is done, it would give Senator Trotman the opportunity, now that he has it — he wanted it now for five years — where he can talk behind me and try to make it seem as if I do not know what I am talking about. While he is trying to do that, let him prove to the people of this country that this Severance Payment Act is for the good of the workers of this country, that it is in their interest. Let him prove that we are not in a precarious situation which has occasioned these drastic measures, as I would term them. If he can do that, then I would say well done, thou good and faithful servant, but I have never seen him do anything like that before. He would surprise me. I will not say he does not have the capacity, but we have seen no evidence of it where he has used it so far, and therefore I would be very grateful if he would get up and reply to this situation.

SENATOR THE HON. O'B. TROTMAN: Mr. President, the Severance Payments Act in its present form took several years of preparation. It was put on the Statute Book in 1971, was not proclaimed until 1973, and from then until now, whatever people say about the Severance Payments Act, all the lawyers have agreed that it is a very complicated Act, a very complex piece of legislation, and is difficult to understand. If we had any doubt of that today, Senator Hall proved it.

Senator Greaves, who understands it a little bit, made a presentation about which, if I did not have some association with the Act, I would have said that Senator Greaves did a good job. But I find it difficult to understand how someone who is charged with the education of shop stewards in this country, someone who must make it his business to understand the Severance Payments Act, someone who, I am told, is aspiring to become the negotiator for the Barbados Workers Union, could read the Act and fail to associate himself with the provisions in the First Schedule to the Severance Payments Act.

The Severance Payments Act, the First Schedule, Section 6(d) sets out clearly the two provisions which must be met in the calculation of severance payment, and after the two provisions, there is a following condition which has to be met as well. It reads, Sir:

“ ‘week's basic pay’ means —

- (i) in relation to an employee employed in work of a seasonal nature, his average basic pay per week in the two full seasons immediately preceding the date on which he ceases to be employed;
- (ii) in relation to any other employee his total basic pay during the one hundred and four weeks immediately preceding the date on which he ceased to be employed divided by one hundred and four,

provided that, where in any of those weeks the employee was laid off or kept on short-time, his earnings in respect of such weeks shall be taken to be at the average weekly rate of basic pay during the four weeks of normal employment immediately before the commencement of the period of lay-off or short time.”

I find it difficult to understand then how Senator Greaves, the educator of shop stewards, could find it possible to by-pass subsection (i), dealing with the question of work of a seasonal nature, the point I started my argument on, the question of seasonal work. He did not see that. He went on to subsection (ii) to deal with other employees, and then he forgot the proviso of the question of the four weeks immediately prior to being put on short time. All of his calculations were based on the premise of subsection (ii), the question of other employees, ignoring the question of seasonal work and ignoring the proviso of the four weeks immediately prior to being put on short time.

The point to be made there is that he tries to project that because of the proposed amendment today, the worker's severance would be substantially reduced. That is not true. He should have taken subsection (i), to deal with seasonal pay, into account, or the proviso of the four weeks immediately prior to being put on short time into account. I would commend the two provisos to Senator Greaves.

1.45 p.m.

Even then, assuming that he was correct, one of my colleagues took his arithmetic apart and showed that his basic arithmetic was still wrong. So not only is he foreign to the provisions of the Act, he is also bad on mathematics — and he is an aspiring negotiator. The union which he represents in another place is one which has great standing in the Caribbean, and there is no wonder that the leadership of that organisation is hanging on to make sure that he does not pass it on to people who do not acquaint themselves with the pillars of labour legislation in this country.

We go back to the question of meshing severance payment with unemployment benefit. One has to ask oneself what is the reason for severance payment, one, and what is the reason for unemployment benefit, two. The reason in both cases is the same, to make sure that the workers are not disadvantaged when they are out of work. The whole concept of Social Security is to provide a net to make sure that people, even when they are unemployed, even when they are old, in some cases still can maintain themselves at a certain standard of living. That is the object of all the Social Security legislation; whether it be severance payment, unemployment payments, or pensions, they all have one object and we cannot separate them into little components. They may start differently because of experience. If tomorrow we notice that there is another area of Social Security which is missing, we would start a new scheme to meet that, but it does not mean that we have not got to review all the provisions of Social Security to make sure that we are not duplicating our efforts. It is because of this lack of revision that I believe the Social Security system in Boston went broke. The great United States of America had to review their Social Security benefit system to make sure that it does not follow the Boston scheme, and New York was on the rails as well, because you have got to make sure that one is not duplicating in one system what one is providing for in another system.

The unions like to make the point that severance payments contributions are paid by employers and unemployment contributions are shared between the employers and employees. But one will find that even if one deducted the individual contributions of the employee, he is still better off during 26 weeks unemployment benefit, 26 weeks guaranteed employment, than to go home with two months' pay and have to wait for another two years before he can again qualify for severance. We have to remember that if a hotel worker collects his severance payment in 1985 and gets his two months' pay as severance, when he goes back to work again and he is only guaranteed 13 weeks pay, in any case he has to wait for two years before he qualifies the second time for severance payment. What we are doing is to make sure that, for the entire period of the 26 weeks between seasons, the man has some income to take home to his family.

The difference between our position on this side and the union on that side is that the union has an anti-employer position. We are not anti-anybody. The Barbados Labour Party started as a workers' organisation, but we recognise the fact that without employers there are no workers. The Barbados Workers Union is only concerned with its membership. We are concerned with employers, we are concerned with working people and we are concerned with unemployed people, but they are telling you that the employer is not their business because they are not on their membership roll.

The big point he was making all day today was that by shifting some of the weight from the severance funds to the unemployment insurance fund, that was relieving the employers of their responsibility, because he has an anti-employer mentality. We are not anti-anybody. If all the Koves and all the other employers close down, the workers would be out of business and you would be out of membership and you would close down.

#### *Asides*

SENATOR THE HON. O'B. TROTMAN: He was never a worker; he is an educator.

Senator Hall gave us a discourse. I did not understand it. Somebody says neither did he. He made a valid effort. I believe that his nomination might be up soon, like most people, in what my colleague Senator Griffith called the "silly season." People are a little bit nervous about nominations and all these things. I would suggest to him that there are certain matters which we can bat easily on; sometimes the sun is hot and the batting is easy, but when we get into severance payments and unemployment benefit, the wicket becomes a little bit sticky.....

SENATOR W. W. HALL: Sir, I would like the Senator to withdraw the remarks, because as far as industrial relations are concerned.....

Mr. PRESIDENT: Just a minute.

SENATOR W. W. HALL: You cannot say that I do not know anything about severance payments.

Mr. PRESIDENT: I did not understand that that is a reference to something.

SENATOR W. W. HALL: That is what he is imputing all the time, Sir, and he should know that I know more about it than he can ever know. He is always doing it, Sir!

Mr. PRESIDENT: I do not consider that a point of order.

SENATOR W. W. HALL: But still I want him to know that I know more than him on that.

SENATOR THE HON. O'B. TROTMAN: Mr. President, if Senator Hall wants me to say that he knows more about severance payment and industrial relations than me, I can concede that, but there is a difference. He was always on the employers' side and I was always on the workers' side. That is the difference between the two of us.

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

Mr. PRESIDENT: Before I ask the Minister to move the Senate into Committee, I have to draw to the attention of the House that the Deputy President is absent and it is necessary to appoint a temporary Chairman of Committees.

SENATOR THE HON. C. A. GRIFFITH: I beg to move that Senator Linton be the Chairman for the remainder of today's sitting.

Mr. PRESIDENT: If there are no further nominations, I declare Senator Linton to be temporary Chairman of Committees for this sitting.

SENATOR THE HON. O'B. TROTMAN: Mr. President, I beg to move that the Senate resolve itself into Committee on this Bill.

*The question was put to the Senate and agreed to.*

*Clauses 1 to 5 were called and passed, Senators GREAVES and HALL voting "No".*  
1.55 p.m.

*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. PRESIDENT in the Chair.*

*On separate motions of Senator the Hon. O'B. TROTMAN, the Bill was read a third time forthwith and passed, Senators GREAVES and HALL voting "No."*

#### INSTITUTE OF CHARTERED ACCOUNTANTS OF BARBADOS (INCORPORATION) (AMENDMENT) ACT, 1985

*Order No. 9 was called — To move the Second Reading of a Bill to amend the Institute of Chartered Accountants of Barbados (Incorporated) Act.*

SENATOR THE HON. N. A. BARROW: Mr. President this is a relevant and straightforward matter. The new Companies Act, 1982-5 makes provision for the qualification of auditors. The general provision is that:

"An individual qualifies for appointment as auditor, if

- (a) he is a member of the Institute of Chartered Accountants of Barbados, in this section called the "Institute", and holds a practising certificate of the Institute or
- (b) he is for the time being authorised to be appointed as an auditor of companies under subsection (3)"

Section 3 is the grandfather clause:

'The Minister may after consultation with the Institute authorise, by instrument in writing, any person to be appointed as an auditor of companies if that person

- (a) is in the opinion of the Minister suitably qualified for such an appointment by reason of his knowledge and experience, and
- (b) was in practice in Barbados as an auditor on the commencement of this Act."

However it is not the grandfather clause that we have applied. It is the first clause because in the Institute of Chartered Accountants of Barbados (Incorporated) Act it says a:

"Member" means a person, not being a student, who is registered as a member of the Institute under the rules."

It goes on to say that:

"accountant" means a person who engages in investigating, giving opinions on and certifying as to the accuracy of accounts for reward."

Representation was made to the Government by the Institute of Chartered Accountants that that definition was too restrictive and interfered with their legal function of issuing certificates. It therefore proposed to Government that the definition be broadened by changing the word, "means" and substituting therefor the word, "includes". The effect of that would be to allow the Institute to carry out its functions under the Companies Act and be able to issue certificates of practice. This is what this amendment is about.

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

*The question was put to the Senate and agreed to.*

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

#### COMMITTEE

*Clauses 1 and 2 were called and passed.*

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

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

## ADJOURNMENT

SENATOR THE HON. C. A. GRIFFITH: Mr President, that brings us to the end of Government Business for the day.

It has been noted in the Other Place that the summer recess is on and the Lower House will resume some time in late September. I think it is the 24th.

I just want to take this opportunity, before I move the adjournment, to say thanks to the staff of Parliament, to the Press and to Senators on all sides, who have made this session a very lively one. It is in the interest of democracy and good Government that we have had a very lively session.

The adjournment is timely, in that I know that people are still testing whether or not they will get in-

involved in what will be happening within the next year or so  
2.05 p.m.

I wish that everyone will come back renewed after the summer recess and ready for more work. We on this side will be giving no quarter and asking none.

I beg to move that the Senate adjourns *sine die*.

Mr. PRESIDENT In putting the question, I would like to endorse the remarks of the Minister and to thank members for their co-operation the staff for what they have been doing, and to wish everyone a pleasant recess.

*The question that the Senate do now adjourn sine die was put to the Senate and agreed to, and Mr. PRESIDENT adjourned the sitting accordingly.*  
2.07 p.m.

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