THE

SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1991 - 96

SENATE

Wednesday, January 15, 1992.

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, January 15, 1992, at 11.15 a.m.

PRESENT

His Honour Senator M. deL. JORDAN, (Deputy President)
Senator the Honourable L. V. H. LEWIS (Minister of Agriculture, Food and Fisheries), (Leader of the Senate)
Senator A. MORRISON
Senator A. J. N. PHILLIPS
Senator the Honourable Dr. C. D. CLARKE (Minister of Trade, Industry and Commerce)
Senator Dr. Frank W. ALLEYNE
Senator Miss Y. V. WALKES
Senator Mrs. M. BARKER-WELCH
Senator Dr. E. A. SIMMONS
Senator J. J. PAYNE
Senator Mrs. A. STRAUGHN, G.C.M.
Senator Mrs. M. WALCOTT, S.C.M.
Senator the Rev. Canon J. L. SPRINGER
Senator J. G. BELLAMY
Senator J. A. F. COLE
Senator T. E. BARKER
Senator Miss M. A. MOTTLEY.

Prayers were led by Rev. Errington Massiah.

Mr. DEPUTY PRESIDENT: The Senate is in Session.

PRESENTATION OF PAPERS

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, I am commanded to lay the following documents:

1. Guarantees under the Exempt Insurance Act, Cap 308A, Section 32 to the following:-

   (i) Towers International Reinsurance Corporation.

   (ii) Patriarch Insurance Company Limited.

   (iii) Southward Insurance Limited.

   (iv) Gulfstream Insurance (Barbados) Limited.

   (v) Wentworth Insurance Company Limited.

2. The Rate of Interest (Amendment) Order, 1991.

3. The Rate of Interest (Section 4 Exemption) (Amendment) Order, 1991.

4. The Duties, Taxes and Other Payments (Exemption) (No. 5) Order, 1991.

5. The Rate of Interest (Exemption) (No. 2) Order, 1991.

6. The Duties, Taxes and Other Payments (Exemption) (No. 10) Order, 1991.

7. The Duties, Taxes and Other Payments (Exemption) (No. 13) Order, 1991.

8. The Annual Reports and Financial Statements of the Barbados Agricultural Development Corporation for the years 1985-86, 1986-87 and 1987-88.

REPORTS FROM SELECT COMMITTEES

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, I can verbally communicate the fact that the Joint Select Committee on 3 Bills has completed its work and the Report has been laid in the other place. I have every reason to believe that the Report will reach us when next we meet, if it does not reach us later today.

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

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, I beg to move the suspension of Standing Order 45(2) to enable us to deal with two matters which are found on the Order Paper. In fact this is the only business before us. I beg to move that Standing Order 45(2) be suspended for the remainder of the Sitting.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, I beg to move the First Readings of a Bill entitled the Road Traffic (Road Tax, Registration Fee and Permit) (Validation) Bill, 1992 and the Road Traffic (Amendment) Bill, 1992.

The question was put to the Senate and agreed to.

PUBLIC BUSINESS

ORDER NO. 1 – THE ROAD TRAFFIC (ROAD TAX REGISTRATION FEE AND PERMIT) VALIDATION BILL, 1992

SENATOR A. MORRISON: Mr. Deputy President, I am moving the Second Reading of this Bill which is to validate certain payments and collection of fees paid in respect of public vehicles for the period January 1987 until the 15th of this month, Sir.

Sir, the reason for this is that the Minister of Finance, in 1986, by certain budgetary proposals in his Budget speech of July 15, 1986 had lowered certain fees payable on public service vehicles. These fees were reduced by as much as 50 per cent across the board and by some administrative error or probably, I would say, oversight the Order was not actually made by the Minister of Finance to bring these fees into operation.
11.30 a.m.

We are now asking this Honourable Senate to validate these particular fees which have been collected for the past years. We do not really like to come here on these matters, but it was only discovered in the Ministry of Transport and Works recently that this Order was never made and hence we are now bringing things into line by asking the Senate to ratify all that has been done since January 1987.

It is one of those concessions which were granted at the time in order to reduce the fees which were being charged on public service vehicles. In this case, although the Order was not made, people were still able to pay the lower fee in the past years, so in this respect it is at no cost to Government. Although the Order was not made, it does not mean that Government lost fees but what it was intended to do, to relieve the owners of vehicles, was actually done and therefore even if it was left like this without being corrected, it would only mean, arguing from the other point of view, that Government would still be entitled to the higher fees.

We are trying now to ratify the lower fees which were paid by the owners of public service vehicles for that period, and so I move that this Bill be read a second time.

SENATOR Miss M. A. MOTTLEY: Mr. Deputy President, I just wish to make a few comments on this Bill before the question is put.

This is a Bill to validate the illegal collection of fees in respect of public service vehicles and we are being asked to do so for a period over some 4 to 5 years. I have expressed in this Chamber on many occasions my very, very piqued reservations and in fact my opposition to the manner in which this Government does its business in bringing retroactive legislation. We have seen it at least on 3 or 4 occasions during this Session, and while I understand the explanation given by the Honourable Senator, that it was really an administrative error, and I take that fully for what it is and I understand that these things can happen, as it did happen, Sir, within the Barbados Labour Party's term in office – and I wish to make that absolutely clear – I still think that the whole question of Government needs to be far better managed in terms of matters like this which lead them to illegal actions.

As I say, it is unfortunate that this arose as a result of an administrative error, but this come on the tail of other actions of illegality which have arisen during the course of this Government's tenure in office which have not arisen as a result of administrative action. Therefore, when all these things are taken and looked at cumulatively, it reminds one of the old time Bajan saying "one-one blow kill a cow" and I submit that our whole system of justice and the rule of law in this country is suffering from the principle of "one-one blow kill a cow", particularly when one looks at the number of illegal actions that have arisen during the course of this Government's tenure in office.

Sir, the overdraft was brought to be validated, I believe, in the last parliamentary Session. Only a few

weeks ago in here we heard the Honourable Senator Clarke admitting quite readily, and we understand that the Prime Minister has done so in the Other Place as recently as yesterday, that that now has also been breached and we wonder when the validation order will come for that. The last validation order took 4 to 5 years to come and one wonders when the next will come. I take Senator Morrison's word that this mistake was only discovered recently, and knowing how diligent Senator Morrison is I know that he would have ensured that everything was done as quickly as possible to set things right. I am totally convinced of that, but if it is possible for this Government to bring to this Chamber an order to validate this, I wonder why they continue to allow other illegal actions to persist, particularly when we are the law making body in this country and are at this time openly making representations about a breach of the rule of law and taking such drastic action as bringing out soldiers. Yet we are not prepared to look at the breaches of the rule of law on the part of Government, which are condoned by the Cabinet of this country who form part of the legislative arm of the country.

I only wish to register my deep concerns and to make sure and to urge this Government that we do not continue to have a Government prepared to say "do as I say and not as I do". If we are making appeals to the public to obey the rule of law in this country, we as Government, whether a Barbados Labour Party Government or a Democratic Labour Party Government, must be prepared to set the example correctly by the manner in which we behave. I would hope that this kind of thing, whether it is from administrative error – and certainly if it is from administrative error it should not take four years to correct – or whether it is from a reckless attitude to do nothing about it, which I submit is the attitude in relation to the overdraft would not happen. I am appealing to the Government, as it is presently constituted, to do their utmost to ensure that the proper example is set for the people of this country, that this is not a Government that will continue to say "do as I say and not as I do."

Thank you, Sir.

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, it is indeed not a reckless act by the Government today to seek to correct what obviously, as was admitted, was an administrative error. Now, it is easy, if one has never been exposed to these situations,....

SENATOR Miss M. A. MOTTLEY: Sir, on a point of order. I believe the Honourable Senator has misunderstood and is therefore misleading the House as to what I termed a reckless act. I never termed this act of validating the collection of fees from public service vehicles a reckless act. I have accepted that it is an administrative error. I went on to say that the Act relating to the overdraft in my opinion was one of recklessness, not this one. I was particular to point out that I believe Senator Morrison.

SENATOR the HON. L .V. H. LEWIS: I did not, Mr. Deputy President, interfere with the Honourable Senator when the comment was made about the reckless act, but I introduced it up front because I intend dealing with that too. I was about to say that it is a very easy thing, when one has never been provided with an opportunity to have certain responsibilities, to stand aside and be critical and to describe an act as reckless. If an act is unfortunate, it does not mean that it is necessarily reckless. When, on a previous occasion, a matter came to this House seeking to validate an action that was clearly in need of some action, when it was considered that in terms of the economy of this country that the percentage applied towards the overdraft facility was in need of some revision, the matter was taken to the Honourable House of Assembly and then it came here. To suggest that this Government is the only one and has been the only one to overstep or exceed the overdraft facility would be not to understand what could happen to any government. In the state of Barbados' affairs at the present time, I think it is incumbent upon us all, on both sides of this Honourable Chamber, to try to discover ways and means of not exceeding the Ways and Means provisions.
11.40 a.m.

Even if there is an admission on the appropriate person's part and there has been a breach, I believe there is also a clear indication that systematic efforts are being introduced to ensure that the situation is not a persistent one. I would, therefore, in terms of my support of this particular amendment, this particular validation bill, indicate that it is no pride to any Minister of Government or any Parliamentary Secretary to have to come to Parliament for a validation Act and to have to make an admission that something that ought to have taken place is now being corrected because of negligence. It was certainly negligence on somebody's part that the matter was not properly prosecuted at the time that the legislation was made.

Our present system of the Minister of Finance introducing tax measures, and there being sometimes a period of lapse before the matter in fact takes effect, provides a clear opportunity for situations like this to arise. I, therefore, Mr. Deputy President, wish to offer support to this bill and to indicate that there will be a need to amend one of the clauses in the bill which originally set out that it takes effect on January 2 and to indicate that that should have been – certainly it was passed in the other House – January 14, 1992.

SENATOR A. MORRISON: To wind up this debate, I would just like to make a few observations. The problem has not taken this long to get here. It was only discovered recently and brought to this Honourable Senate. I think in

this case an officer who was working on that Order was transferred very hastily from the department to take up other duties and somehow it was not realised within the department itself, the Ministry of Finance, that this matter was urgent.

I am not making excuses for Government's shortcomings but the law office has been very overworked with very few lawyers available. The volume of legislation which goes through that department with inadequate staff has been more or less phenomenal. They don't seem to be able to catch up with the amount of work they have to do. There are not many good legal draughtsmen around and they have to cope with all the work from the ministries and departments. They are inundated by requests for various things and sometimes legislation is very long in coming. We realised the mistake at the time we brought it here, and I think it is a matter of pride that we would have to make sure that there should be more and more training available because it is an ongoing process and you need to keep your eyes open at all times. In this case, Sir, I think it is unfortunate because the officer was transferred at very short notice in order to correct another imbalance which had taken place in another department and did not have time to pass on to his successor the fact that he had not really completed the work on this particular programme.

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

The question was put to the Senate and agreed to.

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, I beg to move that Senator Joseph Payne be appointed to perform the duties of Acting Deputy President for today's sitting.

The question was put to the Senate and agreed to.

COMMITTEE

Upon the motion of SENATOR A. MORRISON, Mr. DEPUTY PRESIDENT left the Chair and the Senate went into Committee on the Bill, SENATOR JOSEPH PAYNE in the Chair.

Mr. CHAIRMAN: The Senate is in committee.

Clauses 1 and 2 were called and passed.

On the motion of SENATOR A. MORRISON, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. DEPUTY PRESIDENT resumed the Chair and reported accordingly.

On the motion of SENATOR A. MORRISON the Bill was read a third time and passed.
11.50 p.m.

ORDER NO. 2 – THE ROAD TRAFFIC (AMENDMENT) BILL, 1992

SENATOR A. MORRISON: Mr. Deputy President, I rise to move the Second Reading of a Bill to amend the Road Traffic Act. The purpose of this amendment is to introduce certain new definitions for certain road traffic vehicles and to bring certain measures into play for the operation of certain vehicles on the road.

Sir, some amendments have been made in the Other Place and they have been circulated. You will see we have been asked to delete clause 2. Then we renumber clause 3 as clause 2. Then certain words have been changed where "Licensing Department" has been changed back to "Licensing Authority." All these amendments have gone through the Lower House and have been passed.

If you look at section 2 we have the ordinary taxi, if I may explain to the Honourable House these definitions, as a motor car or taxi, a vehicle, other than a van, constructed to convey not more than 5 passengers for hire or reward. That is the original taxi which operates on a fixed basis for a hired fee.

Then we have something called a maxi taxi which is defined as a motor vehicle constructed or adapted to carry not less than 5 and not more than 10 passengers. It is kept for hire or reward and at an establishment or at the airport or seaport to convey passengers to their destinations.

Now we have come up with a new definition, Sir, by amending this section of the Act, a route-taxi. The history of this, Sir, is that for the past couple of years there have been certain Z vans which do not have any legal taxi permit but have been plying the highway like minibuses and charging the required fee of $1.50. There have been some ZM vans which are not legally supposed to be on the road in that manner. There are about 271 ordinary Z vans and about 60 ZM vans which are not supposed to be plying for hire in the way that minibuses and omnibuses operate.

As far as the Ministry is concerned, Sir, these are illegal people out there on the road. It has happened because some people who are accustomed to the ordinary saloon car when the car has been renewed or replaced after an accident, have also gone for a van type vehicle. Some of them are on the road legally because they are the ordinary taxi. It is when the ordinary taxi which has been given the taxi licence in a Z van form goes on the bus routes and picks up passengers at $1.50 a piece, they are there illegally. We have come up with the alternative that we are going to legalise these operations out there. We have come up with a new term which we call a route taxi thereby making the operation of those vehicles legal, as of this year.

Despite that, Sir, there will be some which will carry a new licence MR. When we make certain amendments they will be on a white background with new numbers to distinguish between the route taxis and the ordinary taxis. But there are still going to be some Z taxis on the road legally which are taxis in themselves because some people who carry a taxi licence will still be operating as such. When they have to get another vehicle they have gone for a van. These do not ply the highway for passengers as minibuses do. So we still have a core of taxis who will legally carry the Z and who would not be on the road as a bus but who would be there legally too to carry out their own taxi work as usual.

We are hoping, as time goes on, to phase out that kind of vehicle for taxis in general. When the time comes for them to renew their tax or change their vehicle we will be only issuing licences for taxis, that is, saloon motor cars. Eventually that Z van would be out in its own time by attrition. There will be a new route taxi which can carry passengers in the way that they have been carrying them and plying the bus route to the destruction of certain routes which are owned by the Transport Board.

Sir, we are hoping to be able, when we are able to legalise this aspect of the operation, to come up with a comprehensive transport study which has already been commissioned and which is being paid for by the European Investment Bank. The London Transport Authority is conducting a complete report on the whole idea of transportation in Barbados including privatisation by Government with a complete mix with the minibuses, the route taxis now, on how we are going to merge the transport system based on the available units which now work that system in this country.

We have also taken the chance in these amendments to introduce some other measures. If you look at the new section 9 there are certain penalties which we call fixed penalties which the policemen can use by a ticketing system.

If you read section 9, it says:-

"This section applies to any offence that has been created by any enactment and made punishable on summary conviction, being an offence committed in respect of a vehicle by reason of that vehicle

(a) having been left or parked on a road at night without reflectors;

(b) having been left obstructing the free passage of traffic on a road, or left waiting or parked on a road;

(c) being loaded or unloaded on a road;

(d) having been left in a parking place, there having been a failure to pay a charge made in respect of such vehicle at such parking place."

12.00 noon

Now from (a) to (e) are now being administered by the Police Department. They have the right to give you a ticket with a fine which is $25. We have taken the chance in this to raise the fine for those kinds of offences to $50. We have added on to that list other recommendations which have been given to us by the Commissioner of Police and we are putting other things under the same system as the fixed penalty for other offences. The police have complained that when you go to the court you have to take so long in the magistrate's court to get the case to come off that sometimes the police waste so much more time going to the court on every adjournment that they felt it better to put these other things under the fixed penalty policy. They can now issue a ticket and penalty for the breaking of these rules:

"(f) having been loaded with industrial materials or domestic waste and spilling its load on a highway;

(g) having been driven on a road at a speed greater than the maximum speed specified for a vehicle of that class;

(h) having been permitted to carry more passengers than it is licensed to carry;

(i) being a public service vehicle, travelling on a route other than a specified route;

(j) having its number plates obscured;

(k) not having a registration card affixed to the vehicle;

(l) being driven with unauthorised lights;

(m) being driven without functioning obligatory head lamps;

(n) using a limited trade licence for a purpose other than a specified purpose;

(o) having been drawn up alongside any other motor vehicle or reversed to the kerb stone of any footpath or the side of any road contrary to regulation 31(9)(b) of the regulations;

(p) having been left upon any footpath;".

These are things the police have asked for and we have agreed to and we are now putting into the legislation that the police can now issue tickets for these various matters

and will not have to waste time at the courts because litigation in the court is a very cumbersome thing these days and takes time. This will help to stop the police from wasting that time around the magistrate's court.

We have tried, too, with the carrying of excess passengers to put that in also, so that if you carry 5 people over the amount the first 5 would be $25 and every additional passenger up to 10 more persons is an additional $25 for each passenger. These are some of the things we are trying to do that would bring some level of order to the present operation of the Z vans in particular who have taken over routes in a manner we have never seen before in this country.

We are hoping that when we have got the benefit of the transportation study, when we look at the whole transportation thing in its entirety, to have it to use it as a means of allocating routes and things like that based on the Government's participation, as we have done with the Transport Board over the years and which has become very costly in recent years to operate. We have had a $10 million subsidy to the Transport Board in this financial year. I believe that would be reduced to $8 million in the coming financial year in order to keep things going. We at the Transport Board have been trying to make ends meet.

I know that there will be questions raised in this debate about the Transport Board and its operations. There is the benefit it is doing as a social service to the community and it has to carry this social service right through. If it is not done by Government, we do not see the private people operating in that regard. For instance, Sir, one such service provided by the Transport Board is the service to the old age pensioners. Part of the Transport Board's financial difficulty is because it has not been able to recoup the money which is owed to it by the National Assistance Department who pay the Transport Board on behalf of the old age pensioners. I think the deficit they owe us is in the order of over $3 million. But we continue to carry the old age pensioners because nobody else would carry them. We see that as a very important social service. We have been trying to trim the operations of the Transport Board based on the austerity measures which have been outlined by the Minister of Finance. We have been able to put some people on a 3 day week, some on a 4 day week in an effort to keep people employed because we employed up to last year about 1 540 persons at the Transport Board. That has now been reduced to 1 490 persons.

We have been trying in the Operations Department alone, Sir, where we deal with the bus drivers, bus conductors and other auxiliary staff, the clerks: in that section, Sir, we have about 1 080 people. When you look at the amount to service that area we could not yield in too many respects to that kind of pressure. We decided to put about 65% of that number, about 705 persons, on a 3-day week. The others who have been in employment for a longer period have been on a 4-day week. By so doing we are trying to cope with the pressure being put on the transport services. Sir, we are hoping that, with these increased fees for public service vehicles, that the Government might be able to provide the amount of money to the National Assistance Board in order to help pay off some of the debt which it now owes the Transport Board.
12.10 p.m.

We see the Transport Board, Sir, as a most vital element in the transportation system, but until we get the report of that transportation study and see how we can link the Government's participation as well as the private participation in the whole transportation system in this country we will have to try to make do with the funds available to the Transport Board now and to cut the suit to suit the cloth. We are not doing too badly now, Sir, but in these hard financial times we have to be more and more stringent. That is the position we are at, Sir.

Sir, we are hoping that we can bring more measure of control in the behaviour of the people who now ply with those small Z vans. They have been a law unto themselves. They have been turning around in the road. They have been blocking certain roads in town and there seems to be no end to the trouble which they can generate. There have been cases where they seem to be able to carry even more in the small vans than in the big bus. They have sometimes been overloading and things like that, but we are hoping that with these new fixed penalties which have been added to the list the police will be able to have a closer check on them and that, as time goes by, we will be able to have a more sturdy vehicle to reduce the risk of loss of human life. I contend that someday we might be faced with some accident in this country as a result of the Z vans when we may have to hold our heads in shame because of the degree of calamity which might result, as happened in Black Rock a few years ago, Sir, where people were thrown out of the van and were killed instantly and the chauffeur never stopped until he got home. That is the kind of nonsense that we see on the roads.

We figure there is room for this kind of help in the transportation in Barbados and that is why we are legalising the operation of 271 Z vans who are out there illegally and about 60 ZMs that come on the road.

You see, Sir, the ZM vans were intended for carrying people and providing excess bulk space for luggage. Some still ply that way – the ones that work at the airport do not come on the road at all. There are some who have left the normal thing which they ought to be doing and have come on the highway collecting the $1.50 fare like any minibus and making inroads into the whole transportation system.

We are calling them route taxis so that they have their own demarcation, their own numbering, and we are also in this legislation making certain amendments through which

we are trying to control the whole idea of licence plates. We want to be responsible for the whole issue of licence plates so that when people have breached the law we will be able to go and take our licence plates off that vehicle and stop it from going on the road. We are going to do it now through the same Gittens who now make the licence plates. We would pay for them and the licence plate would be the property of the Licensing Authority. We would have complete control over who carry our licence plates and how they carry them, as well as control the abuse which the police has reported to us about people who are given the kind of garage licences. They have a year's concession but some people have been abusing those licences. We are trying to tidy up on that, as well as on individual people who when they are arranging to get a vehicle are given those licence plates, and some of them drive with them for a long time after the period they were supposed to cover. We would like to have a say. That is why we have created a new class. We have separated the inspectors. You will see in the Act where we have a new definition for all of the people who are supposed to superintend that area.

In section 2 we have something called a testing officer and he is being defined as a person authorised by the Licensing Authority to conduct tests and examine applicants for driving licences. We also have a transport inspector and he shall be construed in accordance with Section 3(2).

Sir, this is a job description. The transport inspector is supposed to go out there and make sure that the traffic rules are being adhered to, that the buses are roadworthy, that people keep to the routes allocated to them and, in general, help to examine the whole aspect of transportation in Barbados.

We have the vehicle examiner, to inspect vehicles which go there for yearly inspection and to pontificate on whether a vehicle is roadworthy or not. We have tried to differentiate the uses of the three aspects of inspection so that, not only the transport inspector, but also the vehicle examiner would be able to stop any vehicle on the road and if he thinks it is not roadworthy to ask the driver to come to the Pine and there to give the vehicle the works. We want to keep the aspect of guarding the legislation up to date and to provide an eye out there on the road at all times in order to keep track of these wrong doers.

Sir, the new route taxis will carry the label ZR, so they will be very clearly distinguishable to anybody. Other people who attempt to ply the road on their own behalf and who did not carry the old time Z or ZM licence plate would be in breach of the regulations, so to speak.

Sir, I think these amendments are just part of a continuing struggle by the Ministry to keep abreast of the various problems which crop up from day to day in the transportation sector of this country. We are hoping that as we get coming to hand, the result of that study and of other studies we have in train, we will come with a whole comprehensive paper in the next year or so on the direction in which the transportation system will go.

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

SENATOR Miss M. A. MOTTLEY: Sir, when thinking of the overall amendments and the purpose for which this Bill was brought, I cannot help seeing another example of Government by "*ad hocism*" for which this Government is famous. It is another example of measures here and there without any overall plan of bringing them before you get what you need to change up the structure. It is nothing but Government by "*ad hocism*".

Sir, this Government's history within the last 6 years in the transportation sector in Barbados has been one of total confusion and one has to empathise with anybody who has anything to do with the transport sector from that point of view. One day you are told of or one day you suddenly see appear something called ZM vans that were really supposed to be maxi-taxis, and carrying people, for example tourists, on tours around the island and that kind of thing. They start to ply routes. Nothing is done, nothing is said. Government by its conduct seems to condone it.

The same thing then happened around 1989 with the Z vans. The minibus owners for 4/5 years were given the assurance of the legislation that was to come to prevent them from being prosecuted for an unreasonably low number of standing passengers. Many of them had to suffer the indignity of going to prison before anything was done about that.

Sir, we had the confusion in relation to whether they were to be given parking spaces as Z vans or whether they were not to be given parking spaces.
12.20 p.m.

It has been characterised by total confusion. I submit to you that, while I am happy to hear that a study is now being done, to introduce these measures at this time to change and alter fundamentally the structure of our transportation system prior to any determination of a study that is being funded, I see, by the European Community, is more confusion and removing from those involved in the transportation sector of the ability for them to plan their businesses properly. It is characteristic of this Government's operations throughout the whole gamut of the economy. That is what I mean by Government "*ad-hocism*".

Sir, for you to alter fundamentally the structure of the transportation system and then say you are getting a study done is like saying that you are building a house, and you buy the lumber from Barbados Lumber Company, you buy

concrete blocks, you buy cement, but you do not know how much you need. You do not even know if the architect has finished drawing the plans, so you do not know if it is a wall or wood house. You do not even know if you have permission from Town and Country Planning yet, because no plans have been submitted. That is the effect of what this Government is doing. It is characteristic of the same thing that was done at Sherbourne, because they still do not know what that is for, and the same thing has been done in a number of other operations of Government.

I am saying that, while we need to rationalise the transportation system in this country, and you have no problem with the Barbados Labour Party on that concept, we acknowledge that, but you cannot fundamentally alter the structure of the system, particularly where it relates to vehicles owned by private sector people – and by that I mean a large number, because most of them are a number of small operators who own a van or 2 or 3 vans – and I am not talking about the minibuses....

SENATOR A. MORRISON: If the Honourable Member will give way, Sir, on a point of elucidation, I do not think we are trying to alter the transportation system. What we are trying to do is to regularise what has already happened.

SENATOR Miss M. A. MOTTLEY: Sir, I am grateful to my friend, the Honourable Senator, but it still is the same thing. By regulating you are fundamentally altering the operations for those, for example, who have low top Z vans. The Honourable Senator knows this, because he is not only Parliamentary Secretary in that Ministry but he is a man of this world, a regular man. He knows that part of the same confusion of which I accused this Government over the last three or four years has been as to how many people the Z vans were licensed to carry.

Aside.

SENATOR Miss M. A. MOTTLEY: Very complimentary, Sir. He is genuinely my friend and he knows that I have nothing but the utmost admiration for him.

Some time late in 1990 there was confusion as to the numbers of people the Z vans were allowed to carry and I believe the Honourable Senator will correct me if I am wrong, and I will give way to him if I am wrong. A decision was taken that the low top Z vans were to carry 3 passengers and the high top Z vans would have carried 5 passengers. I see Senator Clarke looking at me as if he is amazed, which only reinforces my point that Senator Morrison is a man of the world and understands these matters, but Senator Clarke operates in a little higher circle.

Nonetheless, being quite serious though, Sir, the cut off limit as to route taxis in this new amendment is 5. Therefore, those Z vans that presently operate and are allowed to carry only 3 passengers – for example, the low top Z vans – are the ones who are fundamentally now affected because they can no longer apply for their route taxi permit.

SENATOR A. MORRISON: Sir, I would like to assure the Honourable Senator that the Chief Licensing Officer has the kind of liberty, based on the vehicle that comes to him, to approve the amount of people that he sees fit, but the least will be 5 now. He has the right to vary it, he has that kind of latitude now, based on the vehicle that is being used.

SENATOR Miss M. A. MOTTLEY: Sir, I understand what the Honourable Senator is saying about the Chief Licensing Officer, but take it from me, Sir, I have spent, especially over the last 6 weeks, a considerable amount of time in Bush Hall. There are actually 20 Z vans operating in Bush Hall. The Honourable Senator can verify what I am saying. I am telling you that they are low top Z vans. Anybody who drives on the roads in Barbados knows that there are some Suzuki vans with low tops and others with high tops. Late in 1990, when the former Minister of Transport and Works was there, part of the whole confusion when it came to licensing was that Suzuki had to start bringing in high top vans, because all of a sudden it was felt that the low top vans were too unsafe and too small and they were only allowing them to carry 3 passengers and you could have 5 passengers in the other ones with the high top.

Today I am seeing those people with the 3 passengers in the low top Z vans have no option but to operate as proper taxis. Therefore, you are fundamentally altering the manner in which that man conducts his business if he owns a low top Suzuki van. The point is that there is, through the regularising of the system and of what was illegal to be legal now, a fundamental altering of the transportation sector as it relates to vehicles owned by private people in this country, not to the Transport Board. While I am happy to hear that a study is going to be conducted, I am saying that it only causes more confusion.

Just think of a man who owns 2 or 3, one ZM van, one high top Z van and one low top Z van. Government has brought these amendments, but Government has also said that in a year's time, or whenever the study is completed, whether it is 6 months, a year or 2 years, that there may well be, in terms of a further rationalising of the sector, other decisions that relate to the fundamental operation that have to be taken. Sir, he cannot plan properly. Many of us in here are in business and understand that you need to be able to plan your business for a year or 2 or 3 at least in advance. Anything that obfuscates your ability to do so is fundamentally undermining the confidence which you have in the system. That is the point I am making in relation to this.

This is 5 years now that the ZM vans have operated as minibuses, and at least 3 years that the Z vans have operated as minibuses.

The time for the study was before now, but unfortunately the previous Minister of Transport & Works was obviously too busy looking at other things than determining the need for a rationalisation of this sector. I know there are many people on that side who would agree with what I am saying. That is the first point in relation to government by *"ad hocism"* and putting the carriage before the horse, regulating or altering the sector without first having the study done.
12.30 p.m.

We have also heard the whole question and the discussion relating to the privatisation of the Transport Board. We know that, at a time like this, with the IMF discussions going on and with the call for a number of institutions to privatise, we don't know what is going to be the state of that body. Indeed, Sir, some months ago we saw things on the front page of the newspaper relating to offers by various different groups – I believe one was even an overseas group. There is too much confusion. Nobody knows what's going on properly and, unfortunately, while honourable and good intentions are there to this amendment, I believe it does nothing more than to confuse further those people who rely on this area for their livelihood.

If we look at the whole question of transportation in Barbados, in 1976 when the Barbados Labour Party won the Government, in addition to dealing with the Transport Board, they regularised the position of minibuses in this country and did a number of other things on the road to try to rationalise the transportation sector. Indeed, we took many lashes for this. We left a situation where we had said that our policy was to move towards one-man buses and mechanical fare collection at the Transport Board to ensure greater efficiency at the same Board which has been a drain on the public purse for some time now. We felt that was the way to go. We also felt – and this is something I am fundamentally opposed to in relation to this Government's policy now concerning not agreeing to the transfer of licences of the same Z vans, ZM vans or whatever – arising from the basic principle that ground transportation is something that should be preserved for Barbadians as part of the whole policy of economic enfranchisement, that a taxi licence, a Z van or ZM van licence should be held as right of property in the way that one would hold a title deed to a plot of land. A lot of these chaps work for themselves or for small operators and therefore, have no hope of getting any pension in most cases. We felt that, if you gave the man the right of property in the licence, not only would you give him a chance to accumulate capital in terms of that right, but you would give him the ability if he operated it and was about to retire to sell the licence and have something that would provide for his pension. There was no "*ad hocism*" about that. It was a clear and calculated plan that licences had to be seen as rights of property in the same way as one had rights of real property and had a title deed to a house.

It was also felt that you should not allow any one group of persons to enjoy a monopoly within that part of the transportation sector. So, you really had an opportunity then to practise the policy of economic enfranchisement.

Sir, while there has been a lot of illegality relating to the Z vans and ZM vans, and while there has also been the "*ad hocism*", if there is anything good that has come out of it, it has given a number of small Barbadians the opportunity to have a stake in the economic structure of this country. That's why, especially after 6 years, I am very hesitant and careful to watch to see how Government proposes to regulate the sector even if they have been operating illegally because it is an avenue of broadening economic participation in the country. I hope, Sir, having said that, and I issue a very stern warning, that if, at all, either Government, Democratic Labour Party or Barbados Labour Party, seeks in a rationalisation of the sector and determines that the Transport Board needs privatisation, it must be done in the interest of Barbadian workers and primarily to ensure that avenue of economic enfranchisement is continued and that a broader mass of people participate in ownership and management of that sector. I hope that, when that study comes out, even if that study is against it, we have the guts to stand up and say we believe that ground transportation has always been something that can be controlled by Barbadians and nobody else. I mean the Caribbean people generally also, because, hopefully, we will be part of the continuing process of integration. Sir, I feel very strongly on that part and I hope that they will bear that in mind whenever the time comes, as we know it must inevitably come, because there seems to be a systematic selling of the family silver going on.

In relation, Sir, also to the whole question of transportation, I want us to understand that we were very clear in the Barbados Labour Party about the need for an independent public transport authority. I think the time has really come to address ourselves to that prospect. We cannot allow time to run away and catch us and let us appear as though we are sleeping while this is going on. It is necessary to regulate the entire ground system...

SENATOR the HON. L. V. H. LEWIS: On a point of explanation, Mr. Deputy President, the Cabinet is responsible for the leadership of this country and I hope that the inference that the Cabinet of the country is sleeping is not intended.

SENATOR Miss M. A. MOTTLEY: Sir, I never said that, nor did I imply that. I simply said that we must not let time pass and let us appear as though we are sleeping and that it is necessary for it to believe that it is independent

and not affected by the vagaries of changes in government because we all know well how the Transport Board became a nest-egg for employment for certain people in certain areas. In fact, it has backfired except that the person who caused it isn't here to suffer the consequences. A number of people from one particular area in Barbados suffered when there were cutbacks from the Transport Board. It cannot be a political football any longer. Transportation is too important a factor within the whole structure of the economy for us to take that kind of attitude towards it.

In respect of the minibuses and the Z vans there must be proper integration of them into the system at terms no less favourable than those of the Transport Board, especially if you are serious about economic enfranchisement. While we understand that very often they tend to make the majority of the money on short routes and cause the Transport Board to lose money from the long routes, it is necessary that they too must take some bitter with the sweet. Therefore, the more so is there a need for an independent public transportation authority which will ensure when it is giving out these routes that the minibus operators do not monopolise the short profitable routes to the exclusion of the Transport Board or whatever is the composition of the transportation sector at that time. There must be equity evenly within the system among them. As we all know in life, there is always bitter with sweet, and hard with soft.

Another thing that disturbs me greatly is the practice of this Government within recent times of importing buses fully made when we have manufacturers in this country who will build the buses and provide employment for Barbadian people if you import the chassis. This is so especially when one hears about the 25 buses that just came in and there seems to be some confusion because the buses are too tall or something, when people are being laid off all about the place and we could provide work for Barbadian people if we had given the order to import the chassis and the order for the bodies to the Barbadian manufacturers. This is so too especially at a time when the manufacturers are having a severe and rough time in trying to compete with other regional manufacturers particularly after Government has only agreed to give them back half of the concessions. These are hard times. People must be able to plan. You must be able to utilise all your resources within this economy when planning your transportation sector.

12.40 p.m.

It is significant that we saw last August the resignation of both the Chairman and the Deputy Chairman of the Board. The whole question as to what were the correct buses and who gave the advice as to whether buses should be brought in surrounded the whole question of the resignation of these men.

One must be concerned when you see these things happening. Particularly at a time when Government is telling people that they must cut back, you must utilise your resources well as you need to cushion the blow and the dislocation of an IMF programme and to ensure that people have a right to participate in the system and, with that right, to be able to plan properly, especially at a time when there is no easing at all within the financial sector.

There is no room even for marginal error. If you miss and go over an overdraft limit you are paying 36% to 41% over the overdraft limit that you agreed with the bank. It is even more necessary for you then to create a new environment where you can plan properly. It is even more necessary for you to provide work for Barbadian manufacturers when it comes to the construction of buses so that some of the same 3 000 persons who were laid off from Government can get a pick from those same manufacturers when it comes to employment.

I would also wish to register my consternation and to ask the question, and I would like an answer on this, whether the Transport Levy is still being paid into the Consolidated Fund or whether it remains separate. I would hope that it remains separate and not like the position 3 years ago when the former Minister of Transport and Works announced that the Transport Levy Funds were being paid into the Consolidated Fund. I believe there is something fundamentally wrong if you ask a man to pay money for a particular purpose and then he is unable to see for certain the direction in which that money is being spent. I believe that the Transport Levy if it is being collected must be used for the purpose it was intended and not just dropped in the mass of the Consolidated Fund pot.

In respect of the question of how does this system works, despite the fact that I disagree with Government's *"ad hocism"* in this manner now that you are bringing these measures, I wish to issue another stern warning. The secret of any proper regulation of the transport sector in this country is going to depend 75% on its proper policing. I am glad to hear that Government is paying some attention to that in its consideration. It is something that they do not need to wait for a study to get. It is something that they can do now and I am glad to see that they are doing it. It is going to be important to ensure that in the regulation of any section in the transportation sector that there is proper policing of that section.

At this stage I wish to register my regret, consternation and condemnation of the type of behaviour that has surrounded the operation of Z and ZM vans and formerly minibuses in this country and the type of subculture that has developed around it particularly where it involves a risk of threatening the lives of people and, moreso, school children. If you are in a Z or ZM van and you are an adult you can always tell the driver to let you off at the next corner but there are very few school

children who would have the willpower to do that. Therefore when a man is doing milkshakes, as they call them, on the road and bobbing and weaving with school children in a van you must get worried and issue a stern warning that under no condition we as a society can condone that, nor are we to condone people riding up to a school and back down just to hear music in a van. That is not the purpose of a transportation sector in this country.

I hope those stern warnings will reach those who operate the Z, ZM vans and the minibuses and, indeed, some of the same Transport Board people. There are lots of Transport Board buses in which, if you do not say a prayer fast, when they come around a corner if you do not say a prayer fast you are in trouble. The same warning has to go out to anybody who undertakes the serious responsibility of transporting people from point A to point B, regardless of who their employer is. I am not coming down on one side or the other. I am talking about all of them.

Sir, it has a deleterious effect on the insurance premiums for the rest of the people in the society who operate their cars and vans in a very businesslike manner and, indeed, carries up the overall cost of business in a country because such is the nature of business and economics in terms of the cost-weakening effect.

Sir, I am glad to see that arrangements are being made – this is another thing that you do not need the study to wait on so I am condoning it wholeheartedly – for certain offences to be removed from the ambit of the Court and to be dealt with otherwise. Anybody who pays a visit, even if it is not a regular visit to the Traffic Court in Bridgetown will know that the backlog of cases in there is unbelievable. I believe some time last year they realised they had something in excess of 5 000 back cases in one court. A lot of them were matters that could have been dealt with quite easily elsewhere.

I am glad to see these arrangements, and I think there will probably be a significant reduction in the number of matters before Magistrates. This is particularly so when there is an increase in crime and those same Magistrates can be better utilised in servicing the dedicated criminal and civil jurisdictions in this country because there is a need for more Magistrates on the Bench in this country. If you can remove the workload they have to face in traffic cases significantly they may be better able to manage their time to deliver and administer justice in this country.

I am also glad to see that the whole question of the environment is foremost in mind in dealing with the trucks and vans which are not covered and spill as they go down the road or around corners or roundabouts in particular. Roundabouts are even more difficult to clean because of the constant flow of traffic. It is a road hazard. It is an environmental hazard and something needed to be done about it a long time ago. I welcome the fact that Government is taking action on that point.

As I said before, the key to any success in these amendments has to be the question of regulation and policing. Therefore, I hope that there will be regular policing. I believe that policing should really take place also from the point where they come to license at MTW and that they should show they have something to cover the trucks which is firm and will withstand the passage of time.

A man may just wait until he is caught to do something about it, but if when he goes for his licence to operate he has to show that he needs this and must have this to operate, then we are not dealing so much with curing the problem but with preventing the problem before it starts.

I have said quite a bit on this Bill. It has varied from the whole concept of the need for proper planning so that people in turn can plan properly in the harsh economic times to the question of economic enfranchisement, because it is an excellent opportunity to ensure that Barbadians, and black Barbadians in particular, are given the opportunity to participate in the sector. I have called on this Government again to consider allowing the transfer of licences whether they be for Z or ZM vans, so that the rights of property can now be attached to them so and their transferors can provide for themselves instead of relying on the State to provide all for them when they stop operating that form of business. I have spoken about the confusion of Government. As I said, I honestly have confidence in the Honourable Senator Morrison.

12.50 p.m.

I hope that within there now, Sir – and the Honourable Deputy Prime Minister too – I hope that though it is late, and though I am still accusing them of Government by "*ad hocism*", they will try and clean up the mess that was left there by the previous Minister of Transport and Works. Transportation is too important a part of our infrastructural system and for too long we have had a reputation for a good transportation system and a good road network system for us to trifle with it. Let us proceed on the basis, bearing those factors in mind, that I have cautioned the Government on. I have not reprobated and approbated at the same time but I have spoken on things that I agree with and I have spoken on things that I have disagreed with, Sir. I hope that it is taken in the constructive tone in which it was given, Sir.

Thank you, Sir.

Mr. DEPUTY PRESIDENT: Senator Alleyne.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I just want to make a few brief comments on

this Bill. I welcome the introduction of these amendments because I hope they will bring some kind of order to the anarchy which presently exists on the roads of Barbados.

Senator Mottley speaks of *"ad hocism"* being exemplified by this Bill. I respectfully disagree. There is no inherent conflict between this Bill and the more comprehensive study of the transport system. There can be no fundamental conflict between short-term planning and long-term planning because long-term planning essentially is comprised of a series of short-term plans. While you are planning to take care of the long haul you have to take care of the short-term issues. So to say that this Bill represents *"ad hocism"* is a failure to understand the nature of planning. So much for that.

I have a difficulty in supporting the proposal by Senator Mottley that licences should become a property right. My difficulty has to do with the fact that human nature being what it is, it is quite possible that a concessionaire or some individual, because of his contact with the person who can approve these licences, can accumulate a number of licences and then that person can use them to realise a capital gain. Barbados is a small place. I know of cases where traders have approached persons who own licences, have bought vehicles at inflated prices so as to get hold of the licences and then they have given back the vehicles to the previous owners. All they wanted was the licence. I am not going to say any more on that particular score. I just want to say that the proposal which Senator Mottley is advocating is fraught with danger and we have to be careful about it. Because all of us in Barbados must have heard of cases where there are taxis which do not transport humans.

I wish to refer to the renumbered clause 2 (a). Ever so often in Barbados one hears about Government not doing this, and not doing that. I am going to deal particularly with section 2 (a), because this responsibility is the responsibility of the Police Force and the Licensing Authority. It is their responsibility to enforce the law. As I understand it, it is the Minister of Transportion who takes the initiative to carry certain ideas to Cabinet, have them approved and then the Attorney-General oversees the draft legislation which comes before us. But it is the duty of the Police Force to see that this section is enforced.

I remember it was reported in one of the daily newspapers that one of these little Z vans transported some 47 school children from a school somewhere in the countryside. This is a van which is supposed to carry 5 persons and the paper reported that there were 47 persons in this van. It is not a Minister who is to spot that. It is not the Minister's responsibility to go and stop the van driver from doing that. It is the responsibility of the police to do that. We have to recognize these things. It is the responsibility of the Licensing Authority when people indulge in these gross infractions of the law to deal with them within the law.

I hope that when this becomes law the police will stringently enforce Clause 2(a). This craziness of vans which are licensed to carry not more than 10 persons carrying 50 people, has to stop, because insurers are going to wait on you and when you get into a serious accident, they are going to seek their legal advisers. If you are insured to carry not more than 10 and you are in an accident and you are carrying over 10, somebody is up to risk. The public had better understand that.

I make the same comment about Clause 2(b) which deals with the route taxis which, on the passing of this amendment, should carry no more than 15 persons. I am concerned Mr. Deputy President that in Barbados today it seems to me that to be popular you have to flout the law. This seems to be the situation today. If you are not reckless and lawless nobody will admire you. I believe that there are people in the public sector who have certain managerial responsibilities. My appeal to those managers is to carry out their responsibilities.

I am prepared to criticise a Minister or a politician when he is at fault. But I am not prepared to point my finger at any politician without just cause. Too much of that is happening in Barbados.

On Clause 3(1) which deals with roadworthiness, I am at a loss sometimes to understand how the owners of certain vehicles can receive roadworthiness certificates. I want specifically to call attention to some of these public service vehicles particularly the large minibuses. When you see the amount of black smoke emitting from some of these mufflers, especially when they are starting off, you would want to know if it is a train. Many of those vehicles should be taken off the road, as a danger to the environment. It is my experience whenever I have had to drive behind any of them, I usually try to keep a distance of 60 or 70 yards. It is damaging to health and I am urging the Licensing Authority to get its inspectors on the road and take off those vehicles which are damaging the environment, otherwise it is no point bringing amendments here to have no further effect than increasing the amount of legislation on the Statute Books. It just does not make sense.

1.00 p.m.

On renumbered clause 8 there is a general comment which I wish to make, Mr. Deputy President, and it is this. I believe that in Barbados the police should take preventative action rather than trying to trap people. I do not believe it is right for a police officer to allow someone to come and park when the officer is in that particular vicinity and then when the person alights from his vehicle come and report the person. I believe proper policing requires the police officer to say to that person, you should

not park in that area. It is not a matter of waiting and ensnaring him. I think those things are wrong.

Mr. Deputy President, I also think it is wrong and very unbecoming when I consider the very crude manner in which some police officers approach members of the public. It is not proper to approach a chauffeur in a rather crude manner, requesting the person's name. This does not make for good relations between the public and the police. There are some police officers who are guilty of that kind of conduct.

I hope, Mr. Deputy President, that, with the passage of these amendments stringent attention will be paid to the business of public passenger vehicles picking up and putting down passengers. It is totally unacceptable that in Barbados provisions are made on the public highways for public passenger vehicles to use those bays for picking up and putting down passengers and the minibuses refuse to use them. They block the roads and as soon as they stop to take up passengers they have the right indicator light on indicating they are moving. It is time that the police act to bring these nuisances to an end.

I can tell you, Mr. Deputy President, the roundabout at the top of Collymore Rock is a hazard. You find minibuses coming up on the left hand side of the road and about 20 to 30 yards before they reach the roundabout they just cut into that traffic. It is very, very hazardous. All of us in Barbados know about this and the only people who do not seem to know about it is the police. It is time that this be brought to an end. It will not be brought to an end unless people are killed on that roundabout. You do not have to be a high level investigator to know these things. It is very prevalent at a certain time of day.

Mr. Deputy President, I would hope also that greater use would be made of section 85 of the Road Traffic Act. Section 85 of the Road Traffic Act empowers a police officer to take action against any person who drives, attempts to drive or is in charge of a motor vehicle on a road while under the influence of drink or a drug, and I emphasise a drug, to such an extent as to be incapable of having proper control of the vehicle. I believe that greater use should be made by our police force of that particular section. There are too many irresponsible people driving public passenger vehicles and something has got to be done about that. You cannot be in charge of a public passenger vehicle and be driving it as if you are riding a motorcycle doing stunt riding. You can't be. I am saying that we have got to protect these people from themselves because the risk is that the sensible road user is likely to be injured because of these reckless elements.

I feel quite strongly that the time has come when the private associations which represent the minibuses and the mini-vans have got to think carefully as to whether they should not require certificates of character before they employ people to work on those vehicles. They are public passenger vehicles and if you are providing a public service you have got to be very careful about the people you recruit to provide that service.

Mr. Deputy President, I hope that these amendments will bring some order to our roads, but at the same time I hope that this business of developing concessionaires to compete with the Transport Board will come to an end. The Barbados Labour Party has the proud record of nationalising the public transport system, but I distinctly recall the development of large concessionaires. I am speaking about people who own 12 minibuses. I remember that Senator Mottley said a lot of small people own these minibuses. It is my certain knowledge it is not true. I have the list in my possession, I do not have it here, of who owns what. I had to get it as Chairman of the National Insurance Board because many of them do not pay NIS. I did not get it by chance. You have many of them who have 10 minibuses, some have 8 and some have 6. I have no difficulty with a single individual who is the owner/operator. I do not have a difficulty on that. I have a difficulty with large, developing concessionaires who are able to under-cut the Transport Board.

I am agreeing with Senator Mottley. I believe it was a grave error to have allowed these small Suzuki Z vans to be used as public passenger vehicles. If you wish to acquire one for private use, that is fine with me, but as a public passenger vehicle I think they are a danger and you do not have to be an engineer to know that. I would hope that some day, soon, this Government would review its position on granting licences, as well as renewing the licences of these mini-vans.

I will go further. I hope, in the very near future, no minibus would be allowed on the streets of Barbados, and that no licence would be renewed unless the Chief Licensing Officer is sure that your NIS has been paid for that year for yourself and for your employees. I would hope that happens in this Year of Our Lord. With those few comments, Mr. Deputy President, I support this legislation.

SENATOR Mrs. A. STRAUGHN: Mr. Deputy President, I have no problem supporting any measure that aims at upgrading or improving public transport. One of the very obvious and vital elements of development in any country is a well organised and a good working, and I emphasise working, public transport system. I want to make a comment, probably an extended comment, on what might soon be regarded as my pet peeve but I will do it anyhow. Mr. Deputy President, that is the importance of training and techniques in human relationship skills. It is so important that I feel it could almost be made mandatory. Much of what I am going to say is very much related to some of the implications, or implied by what Senator

Alleyne has said. It is a pity that this area is so often overlooked in the field that involves so many people and such a large proportion of human interaction.
1.10 p.m.

Mr. Deputy President, it is common knowledge now that the recognition of the erosion done to our society due to the breakdown of the family unit has reached peak proportions. A very great part, and a very important part, of the total education process, especially in the area of human interaction and inter-personal behaviour still comes from, and will always come from, the practices within the family unit. Training in school, because of the complexities of change, is becoming increasingly difficult. In the absence of such basics, there is all the more reason why a programme of intensive training must be put in place to equip those appointed to these positions, the positions of inspection, the positions of handling these areas of the transport system. It is important that this particular training device be put in place to equip those appointed in these positions to deal with the many and various orientations, chiefly the human people, that they meet in their particular line of duty, even in just the simple course of a day's work.

Mr. Deputy President, bus conductors, bus drivers, bus inspectors, and in this particular situation by extension the police service, all these people operating in the area of public transport and support transport systems, operating in the movement of people and large numbers of people, meet more people, all sorts of people, people of all social levels and status, people of all careers, all dispositions and all types of behaviours than many who work in other careers. Nobody has any real control over human behaviour, because human behaviour is so unpredictable, but I believe that a trained mind can be a strong moderating influence, even to the point of exercising a level of responsibility, to the point of acknowledging the level of accountability, even to the extent of alleviating accidents in a public transport system. There is that training of the mind which gives a certain amount of level-headedness, which gives a certain amount of control.

I submit, therefore, Mr. Deputy President, that it is imperative that serious consideration be given to the proper implementation of a training programme which will go a long way, as I see it, in ensuring that proper human relationships enrich and enhance any improved service of transportation that Barbados in its development process envisages.

I thank you, Mr. Deputy President.

SENATOR Miss Y. V. WALKES: Mr. Deputy President, just to look at two or three prime areas in the Bill, I want first to say that I am in agreement with Senator Alleyne who drew to the attention of this House that the Minister should not be blamed for a number of things, but there are a number of areas that the police can take under his charge.

I am saying that, as citizens, we have the opportunity to take on a lot of responsibility and to show that we can play responsible roles in this whole area of transportation, in the whole question of Z and ZM vans, and even the minibuses.

This brings to mind the whole question of school children. I am looking at that area because I recognise that teachers, especially sports teachers, have a very responsible role to play in terms of the people whom they ask to take the children from place to place.

I noted on two different occasions that teachers hired Z vans or ZM vans to take children from one point to the other, even from as high as St. John down to St. Peter. There was a very young driver with one or two earrings in his ear just rocking this Z van, the boys jumped off the bus and rushed around, then they were swearing and this guy who was driving the bus was the only person who seemed to be taking them to this spot. There was no school master or mistress in the bus, but the point I am making is that there seems to be this irresponsible attitude even among the teachers if children can have a good time while they are going from one point to the other and the thing to take them is this Z or ZM van.

I am saying that we have to play a more responsible role than we seem to be playing and parents seem to be thinking that this is a very good thing also for their children, to ensure that their children are happy when they are going to school in that they have this good music, and furthermore, according to them, that the children are taken to school in a hurry, whereas the Transport Board buses seem to take a longer time and they do not have that good, torrid movement when they are going on to school.

As adults, as passengers we also play the role in enjoying this type of behaviour and even some bad attitudes which are put over by the actual drivers themselves who, to my mind, seem to be quite young, as they stop in front of any other vehicle, at any point, and furthermore abuse you if it looks as though you would want to get from behind this vehicle when it stops, maybe in the middle of the road. I am saying I can agree with Senator Straughn when she talks about the education of people in terms of transportation.
1.20 p.m.

Let me move off that as I realise we are into time and look at clause 9 of the legislation line (f) where we are looking at having overloaded vehicles with industrial material or domestic waste and we are trying to prevent this by summary conviction. I note that the sanitation vans and trucks are the ones who play a great role in this area in terms of spilling waste all over the street and I am

wondering if the Government has taken note of this and of the summary conviction. Who will be the person convicted? Will it be the driver or the Government itself? If we are talking about bringing economic benefits to the Government, I am wondering if we are not now looking at causing more problems for ourselves because then we can have drivers who are not ready to drive vehicles that do not hold the waste properly.

I recognise that this legislation is positive in terms of looking at the safety of pedestrians and vehicles because sometimes the waste is spilled onto vehicles. Only the other day I noticed this happen to a vehicle on Highway 2.

I am also very glad to see that the beautification of the environment will be preserved, but I want us to look at that question of the sanitation trucks and how we will alleviate the problem we suffer in that regard, if we are going to ensure that those trucks are ready to hold the waste properly and that the drivers and the people who load them are trained in or at least understand the techniques of ensuring that the waste is properly placed inside of the truck so that spillage will not be there to cause more of a burden on the Government if there is a conviction in that regard.

Mr. Deputy President, I am glad that we are looking at the rationalisation of the transport system but I am more so glad that we have paid attention to finding a solution right now to some of the problems. I want to be very parochial at this point and say that I note that we in Barbados – and you will find that people in the country tend to do this also – pay attention so much to what is happening in Bridgetown and you see Z vans and ZM vans and minibuses crowding on each other. They can't find parking space in Bridgetown while the people in the country can't find space inside a vehicle to get to their various points of business and work.

More so, it is very hard now on people because, in the economic crisis and downturn employers are becoming more conscious of the times that people get to work and maybe when they leave work also, and therefore, workers are finding it very hard to get to work in time. I am talking about the country specifically because I note that the concentration is on Bridgetown and I am saying that there is another city centre in this country, in Speightstown, St. Peter, to concentrate on. That is why I said that I want to be parochial. Concentration can be paid on that area to ensure that vehicles, the same Z vans, ZM vans and minibuses are allocated to those areas so that people in Boscobelle, where people have to wait 2 hours to get from one point to another, Indian Ground, the Whim, which is not far from Speightstown but is a distance yet – I am calling these 3 areas because they are three crucial areas that come to mind and a number of the constituents have been complaining time and time again – can have some measure of correction done in those areas.

While we are concentrating on Bridgetown, we are forgetting that Speightstown is a city centre and buses operate from that end. Furthermore, we have a situation where bus inspectors, recognising that they might have to change a bus at some point, go ahead and change the bus route, not telling the passengers what is going on, and the bus may be sent to St. Lucy while the people in Boscobelle and Indian Ground and those areas are standing there waiting without any definite time as to when they are going to get to work or even from work. That cannot continue.

Even though we are talking about rationalising the system, in the meantime, what do we do for those people? We can't make it any harder for them so that they will lose their jobs or at least be looked at when people are looking at job analysis and every other thing that you can think about in terms of the time that we make it to work will be taken into consideration as a very high point. Nobody considers that you come from the country. It is very far away when they have to get there but it is not far away when someone has to come to town.

We have to start thinking very seriously of the kind of concentration that we put on things in this country, and not always think that it is only St. Michael and the suburban areas that are important. The northern part is also a part of this country and you must pay special attention to what is happening in terms of the allocation of transportation.

I am wondering if, while we are legalising the Z vans, we are not overlooking a point of ensuring that some of the people who come from those areas to town to make their money in the town areas could not be reallocated or encouraged to accept reallocation to areas outside Bridgetown.

The other point that is going to come up for the Government to face will be how many people and small business people are unemployed who were employed when they were running the Z vans and the ZM vans and now they cannot have a licence or new licence and will be saying that they are out of work. We have areas that need to be looked at. I am saying that if we do not do this then we are overlooking this very good point of reallocating people in every area.

I will stop there, Mr. Deputy President, and say that, in essence, I support the legislation but I would like us to pay special attention to those areas I have mentioned. I want to say to Senator Morrison, because I know that he is directly in the area, that in the Whim area you will hear that you cannot send a bus to the Whim, but that is not the question. They will say that the Whim is a small area. I am saying that a bus from another area going to another point can go to Station Hill into Clarke's Gap and go on to the new road and I am not saying one bus in every week or every two or every three weeks. I am talking about a bus

every morning to take people to work, at least between the hours of 6 to 8 or 9 o'clock and then to take them back home in the afternoon. There is nothing so difficult about that, but it seems to pose great difficulty to the transport system. I am saying that, rather than get into a number of problems in the city area, we can allocate and really find an answer to some of the problems of unemployment and some of the problems of overcrowding in the city with the minibuses both for space and for people also.
1.30 p.m.

The Transport Board can look at the area in terms of allocating its routes so that it can make money. But it needs to look carefully at the times when people utilise those areas fully rather than just sending a bus willy-nilly. If we are saying that we are looking at our economic benefits then we have to look at it systematically to see the times when people concentrate on going to and from work and to their business. We have also to look at informing the people in the country areas, in the North when the buses will go and not inform them this week with printed matter and then change it the next week or few days and not inform them again even through the speakers inside the Transport Board system there.

There are ways and means by which this can be done but it is no use sitting down and behaving as though everything is all right. The people in the country and I say specifically St. Peter, that is why I said I will be parochial, are suffering because of the lack of transport; while the people in town are bundling on it, making a joke of it and behaving badly furthermore about it and being irresponsible.

I want to thank you, Mr. Deputy President.

SENATOR T. E. BARKER: Mr. Deputy President, my colleague highlighted a lack of a proper transport policy. I want to reiterate the view that this Bill highlights, if anything, the lack of a serious, coherent transport policy in Barbados. I am pleased that Government has sought the expertise of London Transport to help them plan the transport system and devise a transport policy.

Sir, we have the University of which I am proud to be a member. There are people there with all sorts of skills. I am not sure that we need to get people from London to come in Barbados to tell us how to plan a proper transport policy. Maybe it is because the Europeans are providing some funds but there is no reason why we ourselves should not be using our massive expertise in all areas, whether it is in engineering or operating equipment or whatever. There is expertise available that we can properly plan and execute a transport policy. Nevertheless, I am glad that Government has seen the need for such a study to be undertaken. Again, one wonders why this Bill is brought now, why it could not wait until the study has been completed so that we could get a comprehensive picture with projections and forecasts as to where we want our transport to go into the 21st century.

Sir, I now want to highlight a few things. First of all, there is the question of the Transport Board. It seems that there are moves afoot to privatise the Transport Board. It seems that under pressures from external agencies Government has committed itself to privatising the Transport Board. I have grave reservations. I understand that every year about $20 million of the taxpayers' money goes towards subsidising the Transport Board. I believe, with proper planning and proper management, that this figure could be brought to maybe a quarter of what it previously was.

Sir, there is no reason why in 1992 we do not have one man buses with mechanical fare collections. This is long overdue. I think this is one area because immediately you would eliminate one set of wages on the bus and that would go towards reducing the deficit. It would not necessarily create unemployment if it is done properly. In any case, 3 000 people went home. If the end result is that we get a more efficient transport system in the long run it would be to the benefit of the country. The money that was previously spent subsiding the Transport Board could be spent in other areas to provide employment for the same people as you lay off from the Transport Board.

Another thing we can look at is the whole question of the workshop at the Transport Board. I believe this is one area where, if properly managed, tremendous savings can be effected, but over the years nothing seemed to have been done in this vital area of maintenance, repairs and so on because we hear some horror stories about what went on in that section of the Transport Board.

Sir, I believe that with proper will and with proper planning we can have an efficient Transport Board at a quarter of the cost to the taxpayer, but it calls for will. I am sure that the present Parliamentary Secretary in the Ministry, when he reads his files, and I know he reads his files, would testify to the fact that there has been gross mismanagement of the Transport Board over the years.

SENATOR A. MORRISON: Sir, I would like to disassociate myself from that remark the Senator made that when I read the files I would see that there was gross mismanagement in the transport sector. I would like him to withdraw my name from such remarks.

SENATOR T. E. BARKER: Sir, I would never say anything to cause embarrassment to my good friend. I am sure that, while he would not want his name to be associated with it, he knows what I am saying is correct.

SENATOR A. MORRISON: I do not know that is correct, Sir.

Mr. DEPUTY PRESIDENT: Senator Barker you will withdraw those remarks.

SENATOR T. E. BARKER: Yes, Sir. Unreservedly, I withdraw those remarks.

Mr. DEPUTY PRESIDENT: All right. That has been done, Senator Morrison.

SENATOR T. E. BARKER: Sir, if we can clean up the operations of the Transport Board there would be no need for any such privatisation. I am not sure that privatisation of the Transport Board would work to the advantage of Barbados on a whole especially noting that the ones who are in greater need of transport, the people living in the country, are the ones who are eventually going to suffer when or if the Transport Board is privatised.

We know for a fact that it is uneconomical to have a 10 or 11 o'clock bus at night to carry 20 people to Belleplaine. But, Sir, we want to encourage people to remain living in Belleplaine and those areas because it is not to our advantage that everybody should live in St. Michael and Christ Church. Therefore, we must recognise that, if we go on a strictly economic line, some of the services which are so beneficial to people living in St. John, St. Peter, St. Lucy and St. Joseph might be seriously curtailed as a result of privatisation. This can be avoided by taking the necessary action now at the Transport Board.

Sir, I want to come to a point and this is something that bothered me a bit. Take the drivers in the private transportation sector, the minibuses, ZM vans and so on. Some of them told me that they get up on mornings at 5 o'clock to make the 6 o'clock journey and then they may take an hour or two in the midday. Then they go back and work until about 8 or 9 o'clock at night. This is the same operator, maybe working 16 hours per day. One wonders if some regulations should not be brought into play.
1.40 p.m.

Mr. DEPUTY PRESIDENT: All right, address the Chair please.

SENATOR T. E. BARKER: Sir, I know it happens that some of them work 16 hours per day up and down in the hot sun transporting people, transporting our citizens. I wonder if the strain on the human body would not be exorbitant and if that could not be responsible for some of the accidents they get into.

Sir, I know that when I was in England bus drivers told me that they could not work beyond – I cannot remember the number of hours – but they were given a maximum number of hours per week.

Mr. DEPUTY PRESIDENT: Just as airline pilots.

SENATOR T. E. BARKER: Yes, Mr. Deputy President. Sir, I do not think it is right for a person to be up and down the street the whole day with hardly a break. Action needs to be taken before something most serious occurs. I do not know what can be done because it might be difficult to police. But something has to be done in that area. Just as the Transport Board worker works maybe 8 hours per day and maybe a couple hours more depending upon the situation, I feel that with the people in the private transportation sector, there should be some regulation as to the number of hours they could work per day or per week or whatever. Not only that, Sir. I agree with a point made earlier about people who drive public service vehicles. The time has come when we have to recognize that they have 20, 30 maybe more lives in their hands and we have to ensure that their physical and mental state is such that they can be trusted with 20 or 30 lives. With some of the irresponsibility we see on the roads, one wonders about the suitability of some of the drivers for the task that they are performing. I do not believe that anybody 18 years old can just take up and drive a public service vehicle like that. He should be made to undergo a special test which includes some measure of character and intelligence. Maybe every year or two he can be reassessed.

Aside.

SENATOR T. E. BARKER: He or she can be reassessed. Thank you very much. We have to make sure that when a citizen of our country goes into a public service vehicle that has been licensed by the Government that they are afforded the protection of the state in every way possible.

But this brings me to a point that there is severe exploitation of the workers in the private transportation sector. The minibus owners and some ZM owners do not employ these people. They are freelance so to speak. They work by contract, so that the minibus owner does not pay any National Insurance or any taxes on behalf of these workers. These workers work in some cases for so much in the dollar. I think it is 25¢ in one case and 15¢ and so on in the dollar. It is in their interest to be up and down the streets breaking every law, because the system allows that to happen. The minibus owner buys the minibus and gives to these people to work. In order to make money they work extremely long hours and in addition they must get from point A to point B in 10 minutes less than they should normally take. The system needs to be looked at again. I think that we should ensure that these drivers are given the protection of the social security system. What it means is that a fellow who is sick, genuinely sick, and who should be off a couple days from work knows that if he does that there is no money coming for him. He may not be in 100% condition, and do not forget he is driving 20 or 30 people! He may be physically unable but, because of the monetary factor, he perseveres because he is not covered by the

social security system which would enable him if he is genuinely sick to stay home for a week or whatever and get 60% of the wages that he would normally make. These things must be looked at in order to provide better for the public as well as for the driver himself.

Much has been said about the behaviour of the drivers of these private transportation vehicles. I do not think much would be gained by going over it. Action must be taken, because I was reading the original law, the unamended law, and it has so many provisions in there. The unamended law, in my view, if it were properly policed, could stop a lot of foolishness that goes on on our roads. We did not need this amendment to clean up some of the things that go on on our roads. The original Act has a lot of strong provisions in it. I mentioned the demerit points system where you get certain points for certain offences and where the Licensing Authority is required, if a person gets so many demerit points, to write the person concerned advising them that they have attained that number of demerit points. The Licensing Authority has the power to suspend the driver's licence of a person who has accumulated over a certain amount of demerit points.

Sir, I am not sure of the number of licensed drivers there are in Barbados. Let us say there are 60 000. I could be wrong. I do not know what the figure is. One would appreciate the enormity of the task where you have 60 000 drivers. All of them are not going to commit offences. Let us say 10 000 of them commit offences. Maybe that is a big thing. But even so the task is enormous and it would require a proper system in place, maybe computerisation, where the Licensing Authority would know automatically that such and such a person has reached the 10 point limit. To put the stipulation here without the machinery in place is to me a waste of time. We have the demerit point system which to me makes sense but the Licensing Authority must have the means to police the whole 60 000 or so drivers in the country to warn them that you have reached a certain point and to take action when they have stepped over the limit. I wonder, Sir, given the system in place, even before the amendment, why is it, Sir, of so many points for speeding and so on, yet we read of some people in the courts having 20 or 30 convictions still keeping their licences, when the Licensing Authority has the power under the unamended Act that if you go past 18 points in a year they can suspend your licence.
1.50 p.m.

Sir, the foolishness will stop when some of the fellows find they go into court and the Magistrate says: "let me have the licence", and they can't work for three or four months or whatever the case may be. Then and only then will they stop. To fine a man $50 he will laugh at you and pay the $50. He will go along and overload the next day. Sir, when he loses his licence for 6 months he will think twice about committing such offences. Further if he knows that he is going to lose his licence then it might cause him to behave a little better on the roads.

I am all for it because, Sir, on evenings when I am coming from the University, what happens at the University entrance is almost scandalous. I know on one occasion I was coming out of the University and the light was on green and if I did not have the presence of mind to know that a ZM van would not stop coming down the hill I would have been in a serious accident. I had the presence of mind to know that probably he was going to do foolishness so I made sure that I was in control and was able to stop and he passed through red and went on his way. I am saying that if he knew he would lose his licence he might have been tempted to stop at the red light.

It is okay to have laws, but unless we are going to get serious about policing, then the laws would then be mere paper. I call upon the Police Department to get serious about their responsibility to keep our roads safe. They must get serious to make sure that the lives of citizens are protected as far as humanly possible. They have got the tools in the form of legislation. All that is needed for them to do is to go out there and do what they are supposed to do without fear or favour.

Sir, we are glad that Government has finally seen it wise to have a public transportation study and we await the results of that study, especially if it is to the improvement of this vital transport sector. I thank you.

SENATOR Mrs. M. WALCOTT: Mr. Deputy President, I just want to make a few brief comments here. I support the amending Bill before us and I note that the Licensing Authority is authorised to put in place such public officers as they think necessary to be vehicle examiners and transport inspectors. These officers are going to be responsible for keeping traffic in order and putting these regulations into force. What I would have liked to see was not just public officers, but suitably qualified public officers. I hope this will be so because, unless they are able to keep things going, the regulations will not be kept in order.

There is one other observation. I believe that this Act controls the condition of vehicles and cars on the road, including the tinting of windscreens and window glasses. I also understand that there is legislation controlling this tinting. I find it puzzling that there are so many vehicles and cars on the road with darkly tinted windscreens and glasses. I think that, for healthy and good security, if that regulation is in place, it should be enforced because I think it works against the security of the roads and of those people driving in those cars. I thank you.

SENATOR Dr. E. A. SIMMONS: Mr. Deputy President, I just wanted to make a few observations in supporting this legislation. I have listened to all the

contributions and I agree with many of the comments made. My pet concern, like the pet concern of Senator Straughn is, as you know, the negative image that we in Barbados have of ourselves. In all of the contributions I have not heard anyone say that we have an excellent transport system and I thought that I would have that written into the records.

Those of us who have the opportunity to travel in the Caribbean and in the developing world know that Barbados' transport system is one of the best in the developing world and will rank fairly well in the developed world as well. That is not to say, however, that we do not have problems within the system and that is why we are here today because we have got problems within the system. We feel that at this time the problems should be addressed.

I want just to comment on some things said by Senator Mottley about why the legislation comes now. It comes because we are living in a dynamic system and when you are living in a dynamic system you have to have long-term plans, you have to have short-term plans, you have to have intermediate plans and it is a fact that there is a long-term plan for the Transport Board. If there are problems now the problems must be addressed if you think they are serious enough. The legalistic argument that you should wait until the long-term plan comes can be turned around against you to say that, if the problems are serious problems, you should not wait for the long-term report but you should deal with them now because there are serious problems now. So, you are wrong if you do it now and you are wrong if you wait until later to do it.

The other point I want to make is with respect to the subsidy mentioned by Senator Barker. That is a philosophical point because, when you give a subsidy to a system like the Transport Board, you understand that in any proper functioning developing or developed system transportation is a key element. Therefore, one cannot only look at a subsidy to the transport system as a negative element. This is the system that gets people to work on time. There is not a cost factor that can be put on that because, if you remove that infrastructure of the transport system, you might find that the $20 million that you put into it might very well redound to over $100 million because workers get to work late as there is not a transportation system that provides that sort of infrastructure. We will notice that in every developed country, every developed city, the Government plays a major role in running the transportation system. Whether it be a bus system or a train system, the Government takes a key role. One of the things that, I hope, will happen coming out of the measures that we are facing is that the Government accepts its role and is not railroaded into this concept of privatisation. It can in the long run spell the ruin of the development of this country because, as you have quite rightly said, in the private sector the transportation system will run when the maximum financial gains are to be gained. Financial gain is not always parallel with the maximum financial gain for the country itself because we have a very developed country where we have infrastructures like the hotel industry that work on a 24 hours a day basis. If we do not have the infrastructure of transport to take people to work at the proper times we will find ourselves in a serious problem.

The last area I want to touch upon is the area alluded to by Senator Straughn in terms of education. One of the things I would like to see in this country is education for the transport workers.
2.00 p.m.

I find that we have become a very crude people – these are things you have to accept – and the kind of behaviour, the kind of manners we get from conductors and drivers to the general public should not be accepted in this country. We have to be able to do better than that. I think that conductors, drivers, people who are dealing with the general public need courses in how to be polite and how in general to be good citizens to each other. We tend to be very, very crude to each other and that spills over into the general public.

You can, in the outside arena, hear comments being made of somebody who was visiting Barbados, who took the public transport system, asked to be put off at a certain area and what happened to them in respect of the response they got. I think we have to look at our own image and try to clean it up. We really do not need a long-term study or the injection of money from the European Development Bank to tell us that we have to clean up our own manners, I think it is something we can address ourselves. You cannot write that down on paper either. You cannot correct it on paper. We have to start correcting it in our homes and in our little circles because it is something we should pay attention to.

In general I support this legislation and I hope that everyone can see the wisdom in bringing it before this Honourable Chamber at this time.

I thank you, Mr. Deputy President.

SENATOR The REV. CANON J. L. SPRINGER: Mr. Deputy President, I will be brief because most of the points have been made, but I thought it necessary at least to underline a couple of things and give support to some two or so points that were well made.

Reference was made, Sir, to the behaviour of the drivers of these Z vans, ZM vans, taxis and so on on the road. I think that added to all the other qualifications we heard of – training, education and so on – some consideration should be given to experience as drivers. I do not think that point was mentioned. That is to say, no one

should be given responsibility for the lives of so many of our children especially, except they have had a licence for a given period, of about at least 3 years, probably more than that.

I know how important it is to have jobs, especially these days, but if the system is being abused I think that is something to be looked at, to ensure that the driver has got experience as a driver. After all, I think some provision is being made at the moment for people who are teaching driving now to have perhaps 5 years' experience or something of that nature, and if we are regulating this then we ought to regulate the period of time the licence was held by those who have the transportation system in their hands. That is my first point.

The second point has to do with the experience that all of us here have had driving behind or in front of Z vans, ZM vans and so on. What I cannot understand is this, how driving from home on a given day I can see at least a dozen breaches of the law by people in the transportation system and somehow or another I do not see any policemen or policewomen on hand to pull somebody over and deal with the problems. I do not understand that at all. Senator Barker mentioned going through red lights. I see that every day, minibuses and Z vans overtaking others, driving out from behind people who are waiting for lights to change and going through a red light. Somehow, as I said, I have never seen the police on hand to deal with one of those matters. Perhaps they deal with them when I am not around, so there might be a need to redeploy the police – and this is an appeal to the police, I do not think you can really legislate about this in such a way that those whom we call traffic cops, who are seen so often in abundance on the highway pulling over innocent drivers who have committed no other breach than that they have driven a little faster than the speed limit to overtake somebody, should be more visible to deal with these problems closer to town or on the routes taken by the Z and ZM vans and so on. I hope that will be done, because except we are able to police these new provisions, then we would have been wasting our time.

My other queries, Sir, really have to do with more fundamental changes of the Road Traffic Act. By virtue of this amendment, we are indicating that there is a need to change the Act itself in more places than just this section, which is the predominant one. I will not deal with this matter in any great detail now, Sir, but simply mention a few of the other areas that I think we have to look at in time.

I am going to support the amendment, because I believe that it is better to have inefficient or, should I say, limited legislation to deal with the nuts and bolts as you go along and not wait until everything is put in place. I hope that provision will be made soon to deal with, for example, the regularisation of the speed limit, where on one part of the highway you can drive at 80 kilometres an hour and on another part you are restricted to 60. I would think it should be one limit right through, or we should revise it, because one would expect that on the ABC Highway one should be permitted to drive faster than on Spring Garden. That is something that needs to be looked into.

Then there is also the regulation about turning left on a highway. Some of us made a big sacrifice in allowing highways to come through the areas in which we live and now, before we can head to town, we have to drive for several miles. When the people from St. Philip are getting to town fast, we have to go in the opposite direction and then find a roundabout and turn around. I think there is a need to adjust this and permit turning right on the highway at certain times of the day. I do not think that turning left should be an absolute thing, but at a particular or given time of the day. The authorities could post the times right by the place where one has to stop, as they do in certain areas where parking is concerned. I hope some consideration will be given to this.

Mention was made of roundabouts and their dangers. There is an added danger where roundabouts are concerned. Sometimes you cannot see over them and when the circle of the roundabout is so small, it is absolutely necessary that you see some distance across to help you to make the turn. This, I hope, will be regulated in some way. Perhaps that is another department that has to be brought into the picture. I noticed only recently that there is a gasolene station being built at a roundabout, which I think is a very unfortunate thing. We are going to have to wait for the accidents that would take place because of the distraction of people trying to get in or out of the gas station.

The last one has to do with the growing interest in road racing nowadays, especially on Sundays. This is causing a lot of problems for worshipping people. Some are not able to make it to church on Sundays when these races are taking place. But I recognise, Sir, that although we are focussing on the section of the law that deals at the moment with taxis, I think that we have to look even further and deal with some other matters of concern.

Thank you, Sir.

SENATOR A. MORRISON: Mr. Deputy President, I shall not delay the Senate too long, but just make a brief summation of the various points made by different Senators.

I can say, Sir, that each Senator gave a very worthwhile contribution to this debate and has brought several points to my attention, which are all points of substance, which I will not go into too much detail now. I should like to mention, as far as training is concerned, that the points made by Senator Straughn and Senator Simmons are very good points and I should like to indicate to this

House that, at the Transport Board, they have already had in-service courses by way of adult education in the Pine for our transport staff. That is why we have Bradley Niles on the Transport Board as Deputy Chairman. He has been very vigorous in organising various in-service courses for certain personnel at the Transport Board. We are also aware of the amount of discourtesy which goes on in the minibus section to members of the public. I should also like to mention that the police force in the last 2 or 3 years cooperated with the Ministry very well in trying to stem the problems which occur on the road. There is always a senior superintendent of police in charge of traffic who attends all the meetings at the Ministry trying to iron out these problems which occur on the road. I believe that he has a manpower shortage in that they do not have the amount of people to service these areas. They will need a man on a motorcycle. I know that when Supt. Watts was there in the traffic section he was always available and even put some more police riders out there at the time to help control the amount of lawlessness in Probyn Street on afternoons. Those are the times when we have to get the cooperation of everybody.
2.10 p.m.

I am grateful for the cooperation given by the Commissioner of Police in these matters and for the contributions I have heard today from various Senators on how we can solve the problems that have developed on our roads. I think that we should send a clear message from this Chamber to try to exhort and to implore drivers of vehicles to exercise more caution and respect for members of the travelling public in their conduct and in conveying those people who have to use the transportation system. To my mind, there are people out there to be transported.

Certain minibuses and Z vans have taken over some very lucrative routes. They are money making routes. We have lost Route 13 to minibuses and the Z vans. It was one of the best routes that the Transport Board had. From St. Christopher down to Bridgetown, the Government buses run empty and the minibuses are always filled. They have encroached on Route 1. So, I do not see why they have to engage in the kind of cut-throat activity whereby minibuses will try to hold the road and keep taking up people in front of another minibus which cannot pass because this fellow in front wants to take up everybody as he goes down the road. Even though they have an association they still have this kind of killer instinct that they must take up everybody on the road and get to their destination and return before the other fellow makes one trip.

I think that the Senators have made their points felt today in this debate. They should know by now that we do not like the kind of attitude adopted by these operators on the road. The Ministry has tried to legalise the operations of all of these people and all we are asking is that they should try to be responsible citizens in the conduct of these vehicles on the road and not engage in all this cut-throat behaviour to the detriment of the travelling public. We are hoping to monitor the situation as we go along.

We would like to have a better transportation system. We see a need for minibuses in the system. We see a need for the route taxis and the Z vans and we are hoping by bringing these together in one mix that we will find the right solution between the Government and private enterprise to provide a service which eventually is good for all the travelling public of this country.

As part of the point raised by Senator Barker about the minibus chauffeurs for whom the provision of national insurance is not being made, I suppose they are working on some kind of contract basis. I think a study was conducted and, according to the Law, the employed persons and the owners of those minibuses should be paying national insurance on their behalf. I don't see any reason why they shouldn't pay national insurance, but it is a question for the National Insurance Department to determine whether they should be surcharged. I agree with the fact that they are not employing themselves and the straw about being contract people does not make much sense to me because they are being employed by the people who own the minibuses. I think that is a very valid point made by Senator Barker.

I also endorse the remarks made by Senator Mottley in allocating routes where we become cognisant of what are the requirements for a transportation study and that the good and bad routes will have to be mixed together so that we get working a complete system which would redound to the benefit of all the people in Barbados. Right now, the Transport Board seems to be the only one which has to carry this great burden of providing services throughout the day up to midnight. Whereas the private operators operate at peak periods, make their money and go off the road, we have had to pick up the slack and carry the passengers, no matter how few they are, plying for hire to provide the kind of social network to keep Barbados in the limelight as far as transportation is concerned. As a matter of fact, the people who usually use the Transport Board system 100 per cent might be the ones getting the least service. In St. Andrew and St. Joseph, where they actually have to take the Transport Board buses, I don't think we have been fair to them in providing the buses that will let them get the service they deserve. They travel 100 per cent on the Transport Board buses. Nevertheless, we have other buses on other routes and sometimes they run empty. That has occasioned great losses to the Transport Board.

Sir, we are hoping that as time goes on, with the results of a study, we will be able to come up with some mix which will find Government and private enterprise involved in a system in which both could benefit and which could redound to the benefit of the people of this country.

With those remarks, Sir, I beg to move that this bill be now read a second time.

This question was put to the Senate and agreed to.

On the motion of SENATOR A. MORRISON, Mr. DEPUTY PRESIDENT left the Chair and the House went into committee on the Bill, SENATOR J. J. PAYNE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 to 11 were called and passed.

On the motion of SENATOR A. MORRISON, Mr. CHAIRMAN reported the passing of one Bill in committee and Mr. DEPUTY PRESIDENT resumed the Chair and reported accordingly.

On separate motions of SENATOR A. MORRISON the Bill was read a third time and passed.

PRESENTATION OF PAPERS

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, as I indicated to the Honourable Senate, I am now in a position to lay the Report of the Joint Select Committee of the Senate and the House of Assembly on:

(1) the Domestic Violence (Protection Orders) Bill which provides for the granting of protection orders in circumstances relating to domestic violence,

(2) the Sexual Offences Bill which seeks to revise and reform the Law relating to sexual crimes and to make provision for related matters, and

(3) the Praedial Larceny Bill which makes provision for prevention of praedial larceny.

In addition to the Report which comes from the Joint Select Committee and is laid with the permission of the Honourable Senate, there is a Minority Report signed by 5 members of that Joint Select Committee of the House of Assembly and the Senate.

ADJOURNMENT

SENATOR the HON. L. V. H. LEWIS: Mr. Deputy President, we have completed the Order Paper for today and I beg to move that this Honourable Senate do now adjourn until Wednesday, January 29, 1992 at 11 a.m.

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

2.20 p.m.

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