THE

SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1994 - 99

THE SENATE

Wednesday, October 5, 1994

Pursuant to the Proclamation by Her Excellency the Governor-General, Dame Ruth Nita Barrow, the first meeting of the Senate of the Parliament of 1994–99 convened at 4.20 p.m. at Parliament Buildings, Bridgetown on Wednesday, October 5, 1994.

The following Honourable Senators were present:

Senator Fred Gollop
Senator C. L. Bolden
Senator the Honourable R. Farley
Senator the Honourable P. Goddard
Senator the Honourable G. Murray
Senator C. Forde
Senator T. E. Barker
Senator Miss P. Symmonds
Senator D. Gill
Senator Miss J. Odle
Senator N. Lynch
Senator P. Welch
Senator J. Workman
Senator Mrs. P. Rickinson
Senator P. Bernstein
Senator the Venerable J. L. Springer, GCM
Senator Miss V. Davis
Senator Miss A. Thompson
Senator C. Mascoll

The Deputy Clerk read the Proclamation by Her Excellency the Governor-General, as follows:

"By Her Excellency Dame Ruth Nita Barrow, Dame Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Dame of Saint Andrew, Governor-General of Barbados.

R. NITA BARROW
GOVERNOR-GENERAL

A PROCLAMATION

WHEREAS it is provided by section 60(1) of the Constitution that each session of Parliament shall be held at such place and commence at such time as the Governor-General may appoint:

AND WHEREAS it is expedient that a session of Parliament should be held at the Parliament Buildings, Bridgetown, commencing on Wednesday, October 5, 1994:

NOW THEREFORE by virtue and in exercise of the power and authority in me vested I, Dame Ruth Nita Barrow, Dame Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Dame of Saint Andrew, Governor-General of Barbados, DO HEREBY APPOINT the Parliament Buildings, Bridgetown, as the place at which a session of Parliament shall be held and 16:00 hours in the afternoon on Wednesday, October 5, 1994, as the time at which the said session shall commence.

Given under my hand and the Public Seal of Barbados this 20th day of September, 1994, and in the Forty-third Year of Her Majesty's Reign.

GOD SAVE THE QUEEN."

ELECTION OF PRESIDENT

DEPUTY CLERK OF PARLIAMENT: Section 40(1) of the Constitution of Barbados reads as follows:

> "When the Senate first meets after any dissolution of Parliament and before it proceeds to the despatch of any other business, it shall elect a Senator, not being a Minister or Parliamentary Secretary, to be President of the Senate; and whenever the office of President becomes vacant for any reason other than a dissolution of Parliament the Senate shall, not later than its second sitting after the vacancy has arisen, elect another Senator to fill that office."

Honourable Senators, I now call on you to move the appointment of an Honourable Senator to be President for this session.

SENATOR THE HON. R. FARLEY: Mr. Deputy Clerk, I nominate Senator Gollop to be President of the Senate for this session.

SENATOR THE HON. P. GODDARD: Mr. Deputy Clerk, I so second the motion.

Mr. DEPUTY CLERK: Any other nominations?

The question that Senator F. Gollop be President of the Senate was put to the Senate and agreed to.

Senator F. Gollop assumed the Chair.

Mr. PRESIDENT: I acknowledge with deep humility the honour which you have conferred on me by electing me to be your President. I am mindful of the traditions of this office and this Honourable Chamber and I pledge to do all in my power at all times to maintain those traditions.

Thank you very much.

SUSPENSION OF SITTING

SENATOR THE HON. R. FARLEY: Mr. President, I move that this sitting be suspended to be resumed at pleasure today.

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

RESUMPTION

Her Excellency the Governor-General delivered the following address:

SPEECH BY HER EXCELLENCY THE GOVERNOR-GENERAL AT THE OPENING OF PARLIAMENT ON WEDNESDAY, OCTOBER 5, 1994

Mr. President and Members of the Senate:

Mr. Speaker and Members of the House of Assembly:

This new session of Parliament commenced earlier this evening, and each of your Houses has carried out the requirements of electing its presiding officers.

In accordance with tradition, it now falls to me to outline my Government's programme for the new Parliamentary term.

National Objectives

My Government is committed to transforming Barbados into a dynamic, prosperous and stable democracy, capable of sustaining a high quality of life for all of its people.

It seeks to create a just, humane and compassionate society; a society governed by laws which are appropriate to our traditions, our culture and our times; a racially cohesive society in which the creativity, energy and enterprise of all our people are given every opportunity for full expression.

My Government is committed to the full economic empowerment of every Barbadian, and to the creation of sustainable job opportunities for our citizens, especially for our young people.

It is also committed to the management and enhancement of our environment and natural resources in such manner as would support the livelihood of this generation of Barbadians and redound to the benefit of Barbadians yet unborn.

My Government is committed to the positioning of Barbados in the global community of nations as a nation whose voice is heard and whose word is respected.

Strengthening Democracy

The convening of this new session of Parliament provides a good opportunity to outline the framework within which my Government proposes to broaden Parliamentary democracy and create a genuine and vibrant participatory democracy.

At the centre of these objectives is the need to reform those areas of the Constitution which have proven to be deficient both in the recent past and earlier.

The recent decision of the Judicial Committee of the Privy Council in the case of GLADWYN OPHELIA KING v. THE ATTORNEY GENERAL devastated the morale of the Public Service. In order to ensure that the emoluments of Public Officers can never again be cut, my Government will cause necessary amendments to be made to section 26 of the Constitution and the Civil Establishments Act.

In similar vein, the Constitution allows for unfair discrimination in regard to the right to citizenship for the non-Barbadian spouses of Barbadian citizens. The non-Barbadian husband of a Barbadian wife has no right to citizenship. My Government will seek to abolish this anomaly.

My Government will also strive to give greater representation to Opposition parties in the Senate.

In the matter of constitutional reform, my Government will not dictate the agenda for such reform but rather, will institute constitutional devices to enable the people more effectively to participate in the exercise of their political power.

In this context, the referendum and the establishment of a Constitutional Review Commission will be two such devices. The Constitutional Review Commission will be mandated to consult with the public to the fullest extent and only after due consultation, to make recommendations for Constitutional change.

In an attempt to make participatory democracy a reality in our country, my Government will consult widely with relevant interest groups, with employers' and workers' organisations and interested members of the public.

My Government, in order to ensure greater use of Parliament, will expand the system of Parliamentary Committees providing opportunities for members of the public to participate in the legislative process in a direct way.

Full use will also be made of the system of circulation of Green and White Papers to ensure public understanding and public discussion of important matters of Government policy.

My Government believes fundamentally that the general public has a right to information and, particularly, a right to see and hear the Members of both Houses of Parliament at work. Provision will therefore be made very soon for live broadcasts of the debates of both Houses of Parliament.

Similarly, my Government sincerely hopes that the electronic media companies will see it as their duty to permit the broadcasting and discussion of matters political outside of an election period.

Drafts of major legislation will be circulated to all political parties and be available to the public in order to facilitate discussion and comment prior to introduction into Parliament.

My Government has already established a Commission for Social Justice whose principal function is to advise the Office of the Prime Minister as to the manner in which the process of Constitutional Reform should be managed and a genuine participatory democracy created.

The Public Service

In the past three years, the Public Officers of Barbados have been called upon to suffer a diminution in their accustomed rights and privileges. They have borne their privation with commendable fortitude. But, in an increasingly competitive world the efficiency and effectiveness of the Public Service are crucial to the rapid and sustained development of our nation. My Government therefore proposes to establish a broadly based Commission with wide terms of reference to review the role, status and function of the Public Service.

Ultimately, but after the report of that Commission, my Government will enact a completely new and contemporary Public Service Act and General Orders. There is need also for the chairmanship of the Public Service Commission to become a full time post, and necessary steps will be taken to appoint a permanent full-time Chairman of that Commission.

The computerisation of departments which has already begun will be intensified and coordinated to further modernise the Public Service.

My Government is convinced that there is need for improvement in the system of public accountability, and accordingly it will suitably amend the Financial Administration and Audit Act, the Financial Rules and introduce Integrity Legislation.

Economic Policies

My Government is committed to pursuing policies designed to achieve a strong, stable, export oriented economy with a vibrant service sector, in which unemployment is reduced to negligible proportions.

Our key strategy will be to unleash the talent, energy and enterprise of our people by providing them with the means and abilities to compete in the international economy.

To this end a Ministry of International Business has been established and charged with the responsibility for ensuring that Barbados achieves its fullest potential in telecommunications, captive insurance, informatics, off-shore banking and other financial services.

My Government will treat tourism and financial services as the principal engines for economic development and a number of measures will be introduced to facilitate its achievement of their maximum potential, both as an earner of foreign exchange and as a provider of jobs.

My Government is firmly committed to maintaining the existing parity of the Barbados dollar.

My Government will seek to contain inflation within single digits and to maintain a sound foreign reserve position.

My Government will implement a series of measures to create a business friendly environment which will be conducive to new investment both foreign and local.

My Government will support a dynamic private sector and will place emphasis on the development of small businesses as one of the ways of encouraging entrepreneurship among our people, while at the same time creating job opportunities to reduce our unacceptably high level of unemployment. An important feature of the reconstruction of the economy will be the rehabilitation of the traditional and mainstream productive sectors, particularly manufacturing and agriculture, whose contribution is essential to the economic health of the country.

In this regard, my Government has already brought some relief to those sectors by waiving the duties and taxes on raw materials, packaging materials, machinery, equipment and spare parts.

The removal of duties and taxes will enable those sectors to regain some of the ground which they lost during the past four years and will in due course result in additional employment opportunities.

Further measures will be implemented to deal with the importation of inferior and dumped products, the reduction in energy costs, administrative impediments, transfer of technology through the promotion of joint ventures and other areas critical to increasing efficiency of the business sector.

In relation to tourism, my Government will reduce and subsequently remove taxes on inputs with a view to making the sector more competitive and to increasing its profitability.

My Government will introduce a new Hotel Aids Act that will broaden the concessions for investment in new plant and provide concessions for the refurbishing and expansion of existing facilities.

My Government will support further development of new forms of tourism activity such as heritage tourism; eco tourism; sports tourism and health tourism.

My Government will also support the development of marinas, conference facilities and the facilities for duty free shopping.

In addition, my Government will introduce new marketing strategies and will increase and redirect funds for tourism development.

My Government will work closely with other regional governments in the search for solutions to regional air transport services.

Monetary and Fiscal Policy

In the execution of monetary policy, my Government will introduce measures to liberalise the exchange controls. A range of new instruments will be provided in order to mobilise savings and to encourage Barbadians to increase their investment in the economy.

My Government will liberalise the Foreign Exchange Regime to stimulate foreign currency earnings by local businesses. Barbadians will be allowed to hold foreign currency accounts.

My Government will pursue a fiscal policy that is intended to minimise any negative impact of the fiscal deficit on our foreign exchange reserves, on domestic liquidity conditions, and on interest rates.

The Tax Administration and Expenditure Management Project which is already in progress and which is designed to improve the financial management of the public sector, will be fully implemented.

During this session, there will be a new thrust in Government's Capital programme with emphasis on human resources development, environmental projects, development of the water resources, rural development, urban renewal programmes and projects geared to support the export-oriented sectors.

Taxation

My Government considers that the level of taxation is too high. Taxes must be reduced in order to re-energise the economy and bring a measure of relief to the taxpayers while creating opportunities for increased savings.

The proposed VAT will be re-examined to ensure that the level of indirect taxation is reduced and the cost of collection kept to the minimum.

The present Income Tax regime will be reviewed. Within the context of budgetary objectives, special concessions will be given to promote home ownership, stimulate investment in small businesses, develop venture capital funds and protect pensioners.

During this session, a review of all tax incentive legislation will be undertaken and special provision will be made for foreign currency generation from all sources.

Barbados National Bank and Barbados Development Bank

Measures will be instituted to complete the restructuring of the Barbados National Bank, making it a more viable institution. The future of the Barbados Development Bank will be determined within the context of the overall development of Barbados' Capital markets.

State Enterprises and Privatisation

My Government believes that enterprises which perform purely commercial functions will benefit from divestment. However it will ensure that priority is given to employees, non-traditional small investors, and local institutions, including Credit Unions, in the sale of equity.

In the case of state enterprises performing critical services in the national interest, steps will be taken to ensure their efficient management with a view to providing a reliable service at reasonable cost.

Environment

My Government is convinced that enduring economic development is only possible when the balance between the physical and social environment allows present as well as future needs to be met. My Government will pass comprehensive legislation to protect the Environment.

Specifically, my Government will ban the importation of certain chemicals, require that all major projects undergo an Environmental Impact Assessment Study, close the dump at Mangrove, St. Thomas, while implementing an Integrated Solid Waste Management Programme, and give incentives for environmentally friendly projects and products.

Water

My Government will not tolerate the continuation of a situation in which one quarter of our people do not enjoy a regular and reliable supply of pure drinking water.

My Government will therefore carry out a comprehensive programme to develop and manage all of Barbados' water resources. It will provide incentives for the installation of storage tanks, ensure that the funds of the Water Authority will be used to finance its maintenance and leak detection programme and to replace defective water mains. New measures will be instituted to encourage water conservation.

Urban Development

My Government will implement an urban development programme to improve the physical environmental, social and cultural conditions in our main urban areas. In particular, it will modernise existing markets and provide new facilities for vendors.

My Government will implement the Carlisle Bay Development Project and introduce measures to improve housing conditions in urban tenantries and other communities.

Rural Development

My Government has already set up a Department of Rural Development to carry out its Rural Modernisation Programme. While paying attention to the enrichment of the quality of life in rural Barbados, priority will be given to the rehabilitation of the Scotland District, the creation of a Rural Enterprise Fund to assist in the financing of new projects to create new jobs in rural Barbados. Attention will be given to a Sites and Services Programme in rural communities.

Physical Infrastructure

My Government recognises the importance of a fully developed infrastructure to the achievement of economic and social growth. To this end, our road system will be improved and maintained.

My Government accepts the objective of providing tenantry roads in communities where none currently exist. During this session it will embark upon that programme.

There will be intensive island-wide programmes to improve drainage along with intensive cleaning of water courses. An independent Transport Authority will be established to regulate the entire ground transport system.

Quality of Life

My Government is fully committed to providing our people with the opportunities and social services to enrich the quality of their lives. It will establish a National Youth Development Programme including an expanded Barbados Youth Service, a Youth Entrepreneurs Scheme to stimulate employment, establish a Corps of Youth Commissioners to coordinate youth programmes, establish a special National Order to recognise the achievement of young people.

Education and Culture

My Government's educational policies will be aimed at making Barbadians competitive in all areas of human endeavour while preparing them intellectually, physically, socially and morally to meet the challenges of the future.

My Government will strengthen the capacity and resources of teachers to detect and remedy learning difficulties at the pre-primary, primary and junior secondary levels. The Common Entrance Examination will be continued. However, based on a system of continuous assessment, children will be allowed to sit the examination when they are ready.

My Government is firmly committed to financing tertiary and other levels of education. After appropriate consultation a Teachers' Service Commission will be established.

Culture

My Government is committed to cultural development as a means of building communities, enhancing national identity and also as a source of employment and foreign exchange.

My Government will support the development of cultural industries, the restructuring of the National Cultural Foundation and marketing Barbados as an international centre for the performing arts and the recording industries.

Health

The access to comprehensive, adequate and affordable health care facilities is crucial to maintaining a high quality of life for the people of Barbados.

The Queen Elizabeth Hospital and its further development will remain focal to the efficacy of the health care system.

My Government will review the role of the St. Joseph Hospital and its utilisation within the context of the overall arrangements for health care.

My Government will implement a comprehensive rehabilitation programme for substance abusers; expand training opportunities and generally improve the conditions of service of nurses; and expand and improve the services provided to psychiatric and geriatric patients.

Housing

My Government is conscious of the severe housing shortage in Barbados and is committed to rectifying this situation. To this end, my Government will resume building terraced units and offer the units for sale with rents credited against the purchase price.

My Government will also resume the Sites and Services Programme.

My Government will restore income tax concessions on mortgage interest, home repairs and insurance; establish a secondary mortgage market, introduce a Building Societies Act and institute a Home Mortgage Insurance Scheme.

Labour

My Government will consult with employers and workers' organisations before legislating a comprehensive Employment Protection Act and modernising other Labour laws, particularly those relating to occupational health and safety.

My Government will review the laws relating to severance payments to ensure that workers receive adequate protection and that the formula for computing benefits is fair and reasonable.

It will restore to seasonal workers the eligibility to receive benefits under the Unemployment Benefit Scheme.

It will implement training programmes which emphasise computer literacy and other skills essential to Barbados becoming a services centre of excellence.

My Government will honour its responsibility for promoting human resource development by adopting a broad-based programme of technical, vocational education and training activities.

Community Development

My Government will promote community development by encouraging the establishment of councils within districts to generate resources for self-development at the grass-roots level.

Women

My Government will create opportunities for the advancement of women by supporting programmes of the Women's Affairs Bureau, especially those designed to create self-employment and income-earning activities.

The Elderly

My Government will increase Old Age Pensions and expand the Home Help, home repair and other programmes of the National Assistance Board.

Child Care

My Government recognises its responsibility for the care of the nation's children. It will reduce the reliance on institutional care by promoting care within the community.

My Government will also enact a new Children and Young Persons Act to protect children against abuse and exploitation.

The Disabled

My Government is committed to the rehabilitation of the disabled to ensure that they lead useful and productive lives. To assist in the achievement of this objective, it will establish a building code which will make provision for ramps and other aids mandatory in the construction of buildings intended for public use.

Sports

In recognition of the multi-faceted nature of sports, my Government will promote sports programmes as a means of generating employment, foreign exchange and providing a healthy outlet for the energies of our people.

In addition my Government is committed to the reduction of duties on selected sporting goods and equipment, and the establishment of a national Hall of Fame.

Information and Broadcasting

My Government will restructure the Government Information Service so that it can function as a professional public information agency and an independent source of untainted, timely and reliable public information.

My Government will issue licenses for the operation of additional television and radio stations.

My Government will update Intellectual Property legislation and enact Privacy of Information legislation. A new Defamation Act will also be enacted.

Caricom

As a co-founder of the Caribbean Community, my Government will continue to promote the widening and deepening of CARICOM and will seek to make it work more efficiently and effectively.

Foreign Policy

My Government, while paying attention to the more traditional aspects of our relations with other members of the international community, will introduce an economic perspective to our international relations.

It has therefore reorganised the Ministry of Foreign Affairs to assist it in coordinating the work of our development agencies abroad. Our Missions and Consular Agencies will play a crucial role in mobilising investment, promoting our trading interests and marketing Barbados as a centre of excellence for financial business and information services.

My Government will strongly support and play an active part in the Commonwealth, the United Nations and the Organisation of American States. Similarly, my Government will actively promote its links with African and Pacific States.

In concert with other CARICOM member States, my Government will continue our participation in the Association of Caribbean States and will seek affiliation with the North American Free Trade Area and other such initiatives.

Defence and Security

My Government will work steadfastly to make the Caribbean a Zone of Peace. My Government will continue to support the Regional Security System and the Barbados Defence Force in properly carrying out their responsibilities.

Law and Order

The preservation of law and order must be at the centre of our developmental strategies. My Government, as a consequence, will increase the numbers of men and women in the Police Force; integrate special and island constables into the regular Police Force; speed up the process of computerization and communications; provide a forensic laboratory; enact a new Code of Discipline for members of the Force; and establish an independent police complaints authority.

My Government will establish a National Task Force on Crime and a multi-disciplinary Advisory Committee on

Narcotic Drugs and will wage war relentlessly against the traffic in illicit drugs. It will also review the law relating to capital offences and will carry out the death penalty where applicable.

A new Penal System will be introduced which will provide for a larger number of sentencing options and more diverse punishments.

The Judiciary

The conditions of appointment of Judges and Magistrates will be reviewed to ensure impartiality in appointments and the greater independence of the judiciary.

Mr. President and Members of the Senate:

Mr. Speaker and Members of the House of Assembly:

I have outlined to you my Government's programme for this new session of Parliament, and I extend to you my best wishes in your new Parliamentary Session and pray that the blessing of Almighty God may rest upon your deliberations.

RESUMPTION

ITEM NO. 4 – REPORT OF THRONE SPEECH

Mr. PRESIDENT: Honourable Senators, I wish to report that I have received a copy of the Throne Speech from Her Excellency the Governor-General.

ITEM NO. 5 – ADOPTION OF STANDING ORDERS

SENATOR THE HON. R. FARLEY: Mr. President, I move that the Standing Orders of the Senate be adopted as the Standing Orders for this session.

SENATOR THE HON. P. GODDARD: I beg to second that, Sir.

The question was put to the Senate and agreed to.

ITEM NO. 6 – ELECTION OF DEPUTY PRESIDENT OF THE SENATE

SENATOR THE HON. R. FARLEY: Mr. President, I propose Senator C. L. Bolden as Deputy President of the Senate.

SENATOR THE HON. P. GODDARD: I beg to second that, Sir.

The question was put to the Senate and agreed to.

ITEM NO. 7 – APPOINTMENT OF MEMBERS OF MANAGEMENT COMMISSION

SENATOR THE HON. R. FARLEY: Mr. President, as I understand the composition of this Commission, which is a joint Commission of both Houses of Parliament, the Senate is entitled to have the Leader of the Senate *ex officio* and two other Senators. Accordingly, I propose Senator the Hon. T. E. Barker to serve on that Commission and I will invite the Opposition to nominate one other Senator.

SENATOR Miss A. THOMPSON: Mr. President, I nominate Senator C. Mascoll.

The question was put to the Senate and agreed to.

ITEM NO. 8 – APPOINTMENT OF COMMITTEE OF SELECTION

SENATOR THE HON. R. FARLEY: Mr. President, the composition of this Committee, as I understand it, has by practice the President as Chairman and four other Senators. The practice is for the ruling party to nominate two Senators, the Opposition one Senator and the Independents choose one Senator from amongst their number. Accordingly, I nominate Senator C. L. Bolden.

SENATOR THE HON. P. GODDARD: Mr. President, I will second that and I would like to nominate Senator Farley.

SENATOR C. MASCOLL: Mr. President, I wish to nominate Senator Miss A. Thompson.

SENATOR THE VENERABLE J. L. SPRINGER: Mr. President, I wish to nominate Senator Miss V. Davis.

The question that Mr. President, Senator C. L. Bolden, Senator the Hon. R. Farley, Senator Miss A. Thompson and Senator Miss V. Davis be appointed to the Committee of Selection was put to the Senate and agreed to.

6.45 p.m.

ITEM NO. 9 – REPORT OF COMMITTEE OF SELECTION

SENATOR THE HON. R. FARLEY: Mr. President, I propose that that matter be deferred until there has been a meeting of the Committee.

The question was put to the Senate and agreed to.

ITEM NO. 10 – ANY OTHER BUSINESS

ADJOURNMENT

SENATOR THE HON. R. FARLEY: Mr. President, I move that this Senate do now adjourn *sine die.*

The question that the Senate do now adjourn sine die was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.

6.48 p.m.

CONTENTS

ELECTION OF PRESIDENT 2

Senator the Hon. R. Farley, 2.

THRONE SPEECH DELIVERED BY H.E. THE GOVERNOR-GENERAL 2

REPORT OF THRONE SPEECH 8

Mr. President, 8.

ADOPTION OF STANDING ORDERS 8

Senator the Hon. R. Farley, 8.

ELECTION OF DEPUTY PRESIDENT 8

Senator the Hon. R. Farley, 8.

APPOINTMENT OF MANAGEMENT COMMISSION 8

Senator the Hon. R. Farley, 8.

APPOINTMENT OF COMMITTEE OF SELECTION 8

Senator the Hon. R. Farley, 8; Senator the Hon. P. Goddard, 8; Senator C. Mascol, 8; Senator the Venerable J. L. Springer, 8.

REPORT OF COMMITTEE OF SELECTION 8

Senator the Hon. R. Farley, 8.

SUSPENSION 2

ADJOURNMENT 9

SPEAKERS IN THIS ISSUE

FARLEY, Senator the Hon. R.
GODDARD, Senator the Hon. P.
MASCOLL, Senator C.
SPRINGER, Senator the Venerable J. L.