THE

SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1994 – 99

THE SENATE

Wednesday, November 22, 1995

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, November 22, 1995, at 11.10 a.m.

PRESENT

His Honour Senator F. W. GOLLOP (President)
Senator the Honourable R. R. FARLEY (Minister of Industry, Commerce and Business Development) (Leader of the Senate)
Senator the Honourable G. S. H. MURRAY (Minister of State, Prime Minister's Office)
Senator Miss C. Y. FORDE (Parliamentary Secretary, Ministry of Education, Youth Affairs and Culture)
Senator T. E. BARKER (Parliamentary Secretary, Ministry of Finance and Economic Affairs)
Senator Miss O. P. SYMMONDS
Senator D. T. GILL
Senator Miss J. C. ODLE
Senator N. A. LYNCH
Senator N. P. WELCH
Senator J. A. WORKMAN
Senator Mrs. P. E. RICKINSON
Senator S. P. BERNSTEIN
Senator C. K. LAURIE
Senator Mrs. V. J. DAVIS
Senator Mrs. A. P. THOMPSON
Senator C. A. MASCOLL

Prayers were led by Rev. Errington Massiah.

PRESENTATION OF PAPERS

SENATOR THE HON. R. R. FARLEY: Mr. President, I am commanded to lay the following documents before the Honourable Senate:

1. The Annual Report of the National Insurance Board for the year 1994.

2. Reports from the Public Enterprise Investment Fund for the quarters ending June 30, 1995 and September 30, 1995.

SUSPENSION OF STANDING ORDER

SENATOR THE HON. R. R. FARLEY: Mr. President, 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. R. R. FARLEY: Mr. President, I rise to move the First Reading of the following Bills:

1. The Agricultural, Diagnostic and Other Services (Fees) Bill, 1995.

2. The International Trusts (Amendment) Bill, 1995.

3. The Veterinary Surgeons (Registration) Bill, 1995.

The question was put to the Senate and agreed to.

OBITUARY SPEECHES

SENATOR THE HON. R. R. FARLEY: Mr. President, recently Members of this Honourable Chamber have lost close members of family, namely, Senator Jessica Odle and Senator LeRoy Trotman. Unfortunately, Senator Trotman is not in his place at this time, he is overseas.

At our last meeting he was not in his place at this point of the proceedings where we would normally take care of this business and we will pursue that matter in detail when Senator Trotman is next in his place.

I want to ask the Honourable Senate to join me, Sir, in expressing condolences to Senator Odle on the loss of her father, Lisle Howard Odle, who was buried two Fridays ago at the St. George Parish Church.

I did not know her father personally, I met him once or twice, and I have always been impressed by his manner and his demeanour, but from what I have been able to gather, the fruit of a tree is often a very good indication of the quality of that tree. I am sure, Sir, if I should say that I have tasted this fruit, although if I am to follow through with this analogy, that is the only proper reference I could make. But so that I would not be misunderstood, I would simply say, Sir, getting away from that metaphor, that in my interaction with Senator Odle I believe that much of what I have been able to see and experience has been as a result of the guidance which would have been provided by both her parents. That same reference equally applies to her siblings.

Sir, I would simply want to ask the other Honourable Senators to join with me in expressing our deepest sympathy to Senator Odle and the other members of the Odle family on the passing of Lisle Howard Odle.

SENATOR Miss O. P. SYMMONDS: Mr. President, I could not possibly let this pass without adding condolences of my family, since Senator Odle's parents are close family friends. Indeed, I have known her mother all my life and the Odle family are also very close to me and I know that her father has always been a very devoted family man. He was very supportive of Jessica during the campaign. In fact, both parents were.

Lisle was quiet, charming, very sincere and indeed, like all the Odle family, highly respected. I know that his passing was relatively sudden and a shock to all of us and his many friends, like myself, mourn his loss. Therefore, I just want to express my deepest condolence again to Jessica and all the family.

SENATOR J. A. WORKMAN: Mr. President, I would like to join in the expressions of condolence. Unlike Senator Farley, I can say I have tasted of Senator Odle; because I cannot see how it is possible for any of us to have been in this Chamber for over a year with Senator Odle and not have tasted of her charm and her joy, which has come to her as one of the fruits from her father.
11.20 a.m.

I have known the family for a long time, when I was a boy, and I am sure Senator Odle will not remember me when she was in her years of puberty when we lived in Two Mile Hill. They lived at Milton, 9 houses away from Bradville, where I was. It was always a joy for us to be associated with her father and her family and to share those sincerities of purpose, sincerity of action and words, which are lacking in our community today.

I am sure that in Senator Odle and in the rest of her family the good spirit and the honesty and integrity of her father will live on, and we thank God for his life, his witness, which will remain in those he has left behind. May he rest in peace.

Mr. PRESIDENT: I would like to associate the Chair with the sentiments expressed in tribute to the late Lisle Howard Odle and to note that on a subsequent occasion the Senate would also wish to pay tribute to the father of Senator Trotman who is not with us today.

I knew the late Mr. Odle long before I knew his distinguished daughter and I must agree with Senator Workman that her charm and, indeed, her commitment to service have been inherited. I would ask the Clerk to convey to the family of Senator Odle the condolence of this Honourable Chamber.

SENATOR Miss J. C. ODLE: I would like at this time to say thank you to all of you for the more than warm words, some would even make one blush. Just to say that the words you have expressed are the words that we the family share and feel about the experience of having lived with the Skipper, as I called him for most of my adult life.

We say we don't really mourn his passing because from his passing we are indeed becoming even more strongly bonded together. We always have been and we feel that this experience is just another phase in life as he goes on and transcends to another place. We too feel that the experience that we have gained from his being with us and sharing with us will strengthen us and, certainly, as far as spiritually goes as well, it has gone and will continue to go a long way.

On behalf of my mother and my brothers and sisters I say thank you all for your very special words.

ORDER NO. 1 – TO MOVE THE FIRST READING OF THE AGRICULTURAL, DIAGNOSTIC AND OTHER SERVICES (FEES) BILL, 1995

SENATOR THE HON. R. R. FARLEY: Mr. President, approval of the Honourable the Senate is

being sought for this Bill which seeks to provide for the imposition of fees to be charged on the services provided by various departments within the Ministry of Agriculture and Rural Development. Specifically, Sir, this Bill would provide for fees to be charged for services provided by the Veterinary Diagnostic Lab, the Government Analytical Services Lab, the Central Livestock Station and the Soil Conservation Unit.

The Bill, Sir, as you would notice, is very short in that it seeks to establish a framework within which these fees can be collected. The specific fees, as is standard in these matters, would be specified in an Order, the Agricultural Diagnostic and Other Services, which would be made pursuant to passage of the Bill. So the Order could only really be made after there is an Act which makes provision for such fees to be set by the specific Order. As such, Sir, you will not see the fees reflected in the Bill, because that is not the standard procedure for doing such, but, in my presentation, I will make reference to some of the proposals to indicate that although the rationale behind the imposition of these fees is to promote some element of cost recovery, there is not on this occasion, by any stretch of the imagination, a provision for full cost recovery with respect to any of the services and, in fact, Sir, in terms of the services provided by the Veterinary Diagnostic Lab, certain categories of local livestock are excluded, namely, cattle, pigs, sheep, goats, rabbits, chickens, turkeys, ducks and geese and those will be exempted from the payment of fees at the Veterinary Diagnostic Lab.

Sir, this proposal for an adjustment of fees was really born out of the fact that some of these fees have not been adjusted for over 10 years. In many of these cases, fees are already in place except for 1 or 2 new areas and the proposal for increase of these fees has come through somewhat out of a circuitous route. Proposals were first made back in 1988, approved in 1992 and 1993 and the draft Bill and Order were approved for submission to Cabinet back in early 1994. Of course, as you will remember, Sir, Parliament having been prorogued because of a pending election consideration of this Bill to provide for the imposition of fees and the corresponding Order were not considered by Parliament.

So, Sir, we have before us this proposal today which seeks, as I said, Sir, to provide for some element of cost recovery in some of the services that are provided.
11.30 a.m.

The fees which would be charged, for example, for the Veterinary Diagnostic Lab, which exempt some areas of local livestock, would largely cover those birds and animals which are mainly pets; or which are not themselves used in the provision of food. To give an example, there are various tests that are done on horses and other small pets.

We have a problem concerning the disposal of pets. The roads are littered with many dead dogs, all of whom are not necessarily without an owner but there is really considerable difficulty in disposing of dead dogs. Part of the difficulty nowadays is that, given the housing situations, there are some persons who live on plots of land on which it is not possible to find a 3 ft. or 4 ft. hole in which to bury a dead dog, and as a result, provision is made, for example, for a small fee for the incineration of small pets, dogs, cats, and the like. These would be spelt out in the Order which will be laid in Parliament after the Bill is passed.

The fee for the incineration of small pets, for example, is proposed to be $15, postmortem on horses $80 and postmortem on other animals $30. The fees by no means are exorbitant and are well within the reach of those persons who need the services. But to ensure that hardship is not imposed on those who are not in a position to pay for these various services, the Bill makes provision for the fees to be waived in appropriate circumstances. I believe it is section 4 of the Bill which makes provision for the Minister to waive, remit or refund any amount payable or paid where he considers it is equitable to do so. So the question of hardship on farmers and individual pet owners really does not arise.

Now, Sir, in the case of the Government Analytical Services Lab, there are a number of very important tests which have to be done on things ranging from soils, vegetables and water samples to food, drinks, oils, alcohol, animal feed, among many others, and because of the detailed nature of the tests involved, any attempt to really charge the full economic cost would really be prohibitive. As a result, the fees which are proposed to be charged in that case are really made on a rate per sample basis, and whilst it would make some contribution to offsetting the cost of providing those tests through the Government Analytical Lab, they really do not reflect the economic cost of providing those tests.

In respect of the Central Livestock Station, the fees for stud services, for example, in respect of sheep, goats, cows and so on really remain at token level, and an adjustment is warranted in that regard.

Similarly, in the Soil Conservation Unit, they provide some services in terms of the sale of plants, the spraying of fruit trees, ploughing, farrowing and harrowing of soil and the rental of heavy equipment. Again these fees have been at the same level for well over 10 years. They are considerably less than the fees for similar services charged in the private sector. The Order which will be

made pursuant to the passage of this Bill, will outline the specifics of those services and the fees to be charged.

This Bill, Sir, seeks to regularise the collection of fees in some areas. It makes provision for a small outward adjustment in fees and other areas where fees would have been collected, and it generally streamlines efforts at some element of cost recovery in respect of the services provided through the Veterinary Diagnostic Lab, the Government Analytical Services Lab, the Central Livestock Station and the Soil Conservation Unit.

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

SENATOR C. A. MASCOLL: Mr. President, the Bill before us seems rather innocent and, indeed, it appears to be, but given some recent comments about why the fishermen on the South coast have had to confront an increased price for ice, I am wondering whether or not this Bill bears some relation in terms of satisfying the conditionalities under the IDB arrangement. I am not at all certain that it does not and, therefore, I will not be fooled by the innocence of the Bill. Could it be made clear whether or not the increased fees in this Bill can be regarded as part of the hidden agenda of the Barbados Labour Party administration since we have not had the privilege...

SENATOR THE HON. R. R. FARLEY: On a point of order, Mr. President. I would ask that the Honourable Member withdraw that statement. I believe that a suggestion of any hidden agenda on the part of the Government side is totally unparliamentary and inappropriate, not to mention inaccurate. I would ask that the statement be withdrawn and struck from the record.

Mr. PRESIDENT: I do not think that "hidden agenda" by itself can be regarded as unparliamentary. I do not think that Senator Mascoll had developed the point to the stage where I could say that there was a sinister connotation in what he said so I will give him an opportunity to develop his point.

SENATOR C. A. MASCOLL: Thank you, Sir. Indeed, the use of the phrase, in fact, is somewhat related to the recent boast of the Government of the day that they managed to prepare a macro-economic programme and sent on a letter to Iglesias of the IADB. Now, so far, we are not yet aware of the contents of the programme with the IADB. I have called since the time of the Estimates for the condition of the ISL to be made known to the public of Barbados.

Anyhow, the question of raising fees would, obviously, have revenue implications and so far, according to the Central Bank Reports, I am very aware that Government's revenue is not performing close to anything like what has been projected in the Estimates. In fact, a detailed analysis for the first half of the fiscal year would show that it is struggling to raise the adequate amount of revenue. Therefore, I can, to some extent, understand why comments would be made that they are seeking to regularise collection of fees and that these fees do not reflect the economic costs. I would therefore ask the question. Why then are we seeking to impose these fees if these fees are not in any way going to be close to what the actual cost of providing the service would be?

I also would like to know whether it is in any way going to contribute to an increased cost of food for Barbadians as we pass on the fees which will be charged to the vegetable producers and other people in the area of the Soil Conservation Unit, whether we cannot see an increased cost of food as a consequence of these fees. No such analysis has been provided. These things have a way of appearing, as I said at the outset, to be very innocent in their nature only for us to discover some time down the road that they have, in fact, imposed some kind of hardship on their producers, the agriculturalists who, over the years, have been complaining about all kinds of duties and all kinds of fees being charged. In recent years, there were some attempts to address that.

11.40 a.m.

In light of this whole question of food, I wish to say here that I am very concerned about the implications that this fee, in collaboration with the impending Value Added Tax system may have on food in Barbados. I recall doing some work which suggests that the intention to impose a 15% VAT on food will cause increased cost to consumers. That is an area that is of concern. Therefore, in addition to the pending VAT system that will be put in place, these additional fees will certainly increase that cost once more.

I will explain why I am worried about the impact that this can have on the food cost in Barbados; something that is being skirted. First of all, we have a situation in which we know that when that VAT comes in that it will be levied on the import base as well as the local value added base and the present tax system which we have is only imposing it on the CIF value.

I have some concerns, that in addition to the VAT which will be coming, that this fee may lead to increased food cost. In addition to the fee, along with the fact that there will be the imposition of this VAT all goods coming out of CARICOM which this fee may also be a charge to, you never know if the inputs into the agricultural sector within the Soil Conservation Unit and other such units may not be using items which are going to be imported from within CARICOM. If that is so, it also means that

that increased fee plus the charge of 15% on items out of CARICOM would lead to overall increase in food items in Barbados. I have very serious concerns.

We also have a situation in which the introduction of VAT, in addition to these fees will mean that all locally produced food will carry additional cost. That is a big worry for me that, along with these fees, we are going to have for the first time all food produced in Barbados with the exception of very few carrying a VAT on it. We can see that in the next one and a half years or so, that these fees can, in collaboration with the Value Added Tax system have severe implications.

Along with that, we have a situation where these fees are going to be passed on to people purchasing the inputs such as the restaurant people in Barbados. In addition to the fact that the cost will be passed on to those kinds of food outlets, you are going to have the Hotel Restaurant Tax being moved from 5% to 15% which will constitute an additional cost on food in Barbados. Therefore the evidence is there to show that in collaboration with the pending VAT system, this fee will in fact lead to increased food cost in Barbados.

There are other areas where we have to be worried about placing additional fees on top of the cost of food which will be pending in the next year, year and a half or so.

I am asking whether or not an increase in revenue which will be generated by way of the increased fees being charged on these services to the farmers cannot lead to additional cost to the consumer. On top of that, the intention which we have of imposing a 15% VAT on food is going to have a compounded effect.

I therefore wish to suggest in this environment that Government thinks about accepting a recommendation which was made out of some research that, instead of charging a 15% VAT on food, that you should be thinking of reducing that to 10%. If not along with these fees, we will see a substantial increase in food cost in Barbados.

Thank you, Sir.

Mr. PRESIDENT: Senator Laurie.

SENATOR C. K. LAURIE: Mr. President, I was very pleased to hear of the exemptions because when reading the Bill one assumes that these fees are going to apply across the board. Therefore Senator Farley's assurance that the livestock industry of Barbados which is presently struggling anyhow would not have to bear these increased costs is a very, very good assurance. We know that, in the rest of the world, these kinds of services are provided free to genuine farmers. But we have no problem with pet owners paying a reasonable fee.

I share Senator Mascoll's worry about the effect on crop production of some of these charges that again, could well be given as a subsidy to small farmers in the form of free services that these are now going to be charged does mean that it is bound to affect their cost of production.

What amazed me was the reference to the Central Livestock Station because, as far as I know, the Central Livestock Station no longer exists. It no longer has any stud animals. I understood it was for sale. I thought it was a major privatization move by the Government to close down these stud stations around the country. As far as I know none of them carries any livestock anymore. I am not sure how we are going to charge fees from something that does not exist. Presumably this was in the legislation long, long before. As Senator Mascoll said, this had a long birthing perhaps when they started drafting the legislation, the Central Livestock Station existed.

That reference Senator Mascoll made to the VAT is also of very great concern to us, if one looks at something like beef, presently imported beef takes something like a 30% CET and a 20% stamp duty making it 50% more than local beef. What will happen when the VAT comes in? The removal of the CET and the stamp duty will mean that local beef and imported beef would pay the same tax. This differential will disappear overnight. That is a very, very serious concern to us. If we can get some explanation or removal of that story of the Central Livestock Station I would be grateful.

Mr. PRESIDENT: Senator Bernstein.

SENATOR S. P. BERNSTEIN: Mr. President, just a few comments on this particular Bill.

I am happy to hear that the disposal of dead animals that we see from time to time around Barbados will be taken care of. My main concern is that dreaded disease called leptospirosis which has taken the lives of two Barbadians already. It is transmitted from urine of rats, cats and dogs. These rats are very common in Barbados. You can see them all over the place and now that the Government has a debushing programme I would like to see methods in place where they can put rat bait and other things to eradicate this dreaded disease. For instance, tourists walking along Accra Beach on mornings can see rats running across the beaches as soon as they approach the bushy areas and it does not augur well at all. Government should call on the Vets to make sure that our dogs are inoculated against this disease.

11.50 p.m.

SENATOR C. K. LAURIE: I just want to rise on a point of information.

Mr. PRESIDENT: A point of information?

SENATOR C. K. LAURIE: I just want to correct something you are saying. Inoculation of dogs is not going to work for the strain leptospirosis which is specifically found in Barbados. At this present moment there is no vaccine available to cover people against it, so an inoculation campaign *per se* is not going to really help.

SENATOR S. P. BERNSTEIN: Let me say that I have been told that there are different strains of leptospirosis and there is a vaccine for many of the strains and we should use the vaccine that is available to us to avoid any problems with leptospirosis wherever possible. We should also get rid of those rodents that we have knocking around the place. I want to see Government do this. I do not want an outbreak of leptospirosis like we have had recently with dengue.

SENATOR THE HON. R. R. FARLEY: Mr. President, I hate to rise in the midst of this interesting contribution but on a point of order I wonder really what this has to do with the Agricultural Diagnostic and Other Services (Fees) Bill 1995?

Mr. PRESIDENT: Senator Farley is right. Much of what you have said about rats and so on, interesting though it is, is irrelevant. There is a matter on the Order Paper today on which some of what you have said, may be relevant.

SENATOR S. P. BERNSTEIN: Thank you, Sir. I will not repeat myself on that. Just a quick point on the topic of VAT that Mr. Mascoll spoke about, let me warn the Government that most countries that introduced VAT when they faced the polls the second time around lost the Government. I am going to speak more on VAT as time goes by. Just let me say loud and clear that I am going to give one scenario on VAT where the small man is going to be ...

SENATOR THE HON. R. R. FARLEY: Mr. President, I really must rise again on a point of order. The Honourable Senator is making some interesting points but we are all bound by the Standing Orders. I would like to stand up in here today and talk about anything at all but we are discussing the Agricultural Diagnostic and Other Services (Fees) Bill and he really cannot speak about VAT. Senator Mascoll was speaking about the fees and other things that may attach to the fees but the Honourable Senator must make his contribution within the Standing Orders as we are all bound to do, Sir.

Mr. PRESIDENT: I imagine Senator Bernstein is going to give us a discourse on VAT as it relates to fees, so I would ask him to develop the point if that is his intention.

Certain remarks made by SENATOR BERNSTEIN were ordered to be struck from the record by Mr. PRESIDENT.

SENATOR THE HON. G. S. H. MURRAY: I really do not intend to be long, but I thought I had to intervene in order to try to set the record straight and try to eradicate the inaccuracies that have been voiced regarding "a hidden agenda" on the part of the Government where this measure is concerned.

Sir, I have gone past the point where I am angered or upset by the inclination of the Democratic Labour Party, especially through the mouth and words of Senator Mascoll, to seek to attribute to the Government sinister motives in virtually everything it seeks to do. He ranted long and hard about ...

Aside.

SENATOR THE HON. G. S. H. MURRAY: Long, because it was unbearable to me. It was long to me, Sir. He ranted long and hard about wanting to impose tax and all kinds nefarious and semi-nefarious deeds on the part of the Government.

I want to remind Senator Mascoll that it was his party, even at the time when he was a budding economic guru, which wanted to, by sleight of hand, through the back door, in the dead of night, impose taxes on things as humble as green peas, okras, thyme, tomatoes, guinea corn, lettuce, cabbages. Now he is trying to disassociate himself from the spokesman on that measure but not from the acolyte. He was an economic guru then, Sir, so therefore he must take some of that blame, like he must take for the 5-4-3 plan. If he wants the praise, he also has to take the blame and the opprobrium.

Sir, this measure goes back to 1988, at a time when Senator Mascoll was his zenith as an economic guru in the DLP and therefore as he himself admitted, it has a long history during back to January 1988 and it arises out of an exercise whereby the Ministry of Agriculture was carrying out a review and revision of all fees charged to the Ministry for certain services and this was all part of that. This is no magic wand, neither is it some evil intent on the part of Government. The Ministry of Finance and Economic Affairs in July 1992, this is after 1991 when Senator Mascoll refused an office at Government Headquarters because it was not good enough for him and he decided to stay at Central Bank as a economic guru. But

the Ministry of Finance over which he had exerted a tremendous amount of influence. It was approved by his Cabinet, Sir, in July 1992 and so it goes on.

It was approved for submission to Cabinet on May 5, 1994 but other events, mainly the election, intervened. So, Sir, that is the unvarnished truth about this measure.

Sir, he talks about research but never tells us, research by whom. He, Sir, as a social scientist and an economist of sound repute, even if self-proclaimed, should know that for you to have any credibility when you are talking about research you have to give the source, the date, the methodology *et cetera*. You just cannot take research off the top of your head as though research in itself is going to throw people in some kind of intellectual tail spin whereby they cannot speak for themselves. If he wants to impress us with "research" he has to satisfy those criteria.

As to the VAT, Sir, which has caused a whole set of confusion in here this morning for one reason or other, I would like to remind Senator Mascoll that the public education programme is under way, discussions are under way, we are having participatory democracy where that is concerned so therefore it is nothing big. You had 3 people up at Deighton Griffith School for the D.L.P's VAT seminar. The press even refused to cover it. But, Sir, I would like to assure my fellow Senators that they have nothing to fear where VAT is concerned, at least where their input into the discussion and formulation of policy is concerned. The discussion is open, the Prime Minister has said repeatedly and time and time again that he does not intend to introduce VAT until all the issues and all the fears of people are addressed. Thank you.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I rise to support the Agricultural, Diagnostic and Other Services (Fees) Bill but I would like to ask that any fees now raised should be taken into consideration if and when VAT is introduced so that it would not increase the price passed on to the consumer. You did mention the Veterinary Diagnostic Lab fees and they do, from what I can remember, they do take part in the research regarding leptospirosis. I would like to suggest that we think very, very seriously of establishing a Health Education Unit in the Ministry of Health to educate the people not only about leptospirosis but also about other health matters like dengue and AIDS, *et cetera*. Because with some of these diseases, there is no treatment really other than health education and prevention. Emphasis really needs to be placed on the prevention of these conditions rather than waiting until persons get sick and spend a lot of money in trying to help them recover or sometimes they die. Now I am not going down that route so much. What I would like to do is to come back mainly to the Central Livestock Station, Soil Conservation Unit, *et cetera*. I would like to see and make a plea for the re-introduction of Extension Officers. Years ago we used to work with these Extension Officers...
12.00 noon

Mr. PRESIDENT: Senator Rickinson, I hate to interrupt you. But I think you are straying from the Bill that is before us which deals with Agricultural, Diagnostic and Other Services (Fees) Bill, 1995.

SENATOR Mrs. P. E. RICKINSON: Well, Agricultural, Diagnostic and Other Services Fees – Mr. President, I may be wrong and you can correct me but the Extension Officers were attached to the Central Livestock Station and used to work in the community and the Soil Conservation Unit and worked in an applied nutrition programme with the community centres. They were outreach workers from the Agricultural Development Station and the Bill is an Act to provide for the imposition and collection of fees for services provided by the Ministry of Agricultural and Rural Development. I would hope that, when we get into Agriculture and Rural Development, persons who would be working in these rural development areas and who might have to advise the consumer to charge fees will also be Extension Officers.

I would also like that when these fees have been decided, because we do not see them here, that a massive education programme be mounted through GIS and also through the Rural Development Programme. I am not sure how that has been set up completely so I really cannot speak so much on that. But I would like to see that if you have persons working in these areas they can educate the public along with the electronic and print media regarding the amount of fees charged for different services.

Now as far as the incineration of pets is concerned, I think that one has to realize that a lot of the dead animals on the street, even if they have owners, the owners do not come out and say that this is my pet that has died. What tends to happen is that one has to contact the Sanitation Service Authority to try and see if one can get it removed. It is good to educate the public about a small fee for incinerating pets but one tends to find difficulty in finding the actual owners of these pets that have been killed and are lying beside the road. Therefore, one still has to make provision for the Sanitation Service Authority to continue to collect these dead animals in the road if you cannot find the owners and take them for incineration.

I, therefore, support this Bill and ask that some of the observations that I have made be taken into account. I thank you.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Bill be read a second time.

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

COMMITTEE

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. PRESIDENT left the Chair and the Senate went into Committee on the Bill, SENATOR Miss O. P. SYMMONDS in the Chair.

Madam CHAIRMAN: The Senate is now in Committee.

Clauses 1 through 5 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Madam CHAIRMAN reported the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.
12.10 p.m.

On the separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a third time and passed.

ORDER NO. 3 – INTERNATIONAL TRUSTS (AMENDMENT) BILL, 1995

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the Second Reading of this Bill, which provides for an amendment to the International Trusts Act, 1995.

You will recall, Sir, that earlier in this Session the Honourable Member passed the International Trusts Act, 1995. That Act was approved by both Houses and has not yet been proclaimed. Prior to that action to make the process complete, we received a number of responses from a number of trusts which were already in existence in Barbados, as well as from a number of our international advisers on these matters, that the Act as presently constructed would have an unintended deleterious effect on a number of trusts which were already in existence.

Specifically, Sir, concern was raised that the International Trusts Act would have a negative impact on domestic trusts, that is, trusts that elected to pay taxes in Barbados. Whilst the International Trusts Act created exempt trusts, there were a number of trusts and in order to benefit from double taxation agreements with various countries, particularly Canada, would prefer to be taxed in Barbados since, in the absence of taxation in the host country, one cannot reap any benefits from double taxation treatment. So we deferred the proclamation of this Act until a satisfactory resolution of these concerns could be made.

Having referred the matter to the Advisory Committee on International Business, as well as referred the matter back to the Chief Parliamentary Counsel and several other international experts in the area, the current International Trusts (Amendment) Bill which is before us has been recommended as a solution to that particular dilemma. In short, Sir, what the amendment Bill seeks to do is to provide for trusts which were in operation before the commencement of the Bill to elect within 90 days whether they want to be listed as domestic trusts – in other words, whether they want to pay tax in Barbados – or whether they want to be exempt trusts under the International Trusts Act.

The amendment also makes provision for trusts at the point of registration to exercise that similar choice, it allows trusts already in existence at the date of commencement to elect to continue in their present circumstances, and those which would subsequently be registered to elect one option or the other.

The specifics of these amendments, Sir, are as follows:

Clause 2 of the Bill before us replaces Section 4 of the International Trusts Act and makes the provision that I referred to earlier that trusts can elect either to be taxed as domestic trusts or as international trusts.

Section 29 of the International Trusts Act is also amended in Clause 3 of the Bill before us by deleting certain Sections, and more specifically making reference to Section 17 of the Income Tax Act of Barbados by which means the trusts will be taxed in Barbados and therefore give effect to the desire of a number of international trusts already in existence to be taxed in Barbados in order to benefit from double taxation entitlement.

We are satisfied, Sir, that this particular amendment will remove that area of difficulty which was inadvertently created and which would have seen a number of existing trusts lose their double taxation benefit entitlement.

With that, Sir, I beg to move that the International Trusts (Amendment) Bill, 1995 be now read a second time.

SENATOR C. A. MASCOLL: Sir, I rise in support of this amendment, but I am concerned that I will not get an opportunity to discuss the recent monies voted to assist this sector because they have come in the form of a Resolution in the Other Place and not in the form of a Bill, such that I will not be able to discuss any part of the supplementary which has been recently allocated to this Ministry to assist in developing the trusts unit, and indeed the wider legislation to encourage the international business sector.

It is of concern, because it is an area in fact which has been highlighted as one to give full expression to the development process in Barbados. It is an area where we are still cutting our teeth, where there is still concern among the accountants and the legal profession as to who should be getting the benefits from the development of the area, and there is some confusion, as is well known, among the policy makers as to precisely which way to go in terms of no tax versus a tax haven for Barbados. Recent experiences in fact in promoting Barbados in Canada did indicate that there were differences of opinion among those representing us at the conference. We need to be very clear as to precisely where we are taking this sector.

I feel somewhat unable to contribute to advancing the cause because I have been denied, as I said earlier, the privilege to discuss the $32 million in supplementaries which was brought to the Lower House. I would wish now in fact to ask that some consideration be given to allowing the Senate, and to be given me, to contribute to the development of the international business sector of Barbados. I feel very deprived that it did not come in the form of a Bill but in the form of a Resolution in the Lower House. Recent precedents would suggest that supplementaries of this magnitude which would impact on the international business sector should in fact be discussed in the Upper Chamber, and to be denied that opportunity is for me to ask myself why am I a member of the Senate of Barbados. I am very, very worried that I do not get the kinds of privileges that I deserve in this Upper Chamber to make those kinds of contributions.
12.20 p.m.

Mr. PRESIDENT: I hope, one day, Senator, that you will have that opportunity.

SENATOR Mrs. A. P. THOMPSON: Mr. President, I would like to make a small intervention on this Head. Although I rise to support it, because I recognise the importance of the international business and financial services sector to Barbados, I am indeed very disappointed that less than 2 months after we have brought this legislation to this House that we should have to come here to make an amendment. I think it is sending the wrong message to the international community which we are trying so hard to woo.

It appears as though there is confusion in our international business policy. We just cannot pass it off as a minor slip up. We have to know the regulations, the laws of the country, with which we want to trade. We have to understand what a trust does. Nobody is going to pick up huge sums of moneys and put these moneys to sit down anywhere unless they are going to benefit. That is why I raised those matters when we discussed the Bill on the first occasion. We should have seen that no Canadian would want to be in a trust in Barbados unless he can benefit from the double taxation treaty. I think we did not study in detail all of our trading partners, all of the legislation within those countries and what it is we need to set up in Barbados in order to attract them.

I hope we will not make these kinds of mistakes again. It is not just an amendment. I believe they wonder about us. We have not really considered them. We run here hurriedly to bring the legislation to say we are doing something for the international business sector and then we have to pass an amendment here. So although I am supporting the amendment for the progress of the sector, I would like to encourage the Ministry which deals with this, International Business, to get its act together. We are not going to be able to woo these people unless they believe we understand what we are doing.

I, too, would like to be clear as to the direction in which we are going in Barbados. Are we going to be a low-tax domicile or are we going to be a no-tax domicile? We have to be clear on that. Then we won't have to be fiddling so much with our legislation. I hope we won't need another amendment, at least not very soon.

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise on conclusion of debate on this Bill, and I just want to make the point that one will notice with respect to legislation in the international business arena that over time the rate of amendments will tend to be greater than legislation which affects the domestic sector, in that not only Barbados but in Bermuda and the Cayman Islands and wherever else one has to make appropriate changes to ensure that we are able to keep up with the market and to target the markets which we are seeking to benefit from.

You will find, Sir, that not only will it happen as in this case, Sir, that there will be other legislation which from time to time either we will have to change in anticipation of a market or, as is the case from time to time, when budget presentations are made in other countries, we will have to make adjustments in our legislation to suit what is happening.

I am not only speaking of this matter and of what is happening today, Sir, but in general alerting the Senate not to be alarmed or perturbed when from time to time we will have to come with either new offshore legislation or amendments to existing legislation in order to enable us to keep on the leading edge of this business.

With that little explanation to assist Honourable Members of the Senate, I beg to move that this Bill be read a second time.

On the motion of SENATOR THE HON. R. R. FARLEY, the Senate resolved itself into Committee on the Bill, SENATOR Miss O. P. SYMMONDS in the Chair.

COMMITTEE

Madam CHAIRMAN: The Senate is now in Committee.

Clauses 1 – 3 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Madam CHAIRMAN reported the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a third time and passed.

ORDER NO. 3 – TO MOVE THE FIRST READING OF THE VETERINARY SURGEONS (REGISTRATION) BILL, 1995

SENATOR THE HON. R. R. FARLEY: Mr. President, this Veterinary Surgeons (Registration) Bill, 1995 makes provision for the registration in Barbados of veterinary surgeons and the enrolment of animal health assistants and other related matters. The proposal is to repeal the 1932 Act and that is being done mainly because the 1932 Act, among other things, for example, did not speak to the question of the qualification of Doctor of Veterinary Medicine from the University of the West Indies.

It also did not provide for a legal framework similar to what is currently in place for the medical profession amongst others.
12.30 p.m.

This Veterinary Surgeons (Registration) Bill, 1995, seeks to bring the registration, and regulation of the veterinary profession in line with other professions in Barbados. The opportunity, therefore, was taken to review the 1932 Act as well as to make an evaluation of the current situation with respect to veterinary practice in the island and develop legislation which would bring it in line with international standards and, as I indicated earlier, the other professions in the island.

Some of the things which are done in the Act are the provision of the establishment of a Veterinary Council which, similar to the councils established for the doctors and other professionals, would be used to examine documentation submitted by persons desirous of being registered as veterinary surgeons and, generally, advising on the criteria which would be suitable for registration of such persons.

The Veterinary Council, as other councils do, would also exercise as much care and judgment as is necessary to ensure the proper conduct of persons registered in the profession and continue to ensure their general fitness for continuation in the profession. In terms of the composition of that Council, that would consist of the Senior Veterinary Officer in his *ex officio* capacity, and 4 Veterinary Surgeons to be appointed. Of course, as is normal with these new Registration Acts, there would be the traditional grandfather clause arrangement with respect to those persons who are, at the date of commencement, currently registered to practise veterinary medicine in Barbados.

Sir, the Schedule to the 1932 Act, as I indicated earlier, spoke to available opportunities for study as existed at that time, namely the recognition of the appropriate veterinary body in the United States and the United Kingdom as well as persons who were otherwise permitted to practise veterinary medicine anywhere in the Commonwealth. But, Sir, it did not speak to the availability of the appropriate qualification through the University of the West Indies, neither did it in too clear a way make provision for persons to study in other far flung places which might have excellent facilities and appropriate opportunities for study.

One of the constraints which was recognised, Sir, as far as location for veterinary study is concerned is that one cannot complete the appropriate requirements for qualification as veterinary surgeon without having some hands-on experience working with animals. Therefore, the countries of the world in which veterinary medicine has developed as a specialised area are those which tend to have an abundance of subjects for study, research and so on. We have persons from Barbados who study as far afield as Australia. That is one of the traditional Commonwealth countries, but there are other countries outside the Commonwealth for which provision has to be made as far as qualification is concerned.

The new Bill as well makes provision for where there is any element of doubt for the Council to establish examinations or other criteria which it may wish to use in order to test the capabilities of persons offering themselves for registration as veterinary surgeons.

One of the interesting features of this Bill is that it provides for the registration of Animal Health Assistants. These would be the equivalent of what someone put in very simple terms to me as animal nurses. These Animal Health Assistants would, by virtue of the registration process, be entitled to perform specific duties including the preparation and sterilization of equipment, administering of vaccinations and the like. They are, in effect, Sir, the doctors' assistants in the veterinary world in the same manner in which other persons assist doctors in other professions.

The Bill, generally, seeks to bring a new level of regulation, a new set of ground rules for this profession which will basically protect the consumer of veterinary services by ensuring that persons who offer themselves as vets in Barbados are fit, proper and well qualified to do so, and it imposes penalties for persons who make fraudulent representation and practising when they are not properly registered to do so.

Sir, this whole question of veterinary medicine in Barbados has always been important but it has become the subject of some attention, largely again part of it being the fact that the conditions which existed back in 1932, for example, when the original Bill was enacted, have been radically changed over the years. Some of the issues which confront the veterinary profession, the Government and the consumers of veterinary services be there farmers on the one hand, or pet owners on the other, relate to the differences in regulation in the use of medication, among other things, the difference there being between the veterinary professions and the medical professions.

You would know, Sir, that particular issue is receiving the attention of the Government at this point in time. It is recognised that there are merits on both sides of the argument. On the one hand the farmers and persons owning pets would argue that there should be need for them to have a prescription in order to obtain simple drugs to treat simple ailments as is often argued in terms of human medicine where, whenever an attempt is made to place additional medicines under prescription most of us would argue, why should one need a prescription to get aspirin, and similar arguments are advanced.

It is well established, and it is really a point for concern, that a number of medicines which are used in the veterinary world for the treatment of various ailments in animals, or in the promotion of certain conditions, like all other medication if improperly handled, can result in some serious side effects. It cannot be ignored that the meat and poultry we consume are part of the food chain, and when we eat, we not only eat chicken, but we eat whatever the chickens eat, or otherwise ingest. This also applies to beef, lamb, or whatever. I am sure that Senator Laurie's black belly lamb are as pure as driven snow.

In all seriousness, Sir, we really cannot ignore the impact which misuse of veterinary substances can have on human beings and appropriate regulations, we have been assured by the Ministry of Health, will be brought into force to ensure that the capacity for the misuse of these substances is limited.

I am sure you are aware that there is a fairly common tendency in Barbados, as I am sure in many other parts of the world, to go against manufacturers' recommendations, especially in the use of various chemicals and so on, whether it be insecticides, herbicides or whatever it might be. If we are told to use two parts per gallon, we figure that if we use four it would work faster, better, or longer, and that also applies to human beings consuming certain substances as well, be it vitamins or other substances for empowerment.

12.40 p.m.

But the fact of the matter is that the residual effect of these various substances which are used in the veterinary world are clearly stated. They are known amongst the persons in the business and I myself would have a very strong concern about not being in a position to know whether meat or poultry that I am consuming is filled with some substance which should not be present at the time of consumption. That matter has, definitely, to be addressed.

Additional opportunities must also be created to ensure that we are able to have the numbers and quality of persons operating in veterinary circles in Barbados. I think long gone are the days when the average person living in Barbados thought of the vet in terms of simply dealing with either some of the larger pets or, in the commercial areas, relating to slaugter of poultry and other animals. I think most people – and indeed I think we need to bring a bit more on board – are becoming aware that any person who owns a pet of any kind, size or type in this country should utilize the services of vets to ensure that their pets are healthy and, as a result, are not in a position to compromise the health of either themselves or their neighbours. Since therefore we need to ensure that when we get that message fully across and persons understand their personal as well as their social responsibility, in ensuring the health of their pets and other commercial holdings of animals and birds, that the profession will be able to rise to the challenge and provide the level of support which is required.

So, Sir, this Bill is but the first step on that road of ensuring that the regulations which govern veterinary medicine in Barbados are in keeping with the modern international trends in the particular profession. Other important legislation and other forms of regulation will be coming to ensure that Barbadians are not at any risk whatsoever from any activity relating to the practise or the misuse of any veterinary procedures or substances.

I beg to move, Sir, that the Veterinary Surgeons (Registration) Bill, 1995 be now read a second time.

Mr. PRESIDENT: Senator Laurie.

SENATOR C. K. LAURIE: Mr. President, I rise to support this Bill and I should like to congratulate the veterinary profession in Barbados for coming under

what is the normal registration of professionals that occurs in other developed countries.

The problem that I see arising – and the Honourable Leader of the Senate did talk about it – is this question of veterinary drugs. This does not actually come under this Bill but it is the threat of what is coming out of the Ministry of Heallth. We have had discussions because we, as farmers, are very concerned for the same reason that Senator Farley mentioned that we do not want consumers to have to ingest any materials that should not be there. The question is cost. How is this going to affect the farmer who presently does his own treatment? The answer that we have had from meetings with the Barbados Veterinary Association is that they have realized that this is a problem and they are prepared to help us at the Agricultural Society to put on a series of training sessions for farmers, particularly small farmers, so that they can learn how to utilize these drugs. They have also promised that they would provide reduced prescription cost to small farmers so that they can afford it. For instance, you can have a rabbit that may be worth you $25 and you call a vet. The vet's bill is $25. You just cannot do it. For the large farmers it is not a problem. What we strongly recommend is that you have a vet on retainer and that you practise preventative medicine. That is by far the best way, that you have a health programme in place that keeps the animals in perfect health with the minimum amount of medication. However, that is not where most of the food in Barbados is produced. Most of the food is produced by very small farmers who only have maybe 2 or 3 rabbits and for them to call a vet, it is a real problem. We have to get around that.

We have also had here, in the past, a very conservative approach by vetenarians. Far more so even than doctors. They are very jealous of their rights to do things. It was not long ago when they would not hear of a farmer castrating an animal. Nowadays, they just cannot afford to do that. You cannot just call a vet to castrate a piglet because the cost would be prohibitive. There are trained farmers now who do their own castrations, their own injections of iron. Once upon a time, the vets were telling you, you cannot inject an animal. Any time you go below the skin you are against the law. Of course they did not have a law but this is what we are passing here today. They now realize that these things cannot be done by them in any economic way and must be done by farmers. The only answer to that is to make sure that we get the proper training so that these things are done in this way.

It gives me great pleasure to support this.

Mr. PRESIDENT: Senator Mascoll.

SENATOR C. A. MASCOLL: Mr. President, I rise obviously to support this Bill. I have just a little concern about reported cases, that is, whether or not in this area we are able, accurately, to say something about diseases which animals may contract and to what extent we keep proper statistics across the country. Since we have been saying that, for a long time, a number of cases have not come through the professional ranks but have been dealt with by a number of amateurs and unprofessional people, one therefore wonders to what extent there is a problem in terms of not being able to fully assess some of the diseases that one would have around the island.

I say that in relation to a recent Report on this whole question of dengue fever in Barbados because I recall making a comment on the issue, in Haynesville, that there were in fact 25 suspected cases within the area only to be told a couple of days later, by the Ministry, that there were only 4 or 5 confirmed cases. One can therefore understand why I am making this point because the irony of that is that only at the start of this week, we were told by the Ministry of Health that there are 844 suspected cases of dengue fever in Barbados and there were 141 confirmed cases which means that there is a ratio of 6 to 1. For every one confirmed case, there are 6 suspected cases and therefore the comment which I made about 25 suspected cases is confirmed by the Ministry's information who, indeed, admitted that there were 4 or 5 confirmed cases in Haynesville. One can see the logic that the comment that there are 25 suspected cases of dengue fever in Haynesville is supported by the Ministry's information that for every one confirmed case, there are 6 suspected cases. I make that point in relation to this legislation.

What I should like to see happen is this that the information which we gather on diseases in animals in Barbados is information which we are convinced about. That is the critical point of this legislation without there being any explicit mention of it. The whole reason for being is that this legislation was put in place precisely because there are some individuals in Barbados who in fact conduct these kinds of practices on animals without having the necessary qualifications. Therefore, in a sense, we are unable to fully assess the amount of diseases which we have across the animal population in Barbados. So I am just asking the Ministry to be sure it understands what it means by a confirmed case versus a suspected case and that my comment of 25 suspected cases in Haynesville is being supported by the Ministry's comment that there were 4 confirmed cases since the ratio of suspected to confirm is 6:1. On that score, Sir, I invite this legislation to pay attention to the collection of data and to the analysis of data since it has to be a critical issue in the overall management of diseases among animals in Barbados. I thank you, Sir.
12.50 p.m.

Mr. PRESIDENT: I congratulate the Senator who just sat down on tying 25 cases of dengue fever into the Veterinary Surgeons (Registration) Act, 1995.

SENATOR D. T. GILL: Mr. President, I rise to support the Bill and I think the Senator who has just taken his seat is as exciting as the thought we had here with the leptospirosis comment made by another Senator in which I said in an aside that we need now the Pied Piper of Worthing and now the Pied Piper of Trafalgar.

Sir, I am pleased to see that the section in the proposed Bill, which deals with the qualification of animal health assistant, has been brought into the framework. I would like nonetheless to bring to Senator Rickinson's feeling, and make her a little softer in that area, that these could be seen as a necessary hand to the surgeon but we would not try to equate them with the nurses. We cannot really equate them with the nurses. Nonetheless, Sir, we know that in certain parts of the world these professions take on a very practical outlook where veterinary surgeons do quite a bit of field work and in other areas the Health Assistants, particularly as I have been made to understand, in Guyana it is a very intense and informed course.

We would be glad, Sir, to see if we could draw a parallel and I am going to be very careful how I draw this parallel. Just as how, Sir, we have in the human medicine programmes, out there in the field doing the field work in nutrition and in basic care, we would like to see the veterinary surgeons and/or the health assistants out there keeping close tabs as to the nutrition of our livestock as it interferes or impacts on the nutrition of human beings.

Sir, we know already that in commerce there are certain practices which may take place in order to increase the dollar value and so I am not looking at it from the drugs side of it but I am looking at the feed which these animals and livestock are being fed. Lots of our meat, we know, may not be coming from a local source but may be imported and I would wish that a closer look is made to see the type of feeding techniques being used, the use of certain types of growth enhancing feeds and whenever we read some of the most recent journals you will see that some parts of the world go into actual tinkering and playing with the hormones which are being fed to animals. Now, once you begin to interfere with one hormone, suffice it to say that you will be influencing other hormones and with people becoming more and more cautious and more and more concerned about what they eat we would like to draw to their attention or make it a lot more widespread which parts of the world certain meats are coming from and the sort of practices that are used in those parts of the world.

We know that in the European Union countries they are very concerned about the use of hormones and growth enhancing substances in the feeds of their livestock. What also happens, Sir, and the scientists have been able to link certain types of practices with certain cellular abnormalities in the human population. It is a known fact that in Europe and in the U.K. in particular, they have linked the incidence of high breast cancer with the fatty diet which quite a few of the U.K. population is accustomed to and enjoy. In particular, Sir, they made mention of the very greasy and fatty type breakfast diets which they enjoy.

Also, Sir, the profession and the ancillary services should also take a close look at the kind of grazing areas where lots of our cattle and livestock graze. We are not sure, I do not know how much testing is done on these areas to check for parasites, to check for toxic waste, whether it is dumping or whether it is by down stream effluent. This is another area where I think you could draw a close representation of the animal health and the human health and parasites which I have mentioned.

Sir, we also know that the moment we get into fast production and this has been very much in the news in recent times, if we are going to get our chickens ready for Christmas and how soon we can get them. Only this morning I saw the article as to the tonnage now being imported. In recent times we have had callers and we cannot really dismiss the call-in programmes, we have had callers who are concerned about the quality of the chicken meat which they have been seeing in some of the supermarkets where they have been reporting excess fat in the poultry. Lots of them could not explain it because they are not trained in the area and I think when something like this comes on to the shelves of the supermarket where it can cause some degree of alarm among the consumers that it warrants some sort of investigation. It is here that I think the veterinary surgeon and those qualified in the area as assistants should be ever so vigilant to conduct their own investigations whether it is by way of their own Council or Association.

1.00 p.m.

Sir, in supporting this Bill, I would like to see a greater connection and cross referencing between the animal husbandry and nutrition and how it interferes with the healthy eating habits of the consumer. With that, Sir, I give my wholehearted support.

Mr. PRESIDENT: Senator Rickinson.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President. I do rise to support this Bill but I would like to ask for consideration of a few additions. The Leader of Government Business said that it provides for the legal framework in line with other professions and international standards. That is true because we have a Nursing Council, Medical Council, *et cetera*. I know it cannot be put in this Bill now as such, but, when the regulations are written, I would like to see a clause for post-registration education and practice written into not only this legislation but

in legislation for all the councils, whereby when the professional goes to register at least every 3 years they must show evidence of 5 days of study of Continuing Education.

Mr. President, why I am saying this is because it will help to maintain and develop professional knowledge and competence in keeping with the ever increasing developments in medical science and technology and it will also help to protect the public and ensure minimum standards that have to be met in professional qualifications. In other words, it would ensure the least safe and effective care not only for animals but also for human beings.

I like the Bill because it makes provision like other Councils for the profession to be policed by the peers. But in order to move with the different trends and to make it more meaningful, I would like to suggest that in this Bill, both the Veterinary Surgeons Bill and the other Councils, that two-thirds of the Council members be elected by their peers and then appointed by the Minister. Why I am making this suggestion, Mr. President, is because it gives the opportunity for the peers to actually participate and explain to the members of the profession what they are going to do when they are on the Council. It prevents the hand-picking of persons aside – not so much political. You would be surprised. It is not so much political but persons in the profession hand-pick friends to sit on the Council and then the Council is hijacked by just 1, 2 or 3 persons and the rest of the profession does not really have the input.

What I like about this Bill, Mr. President, is that the Senior Veterinary Officer is an *ex officio* member. This is very good and it is in keeping with present trends elsewhere and I would like to see the Nurses and Midwives Act have the Chief Nursing Officer as an *ex officio* member and not be the Chairman forever more because it is a conflict of interest. But this conflict of interest does not exist with this Bill since written into this Act the Senior Veterinary Officer is an *ex officio* member. I sincerely hope that it does not mean that at the first meeting he or she could make arrangements to chair the Council and therefore direct not only the veterinary services in Barbados but also the work of the Council which happens in nursing at the moment.

Another area I would like us to think of in this Bill and other Councils is to have a permanent chairman of the various councils where there are large numbers of persons, for example, like the Nurses and Midwives Act where we need a permanent chairman where he or she will be able to set down and direct matters accordingly.

Mr. President, because the developments are moving so quickly in medical science technology and veterinary science, I would like to make a plea for a Select Committee in the Senate to deal with nursing, medical and veterinary effects. I suggest that this Select Committee will be able to hold public sessions regarding ethical considerations. Because we have heard in various contributions that it was not labelled ethical considerations but putting antibiotics or hormones into food in excess of what should be there should be seen as an ethical consideration. There are many other areas that we are going to meet up with in this increasing litigatious society concomitant with the advances in medical science and technology, for example, like euthanasia *et cetera, et cetera* and also with the increasing demand for accountability, people are making demands not only in veterinary medicine but also in human medicine and other areas of activity.

Now the Leader of the Senate mentioned the equivalent. I know the word "nurse" is used loosely but there is a special definition from the International Council of Nurses that you can only use the term "nurse" if you have undergone a period of at least 3 years training and registered by the Council where one was trained similarly to this Bill. You must be registered. They are more equivalent to the Nursing Assistants because they are Veterinary Health Assistants and that category is equivalent to Nursing Assistants that must work under the direct supervision of a Registered Nurse. What I like in the Bill is that the Animal Health Assistants are going to be enrolled so that they will have to work under the supervision of a Veterinary Surgeon.
1.10 p.m.

What I like about the Bill also, Mr. President, and I need to say it, is that it makes provision for the temporary registration of vets from overseas. I would like us to revisit the Nurses and Midwives Act and get rid of the provisional registration. I am glad that this Bill does not follow that route, because in the Nurses and Midwives Act there is something called provisional registration, in that someone who is not properly qualified could be given a provisional registration, then take the examination before they are properly registered. You are either qualified as a vet or as a nurse, or you are not qualified. There should not be any room for any provisional registration, be it in this Bill or in the Nurses Act, so I think that the legal services review, or the Reform Committee, need to look at the other Acts, in particular the Nurses and Midwives Act, and bring that up-to-date with international standards.

Mr. President, I would like to make a suggestion that it is the Public Health Inspectors who examine the meat and foods to see if there is too much fat *et cetera*. The people need to call the Chief Public Health Officer or the polyclinic in their area and it is the responsibility of these Public Health Inspectors to be going around and inspecting the chicken, the meat and the foods and condemn them,

if necessary. Quite a lot of training has been done in that area and therefore I do not think there is a shortage of personnel to examine the meat and, if necessary, condemn it.

I should like to congratulate you on bringing this Bill to this Honourable Chamber and again I fully support it.

SENATOR N. P. WELCH: Mr. President, I want first to congratulate the Minister of Agriculture for bringing what I consider to be a very important Bill at this time. When I reflect on the Act of 1932 I recognise there have been many shortcomings which at present are being addressed in the Bill.

One of the things that readily come to mind is the fact that in the 1932 Act there was no definition of what a veterinary surgeon was. Clause 6(3) of the Second Schedule to this Bill clearly defines what a veterinary surgeon would be. This is one of the things I am particularly happy about in this Bill. It also moves away from the situation in the 1932 Act where provision was made for three assessors who were appointed by the Minister, a point which the former speaker was trying to address, where there was a lack of transparency. This new Bill provides for a situation where a Veterinary Council will be set up, which will have at least three people nominated by private vets to sit on this Council, subject to the approval of the Minister, in addition to the *ex officio* member. I think this is a very worthwhile and innovative way of doing business to bring some measure of transparency to the provisions within the Act. It also provides for a Senior Veterinary Officer, which I think is quite interesting, and this will give some continuity to the Council.

Another interesting thing here, Sir, is that the Veterinary Council now becomes a body corporate, which will have some legal implications. It has a bit of legal bite that the original Act did not provide for, but more interestingly it provides for the registration of the Veterinary Assistants. We know that the Act of 1932 never took these people into account, because the training of veterinary assistants only started about ten years ago through facilities in Guyana. These people will now be brought and registered into the mainstream of the veterinary services in Barbados, and for that I am particularly happy.

Perhaps one most interesting part of this Bill is that it provides for people who are not veterinarians or veterinary assistants to be able to carry out services, which I think Senator Laurie alluded to earlier, like castrations, within the ambit of the law without being a veterinarian. I think this is very, very important. This allows us a situation where, in cases where it is not economically worthwhile for a vet or for the owner of an animal to pay the sort of fees a professional person would charge to carry out these things, ...

Aside.

SENATOR N. P. WELCH: It does. In section 22 it says:

> "Nothing in this Act shall prevent
>
> (a) any person from giving aid in cases of emergency without hire, gain or hope of reward; or
>
> (b) the domestic administration of home remedies and treatment including the performance of minor procedures to an animal by its owner, except where the ownership of the animal was transferred for the purpose of circumventing this section."

I think that allows some leeway that people can have a chance to save some money and still be operating within the framework of the law.

Another interesting point raised was the issue of the level of drugs and hormones in medications provided for poultry, beef cattle and things like that. My concern is not so much the administration of drugs and hormones, because this is something we will see happen in industry all the time, but I think part of the problem is the availability of these veterinary drugs without prescription. It creates a situation in addition to the fact that sometimes there are misdiagnoses by lay people in the farming industry who might buy a broad spectrum antibiotic, just because the animal is not feeling well, and rather than go the correct route of having the services of a qualified vet, they would buy this broad spectrum drug and administer it perhaps in doses, as Senator Farley alluded to earlier, where they believe that perhaps double the dose is twice as good. The important point here is that it is not so much the administration of this, but the fact that there is a seven to ten day period after the administration of this medication that the animal should not be slaughtered, because some of these drugs have a very slow passage through the animal's body. These are the concerns I think the Ministry of Health has at the present moment about residual drugs, because an interesting situation could develop where a person who is allergic to penicillin might, God forbid, consume the meat of an animal which had been treated with a penicillin related drug, had been slaughtered two or three days after this had been done and have the obvious adverse reaction which could perhaps lead to death.

These are my concerns and this is where I think this particular Bill seeks to address these issues. I want

to congratulate the Minister in bringing such an appropriate piece of legislation to this House at this time.

Thank you very much.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Bill be now read a second time.

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. PRESIDENT left the Chair and the Senate went into Committee on the Bill, SENATOR Miss O. P. SYMMONDS in the Chair.

Madam CHAIRMAN: The Senate is now in Committee.

Clauses 1 and 2 were called and passed.
1.20 p.m.

Clause 3 was called and passed.

Part II, clauses 4 to 11 were called and passed.

Part III, clauses 12 – 16 were called and passed.

Part IV, clauses 17 – 18 were called and passed.

Part V, clause 19 was called and passed.

Part VI, clauses 20 to 27 were called and passed.

SENATOR THE HON. R. R. FARLEY: I beg to move that the First Schedule be the Schedule to the Bill.

The question was put and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move that the Second Schedule be the Schedule to the Bill.

The question was put and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move that the Third Schedule be the Schedule to the Bill.

The question was put and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move that the Fourth Schedule be the Schedule to the Bill.

The question was put and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move that the Fifth Schedule be the Schedule to the Bill.

The question was put and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move that the Sixth Schedule be the Schedule to the Bill.

The question was put and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY, Madam CHAIRMAN reported the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a third time and passed.

ORDER NO. 4 – RESOLUTION TO ABANDON ACQUISITION OF LAND AT CHARNOCKS, CHRIST CHURCH

SENATOR THE HON. R. R. FARLEY: Mr. President, approval of the Senate is being sought for the abandonment of land acquisition proceedings in respect of lands situated at Charnocks, Christ Church. The area in question, Sir, is some 3 180 square feet, part of the property of the estate of one Onille Weekes, deceased.

The acquisition of this land was done by both Houses of Parliament in 1971. The land formed part of a larger parcel of 22 000 square feet and these 3 180 square feet were acquired for the purpose of construction of a communal bath. The construction of the bath, however, was never pursued and neither was the process of acquisition taken to its full course. That is, there was no request for or the payment of compensation for the land in question.

There are no plans at present for the construction of a communal bath on this property at Charnocks and as such the Government, in accordance with section 9(2) of the Land Acquisition Act, Cap. 228 which states that in the event of the abandonment of an acquisition of property that the land should be vested in the entity, be it an individual or corporate entity, in which it was vested prior to the acquisition so that what would be effected by the abandoment of this acquisition of this land would be that it would properly revert to the estate of Onille Weekes, deceased.

Therefore, the Senate's approval is being sought for this Resolution which, as I indicated, relates to the acquisition of 3 180 square feet of land at Charnocks for the purpose of construction of a communal bath, no longer on the cards, and in accordance with section 9(2) of the Land Acquisition Act, the said parcel should now be vested in the former owner, Onille Weekes.

The question was put and agreed to.

ADJOURNMENT

SENATOR THE HON. R. R. FARLEY: I beg to move that this Honourable Senate do adjourn *sine die.*

The question was put and agreed to, Mr. PRESIDENT adjourning the Senate accordingly.
1.30 p.m.

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2. The International Trusts (Amendment) Bill, 1995.

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Extended condolences to the family of the late Lisle Howard Odle, the father of Senator Miss J. C. Odle.

Senator Miss O. P. Symmonds, 669b; Senator J. A. Workman, 669b; Mr. President, 669b; Senator Miss J. C. Odle, 669b.

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