
THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1994 – 99

THE SENATE

Wednesday, July 2, 1997

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, July 2, 1997, at 11.00 a.m.

PRESENT

His Honour Senator Sir Fred GOLLOP, K.A.
(President)

His Honour Senator C. L. BOLDEN (Deputy President)

Senator the Honourable P. C. GODDARD (Minister of Foreign Trade and International Business)

Senator the Honourable G. S. H. MURRAY
(Minister of State, Prime Minister's Office) (Acting Leader of the Senate)

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 the Hon. Miss O. P. SYMMONDS, G.C.M.

Senator D. T. GILL

Senator N. A. LYNCH

Senator N. P. WELCH

Senator J. A. WORKMAN

Senator Mrs. P. E. RICKINSON

Senator S. P. BERNSTEIN

Senator C. LeR. TROTMAN

Senator the Venerable Archdeacon J. L. SPRINGER,
G.C.M.

Senator C. K. LAURIE

Senator Mrs. V. J. DAVIS

Senator Mrs. A. P. THOMPSON

Senator J. D. E. BOYCE

Prayers were led by Fr. Errington Massiah.

Mr. PRESIDENT: The Senate is in session.

PRESENTATION OF PAPERS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I seek your indulgence that the following documents be laid:

1. Duties, Taxes and Other Payments (Exemption) (No. 8) Order, 1997.
2. Duties, Taxes and Other Payments (Exemption) (No. 10) Order, 1997.
3. The Duties, Taxes and Other Payments (Exemption) (No. 11) Order, 1997.
4. The Annual Report of the Ministry of Foreign Affairs for the Year 1995.
5. The National Insurance and Social Security (CARICOM Agreement on Social Security) Order, 1997.
6. Green Paper on Housing.
7. The Annual Reports and Financial Statements of the Technical and Vocational Education and Training (TVET) Council for the periods April 1, 1994 to March 31, 1995 and April 1, 1995 to March 31, 1996.

SUSPENSION OF STANDING ORDERS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I beg to move that Standing Order 45(2) be suspended for the remainder of today's sitting.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I beg to move that the Bill to amend the Civil Aviation Act, Cap. 288A be read the first time.

The question was put to the Senate and agreed to.

ORDER NO. 2 – RESOLUTION TO APPROVE SALES OF LAND UNDER SECTION 5 OF CROWN LANDS (VESTING AND DISPOSAL) ACT, CAP. 225 AT BRIDGEFIELD IN ST. THOMAS, LAMMINGS, IN ST. JOSEPH, FLAT ROCK IN ST. GEORGE, PIE CORNER AND JOSEY HILL IN ST. LUCY TO VARIOUS INDIVIDUALS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I am begging Senate's indulgence in moving the passing of Resolution, Item No. 2 to approve sales of land under section 5 of the Crown Lands (Vesting and Disposal) Act, Cap. 225, these lands being situated at Bridgefield in St. Thomas, Lammings in St. Joseph, Flat Rock in St. George and Pie Corner and Josey Hill in St. Lucy to various individuals.

Sir, this matter is in keeping with a well-established Government policy. And, from what I have been able to determine, my research goes as far back as 1988, where Government considers that from time to time, it will seek to dispose of unused Government buildings and lots based on the approval of the Tenders' Committee.

The process is that these unused buildings are publicised in the media and tenders are invited. These tenders then therefore go before the Tenders' Committee which place recommendations for the sale of these entities to various persons who have tendered based on the offered price.

In this instance, Sir, these five disused Baths were advertised and some 21 tenders were received for the purchase of these Baths. These 21 tenders went before the Tenders' Committee on February 27, 1996 and the Tenders' Committee recommended the sales of the Baths to the following persons:

To a Gregg Thornhill and Henderson Thornhill jointly in Bridgefield, St. Thomas, an area of land involving 226 square metres or 2 440 square feet for the sum of \$6 750.

A Rodney C. Murray from Lammings, St. Joseph, 2 218 square feet for the sum of \$10 000.

A Joanne Jones from Flat Rock, St. George involving 5 000 square feet for \$16 000.

A Ryan Shepperd of Pie Corner, St. Lucy, 2 428 square feet or 219.8 square metres for \$11 500.

And, John Standard of Josey Hill, St. Lucy, involving 231.6 square metres or 2 492 square feet for \$4 500.

All in all, Sir, the public purse will attract some \$48 050 for the sale of these properties. What is also interesting, Sir, this property goes back to 1988. I have a long list of properties which were disposed of since that time. I was unable to get the whole total of money that would have accrued to the Government purse from this activity. But I find particularly interesting, Sir, the uses to which some of these properties that have been acquired by individual Barbadians who have not allowed them to fall into further disrepair, but they have put them to very productive uses.

For example, there was one which at one time was located at Connell Town, St. Lucy has now become a Pentecostal house of prayer.

There was one at Halls Road, St. James which has been used to provide access to another property. One at St. Christopher, Christ Church and one at Venture, St. John, and Baywoods, St. James. These were used for residential purposes. One at Baywoods, St. James was used for a pharmacy. One at Vault Road, St. Thomas, a shop and pool room and one at Porey Spring, St. Thomas used for a shop and residence. And the same obtained at Friendship, near Hothersal Turning, St. Michael, a shop and residence.

Therefore, Barbadians are using their ingenuity and converting these, what at one time would have been regarded as derelict buildings and eye sores and health hazards and probably fire threats to productive uses. I think they should be commended for their thriftiness and for their ability to make capital out of these properties and use them to enhance both their personal standing and the wealth of the country and essentially to enhance the environment.

We know, Sir, that these Baths at one time would have been heavily utilised and patronised by the population in the surrounding districts for public baths, when people did not have running water in their homes. But with the proliferation and upsurge of Barbadians, more and more Barbadians are having their own running water and their own private baths, these have fallen into disuse and in some instances, disrepair.

So, this is all part of a well-established policy which has been followed by successive Governments and this seeks to take this process further along that path. Therefore, Sir, there is a Resolution attached which lays out in detail through Schedules 3, 4 and 5 what is involved and I therefore beg to move that this Resolution do now pass.
11.30 a.m.

SENATOR J. D. E. BOYCE: Mr. President, I rise to support the aspect of the Resolution that deals with the provision of facilities for more Barbadians to get involved in useful and beneficial exercises. Just a word of concern at this stage is that I have requested through the Deputy Clerk of the House plans for these lands and I have not been able to obtain them so far. I trust that this will not apply to all acquisitions, especially later on today when we get to deal with other matters, and that these plots will be available for our perusal, as is our right.

I will not make a big thing of it in this particular case, but I would certainly insist in the case of further resolutions this afternoon that the plans be available for perusal.

The concept of utilising these disused buildings is, of course, a good one which, as has been indicated by the introducer of the Resolution, takes away the scourge of derelict buildings, removes the hazard of the breeding of rodents and, indeed, as the Honourable Senator referred, fire hazards.

We support, in the main, the idea of taking these buildings and these baths as they predominately are and making them into useful entities. I have heard in this Chamber and, indeed, elsewhere, reference to the fact that we might want to proceed with caution, given the attitude of the Government towards some hardship cases of water arrears and Government, if it continues with its policy of not looking carefully into the hardship cases of water arrears, might find itself in the predicament of having to provide these public facilities again.

I would hate to see that day in Barbados. And I am sure that many of us, or all of us, would hate to see that day in Barbados. We have time to be cautious in our policies as they collectively impact on other spheres of activity and this could be one.

We do not want to see continual reversal. We want to see a policy which is constant and unchanging. With those cautions, Sir, we do support the Resolution as it stands.

SENATOR THE VENERABLE ARCHDEACON J. L. SPRINGER: Mr. President, I really rise to ask the question what has taken the place of these baths which were placed in these formerly strategic areas. I believe that when they were first erected that the intention was to provide a facility for people in the various neighbourhoods. It is good to know that more and more our people have become more able to acquire the kind of homes and facilities that permit them to use their own facilities and not to have to go down the road to the village.

I think that as a tourist resort which is growing more important in this area, there is a need to have baths and toilets strategically placed across the island and I would like to hear if there have been anymore, attuned to the tourist industry, set up in those areas so that we need not worry at the loss of these.

I know that I have had the problem of taking people across the island and, sometimes, depending upon where you find yourself, you are not sure where to take them for the use of a facility and one tourist who was a doctor said to me that he ran into difficulty and there was no one to tell him where there was a public bath. In fact, it appears that there was none. He had to run out of the hired car straight into somebody's house and it was a very embarrassing situation because it took a while to explain why he had done that to these people who were total strangers to him. However, it had a happy ending.

Sir, I think we need to be told what is taking the place of these facilities or what is being done to make us able to cope as a tourist destination in terms of these facilities.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I support this Resolution. I know I have been calling for the reversal of the standpipe system within 100 yards of persons' homes so that persons could get access to water because it is a precious commodity and has helped to reduce diarrheal diseases so that after you go to the toilet you need to wash your hands. I, myself, also feel that we need to have toilet facilities throughout the island and I must hasten to add that I have seen the chemical toilets used widely and placed on various sites but what I have not seen is the provision for water to use to wash your hands after the use of those toilets.

I would like the Government in its proposals for housing to at least make some provision since we are going into tourism as the last speaker has said, to make provision for facilities, either the chemical toilets as is used plus some form of public water system to be available throughout the island. With this, I support the Resolution.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, this is a simple Resolution but I have heard people's speeches in here which confirm my views that many do not know the history of this country and do not take enough time to research it and we just speak for the sake of speaking. I hope I am not offending any person but this is my feeling.

11.40 a.m.

In 1970, I came to the House of Assembly and I started in this very Chamber. One of my first speeches in Parliament was to ask for the abolition of these units

or institutions because there were a source of loss. It was a rip-off venture instituted by the Government of the day. When I spoke, I mentioned a case of a Mr. St. John who was building one in Silver Sands. He was paid \$60 000 and he stopped halfway. He said he had to pay out too much kickbacks and he would not finish it.

The late Mr. Errol Barrow got up and said he agreed with me because statistics had shown that 3.5 persons were using those baths per day and it was uneconomical. Over and above that, the bath keepers used to start work at 8.00 o'clock in the morning and finish at 4.00 p.m. The proposal that they were for the ordinary working people in the country was not being met because the persons who should have used them were the persons who worked in the fields and the people who lived in the wooden houses that did not have baths and did not have the opportunity to use them.

I made a proposal then that the \$60 000 that was paid to erect these baths should be used to run water in each person's houses, even if the pipe was put in the backyard and any surplus or overrun could have been added to the bills of the particular householder and we would have been doing a better job. Soon after that they started to fall into misuse and I am happy that once again it takes the Barbados Labour Party to modernise Barbados and get rid of these eyesores.

Now, when my learned friend talks about water – let me go on to Senator Springer for a minute. Senator Springer talks about a visitor who was driving around Barbados and had to run into somebody's house to use a bathroom.

I have visited numerous countries around the world and it is about time Barbados decides whether or not it is going to have a premier tourism destination or we are going to be looking for the substandard visitor who only comes to Barbados, gets in a moke and drives around the country looking for a toilet on the wayside.

I have travelled throughout the United States. I remember sometime last year I had to go from Atlanta, Georgia to somewhere down in the South on a highway that you drive for 45/50 minutes and you do not see anything but woods. I do not see any sanitary toilets on the wayside. I have gone to Africa, I have gone all over the place but we must remember something.

I recall years ago visitors used to get off the cruise ships and pull in at every hotel, use the facilities, including using the bag they brought with their packed lunches in to the hotel and walking out without a cent being spent. I say this. Tourism is a legalised, moneymaking adventure and the Government must not be seen to provide free facilities

for every tourist who sets foot on Barbados soil, as far as I am concerned.

A group of them went to the Crane Hotel. A lady sat down, ate her packed lunch, went into the washroom, pulled the chain and the whole top came down and hit her on her head. She ended up in the hospital and the next day was flown back to the United States. I was privileged enough to settle a claim for a substantial amount paid to a woman who never paid a cent to go in the Crane or left a cent in the Crane. Hotels in Barbados now put a charge on them coming through the gate because they use the facility.

As Senator Bernstein has said in an aside, when you drive through the United States, you drive into a gas station and you ask to use the facility, the restroom, *et cetera*, but you end up buying something, even if it is a coke.

Mr. President, a few years ago there was also this talk that we must have restrooms all around Bridgetown. The Government has to decide or Senators have to decide what do we want for Barbados. I was Minister of Transport and I had a request. Somebody wanted to bring plane loads of visitors to Barbados to camp out in Graeme Hall Swamp. I said "No", I would not go for it because you would end up with the airline making the money and Barbados providing the facilities for people who would just stroll about Barbados, get back into an aircraft leaving nothing behind but garbage.

When we talk about water, we should begin to look to see what we are talking about, how we are going to manage our scarce resources in light of an expanding tourism industry, what we are getting off the industry and the persons who come here. That is what we have to talk about. So we must not jump to make these statements to hit the Press and the headlines because that is basically we know what some people do, get up in the early part of the morning half to talk to catch the headlines.

Aside.

SENATOR THE VENERABLE ARCHDEACON J. L. SPRINGER: On a point of order, Mr. President. I did not speak in order to hit the headlines, Sir. I just want to make that clear.

SENATOR J. D. E. BOYCE: On a point of order, Mr. President. The Senator who is delivering his speech has indicated that Senators rise to speak to make the headlines. This Senator is one who spoke already today. I did not rise to hit any headline. I never do. I rise merely to carry out my duty as a Senator in this Honourable Chamber, Sir.

SENATOR Mrs. P. E. RICKINSON: On a point of order, Mr. President. I did not speak to hit the headlines.

I spoke from research carried out on the supply of water, *et cetera* in this country.

Mr. PRESIDENT: Are there any other points of order? Senator Bolden, please continue.

His HONOUR SENATOR C. L. BOLDEN: Mr. President, the sale of these units represents a recovery of costs which was spent which was not properly utilised. As I said before, the late Errol Barrow, if you search the record of Hansard, provided the statistics of 3.5 persons per day using these units and out of that less than half of a per cent were women because the women never went to them. As I say, we jump to these conclusions without understanding because there are public baths in developed countries.

I lived in Britain and there were public baths in Britain because you could live in a house in Britain with 40 people in it and had only one bath for the whole house. I would go so far to say that within 3 months in England I had 3 different addresses. I got notice to quit because they said I bathed too often. You went to the public bath where you paid 6 pence for a piece of soap, 6 pence for a towel and if you wanted bath oil *et cetera* it was 6 pence.

We never had those facilities attaching to the baths in Barbados. We just had a building with a shower and toilet. Every month they had to repair the toilets. They were broken. The last one that was down in the bus stand by the Lower Green they had to repair the toilets every week, so the removal of the baths from the face of Barbados is really an upliftment. The sale of the units I say is part recovery of the expenditure for a bad project.

I thank you, Mr. President.
11.50 a.m.

SENATOR Mrs. A. P. THOMPSON: Thank you, Mr. President. My contribution on this matter is fairly brief. I think it is a good idea for Government to find ways of disposing of these buildings since for some time we know they have been an eyesore and have created all kinds of problems. Some individuals who really have nothing positive to do have used these baths for their own creative activity.

What I would like to see happen is that in some areas where there are no real community centres that Government, instead of putting some of these buildings up for sale publicly, encourage business houses to purchase these buildings to use as community centres or training centres for some of our young people. I know there is one, I think, in St. John but I would like to see in a few more areas around Barbados that they will be used not only for

business activities but as points to which young people can go and try to develop their skills and extend their education. This is an area that I would like Government to look at. The idea is good to utilise them but I do not think that they should all be used necessarily for economic activity but also for recreation.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 2 – TO MOVE THE PASSING
OF A RESOLUTION TO APPROVE THE
COMPULSORY ACQUISITION OF LAND
AT BUSH HALL MAIN ROAD,
ST. MICHAEL

SENATOR THE HON. G. S. H. MURRAY: Mr. President, this Resolution pertains to the fact that Government is seeking to provide housing wherever possible, feasible and desirable for Barbadians. We all know, Sir, how important a house or a house spot is to the Barbadian psyche, whatever size it may be and to the fulfilment of the Barbadian dream.

This Resolution, Sir, involves two parcels of land at Bush Hall to be used for housing purposes, one is an area of 2 013.8 square metres belonging to the estate of Otha Millington and the other portion involves 991.7 square metres belonging to the estate of Belfield Grant of Bush Hall Main Road.

The process has all been gone through up to this point and we are seeking to compulsorily acquire the land for a housing development. This is abutting and bounding Bush Hall Road where Government has embarked some months ago on a pilot project of the Urban Renewal Programme at Alleyne's Land, Bush Hall and I think I might therefore seek to tie this into the development where housing is concerned in that whole area.

As of June 30, 1997 where the pilot project at Alleyne's Land, Bush Hall is concerned, under the Urban Renewal Programme, some four houses owned and occupied by old age pensioners have had repairs done to their roof, sidings, flooring and ceiling and these have been completed. Applications have also been received for the provision of septic tanks and wells to a number of households. The tender process is underway and the building of new houses and they are seeking to establish and determine from the old age pensioners affected whether they want to have a standard one bedroom house rather than have the house built in existing condition and specification.

We know how traumatic it can be for older people when they have the property altered or are removed altogether. These things we might consider not to be important, but Senator Springer who takes an interest in social science and these matters, like myself, know how important it is for either very old people or very young people to have a sense of security. We do not want to alienate the people from their surrounding but we want to make them feel comfortable in what we are seeking to provide them with in the new circumstances.

There is also a road programme for the construction of roads. The engineers' drawings were completed by June 30, after which contractors will be sought and they will be given three weeks to make their submissions. Tenders will be advertised and evaluated during the month of August and all in all we will be expecting, Sir, that with the selection of a contractor, the preparation of the contract and the mobilisation of funding by the contractor that by mid-October, the road project should be completed over a three-months period, i.e. by year end.

I have a close association with Bush Hall because it is where I grew up and reports from the people who I have met and talked to in that area are that it has been highly welcomed by the residents. It is already beginning to have an impact on the community and we look forward to this being extended to more locations in Barbados particularly in the urban areas under the Urban Renewal Programme.

Sir, if I might give a quick summary of the pilot programme. The pilot programme will acquire some 33 010 square feet of land to provide for baths and road. They will relocate five tenants, the creation of lots for tenants who have been relocated, conversion of pit toilets to water borne facilities, general upgrading of tenancies and transfer of titles. All in all, \$1.2 million will be involved in this very laudable attempt to upgrade the physical and the social facilities in the Alleyne's Land area and also to improve and give people a better sense of worth and a better sense of belonging to the Barbadian community.

Sir, I beg to move that this Resolution do now pass.

SENATOR Mrs. A. P. THOMPSON: Mr. President, I must admit that Senator Murray leaves me a little confused. I think we need a bit more information. As I look at the size of the lots that we are talking about, they are not really large lots, I gather it is 20 000 square feet in one area and 10 000 in another. I am trying to find out whether these lots have been identified for pensioners or individuals who have lost houses in fires or relocation and why and what methods Government has used in order to determine the allocation of these lots.

I think that at the end of the day we must still be conscious of the fact that these are public funds that we are spending and that there is a certain measure of accountability that is necessary to the Parliament of the country. Although as an Opposition Party, I would never refuse to support any act or any measure in the Parliament which seeks to enhance the quality of life of Barbadians, I think we deserve a bit more information in order to determine whether the Government is going down the right path or not.

When a political party therefore brings a measure such as this one to the Parliament as a representative of another party there are some questions which I must ask.

On what basis have these allocations been made? Approximately how many houses are we hoping to locate on this 30 000 square feet of land? Could you give us some indication what methods Government used in order to determine who should be getting these houses. I think it is very important that we know this at this stage. Government is there to cater to all Barbadians and I therefore have a responsibility to make sure that Barbadians and not just Barbadian supporters of the Barbados Labour Party will have access to these houses being located at Bush Hall. Maybe the Minister in winding up will give us a bit more information.

12.00 noon

As I said earlier, I always support projects which seek to improve the quality of life of Barbadians but I really need some more information, Sir.

SENATOR THE HON. G. S. H. MURRAY: On a point of elucidation, Sir, before the debate goes too far down the wrong road, I think the Honourable Senator is confused. I am not sure whether I caused it. I doubt very much that I caused it because I do not have that effect on her at all, not generally. The point is, Sir, she got confused between two issues. The Resolution seeks to acquire two portions of land. The details are now being worked out. When I made reference, the details I made were to a nearby project, a pilot project for urban renewal in Bush Hall so the allocation, when I gave details of toilets and repairs to houses, this was not done in relation to areas of land that we are now talking about because we could not have done all of that since we are now acquiring the property. The law does not allow it. You have to go through the acquisition process etc. before you get to actually repair houses or install water toilets or whatever. So she was confused.

I was merely reporting, Sir, on the progress being made on a project which is all in the same Bush Hall area. So no allocations have yet been made to these areas. They are just being determined. They have gone through

the process of housing etc. and have been approved for housing development but we are now acquiring the property to fulfil that objective to provide housing. The houses have not been allocated, have not been designed and what not, as yet.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I support this Resolution. I support it because I strongly feel that the majority of Barbadians are in low income groups and they find it virtually impossible to own land and own houses as well. The outlay is too much for them and I strongly feel that the Government should acquire what is called rab land or non-agricultural land and at least provide house spots and make them available for persons in the low income area who can buy these spots and pay a small sum per month towards the owning of their own land and their own house.

Mr. President, we get complaints about persons having to move from land that they have been renting or persons who have about 2 or 3 lots that they have bought for their children and grandchildren and rented out that they are unable to sell this land to the tenants. I sympathise with them and I do not think that if you buy land for investment for your children that you should be forced to sell this land just because you have rented it out in the process of buying it and when the time comes for your children to inherit the land. Therefore I think the Government has to acquire quite a lot of land and make it available to the average person so that they can own a piece of land because the way the prices are going it is virtually impossible for this to happen.

Mr. President, I am concerned about the \$1.2 million. I am not sure if it is in connection with the land or if it is in connection with the urban renewal project. That point was not made clear.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, on a point of elucidation again. That \$1.2 million figure was quoted in relation to the money that is being spent on the pilot project for the urban renewal programme in the nearby Alleyne's Land. It has nothing to do with the compulsory acquisition. When land is compulsorily acquired, I am not a lawyer, but from what I recall, there is then negotiation between the owners of land and Government to acquire. Compensation cannot be determined at this stage.

SENATOR Mrs. P. E. RICKINSON: Thank you because I was getting very concerned that it seemed to be quite a lot of money for a very small plot of land and that point has been made very clear to me.

Mr. President, the point was also mentioned in the presentation that they are going to provide water toilets. I am very glad. It is a development and it will help to reduce the problem of diarrhea in Barbados. Every household, if possible, should have access to piped water. That was the plan years ago and that is why I keep talking about it. The plan was that by 1990, ninety six percent of the homes in Barbados would have at least a pipe in the yard.

Mr. President, we are talking about meters now, that is another ...

Mr. PRESIDENT: Senator I am not sure you are addressing the Resolution if we are to follow Senator Murray's explanation.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President. Senator Murray, as I understand it, was saying that the land was being acquired and that pits were going to be discarded and water toilets ...

Asides.

SENATOR Mrs. P. E. RICKINSON: I am confused? Sorry, Mr. President, it seems as though I am very confused about the whole issue. However in the final analysis I support the Resolution.

Mr. PRESIDENT: A wise course of action, Senator.

SENATOR D. T. GILL: Mr. President, Sir, I rise to support this Resolution. I happen to know the parcel of land. I happen to have known the Millingtons, both deceased, and to have known their children. The parcel of land, Sir, is big enough to hold 8 units.

Sir, if the style is not the acquiring of wide expanses of land but rather, Sir, in districts where houses, properties, have gone into a state of dilapidation and you can find such parcels of land to accommodate 5 families, Sir, I see nothing wrong with this if it would help to retain the culture, the atmosphere of the community. And even if, Sir, it does retain votes as the Senator is saying in loud aside, and it is a worthwhile purpose and the candidate happens to benefit from that, Sir, absolutely nothing wrong with that.

Mr. President, Sir, with those few words, I make my contribution.
12.10 p.m.

SENATOR J. D. E. BOYCE: Mr. President, I too want to admit some tremendous confusion in the way that the acting Leader of Government Business has presented this Resolution, Sir, and the confusion is

compounded when the last Senator indicated that the parcel of land which was being acquired was earmarked for some eight units, Sir.

Aside.

Mr. PRESIDENT: Senator Gill did not say that.

SENATOR J. D. E. BOYCE: It depends on the size of the units and what is considered when you try to attribute numbers to this portion of land. This is in the center of urban Barbados, Sir. We heard reference too by the Leader of Government Business to the Urban Development Plan. This is something which I know he is anticipating, because the programme is one which is up for discussion in some date in the future. So he is privy to the kind of information that we have no knowledge of whatsoever, but that will have its due time to be discussed in here.

The point is this land is in the middle of urban Barbados and I am cautiously surprised too, that it is being acquired and earmarked for housing to the extent that we are hearing today. Because, we are in the middle of a programme where Government has indicated that the Bank Hall, Eagle Hall and we would hope the Bush Hall area will be part of a road development which would provide adequate facilities for both vehicular and pedestrian traffic, Sir.

The area, if I understand it fully would require that any development provides for proper pedestrian movement on the road. The road is a very busy road, Sir, and we would need to ensure that, there are a number of schools in the area, and indeed the Senator who just spoke indicated that the allocation of the housing will probably ensure that certain votes go in certain directions in a very marginal constituency, Sir. So, if that is the case, Sir...

Asides.

SENATOR D. T. GILL: On a point of order. The Honourable Senator is continuing to confuse this Honourable Chamber. Sir, I never said that it was an attempt to gain votes. He should have listened carefully.

Certain remarks made by SENATOR J. D. E. BOYCE were ordered to be struck from the record by Mr. PRESIDENT.

Mr. PRESIDENT: Senator Boyce, please continue.

SENATOR J. D. E. BOYCE: Sir, I wish we would not have so many interruptions. But the development as planned must take into consideration the fact that we are

dealing with a heavily populated area and even in the pursuit of votes, Government must be careful that facilities are provided such that the children in these areas can walk to and from school without fear or without being exposed to any additional hazards in terms of traffic, Sir. It is also an area that is very mature, there are a lot of elderly people in the community, Sir, and the same thing applies, Sir. So we need to bring these things into the discussion and Government must be aware that what they provide here by way of information for Members to discuss the topic will determine what we are able to say about the project. If we are provided with scanty or disjointed information as we clearly have been this morning we will not be in a position to make a full and exhausted debate of it.

Indeed, Sir, it does attach to my earlier point and I am happy that the plot has been provided and this has to some extent provided some new information and allowed this side to concretise its thoughts on this matter, Sir.

I thank you, Sir.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, Sir, in moving the passing of this Resolution, I would just like to make a couple of things clear, Sir. In seeking to bring about this development, the whole process has gone through the governmental machinery. It has been approved and passed for housing development by the Town Planning Department. This is not anything that has been hatched at 111 Roebuck Street or anywhere else. This is a development which has gone through all the regular scrutiny. It has been evaluated by the Town Planning Department and has been ruled proper and fit for housing.

Therefore, all the would-be concerns that Senator Boyce is seeking to establish would have been taken into consideration by the professional planners. So, not everybody who can read a plot or understand a plot is necessarily qualified, even by engineering standards, to pronounce on Town Planning and what not. I know we all have some basic understanding of things, but I still think that we have to respect the professional judgment of our Parliament in seeking to do Government's work.

There has been some genuine misunderstanding on Senator Rickinson's part but confusion on the part of the Opposition Members, because, Sir, they suddenly discovered how important housing is to Barbados. They are trying to get on board that. They did not consider it important, Sir, so all of a sudden they are grappling with the concept of housing for Barbadians and they are obviously confused, as they try to put it into place and they make up policies on their feet as they go along. So, I understand the confusion when they are dealing with virtually virgin areas for their thoughts.

But, Sir, like I said, this has gone through the regular process and was approved by the Town Planning Department and all we are seeking to do, Sir, is to acquire the land. The allocation could not have been done yet because those kinds of details can only be done and accepted after this process has been completed.

The details I gave, Sir, once again to clear up any lingering doubts or bouts of confusion, although it will be difficult given their state of minds, that the details I gave about pit toilets and house repairs, etc. relate to the pilot urban development programme in Alleyne's Land and they do not relate to the acquisition of these two portions of land which are now in the process for being prepared for housing development.
12.20 p.m.

So, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

**ORDER NO. 4 – RESOLUTION TO APPROVE THE
NOTIFICATION OF THE ABANDONMENT OF
THE COMPULSORY ACQUISITION OF
LAND FROM C. O. WILLIAMS
FARMS AT BAYWOODS
AND APES HILL
IN ST. JAMES**

SENATOR THE HON. G. S. H. MURRAY: Mr. President, this Resolution seeks to reverse a process of acquisition by Government for a portion of land, 4.43 hectares at Baywoods in St. James, which had been acquired for housing development.

I am sure that we will hear all kinds of reasons being forwarded for the stage in the process for the abandonment of this land and this is natural. It is understood and it will be welcome because one cannot acquire public property through the Parliament of Barbados without there being transparency, because the whole thing is held up to public examination and therefore it is impossible to hide any imagined evil under bushel or any real evil under any rocks under crevices.

The point is that these lands had been considered by Government to be used for housing development and the process had begun where it was even published in the *Official Gazette* in January 1996. The idea was that Government was going to provide lots and houses for low income households and the Government was itself going to undertake the task of providing lots and houses for low income persons where housing is most urgent and most pressing. As I said, Sir, particularly apart from the fact that

every Barbadian wants to own his own place we are now trying to deal with a backlog and pent up demand which had been bottled up for 8 years. So the demand has heightened.

After it was known and after we had sought to acquire the land, no money passed hands. The land was valued at \$426 000 – I can check the files to get the actual figures – but no money was passed. Eastern Land Developments approached Government with the proposal to do a similar project on the land and Government felt that it should not compete directly with the private sector in this area.

This Eastern Land Developments had already done a number of similar projects. They did a development at The Mount in St. George where 40 houses were completed and sold. A similar project is now almost completed at Bournes Land in St. George where there were 72 lots and only 3 from my latest information have remained left to be sold. They have proven very popular in satisfying the demand and the desire among that section of the community.

In the Baywoods/Apes Hill area, there are some 36 lots involved and the size of the lots range between 300 to 500 square metres. The houses are going to be 1, 2 and 3-bedroom houses, wooden units that are going to be built on concrete block foundations with purchasers having the option of a wall kitchen and bathroom section. One therefore knows that in keeping with the Barbadian tradition, once a concrete foundation has been provided, inevitably, in most instances, Barbadians seek to improve working from the back. If they have a wooden kitchen and bathroom you work forward over a process of time if you do not have all the money at the same time.

This has an option of either having a wall kitchen and bathroom or having wooden kitchen and bathroom which will allow you to convert. The houses are being offered as wooden units and the floor areas range from between 300 to 600 square feet and the properties are being sold between \$55 000 and \$75 000 depending upon the size of the lot and the number of bedrooms.

This is in keeping with the policy and the programme that Eastern Land Developments has already established at The Mount in St. George and at Bournes Land in St. George. These houses have proved very popular and Government felt that it would be in keeping with its policy of not seeking to crowd out the private sector in any area which the private sector thinks it can do a better job or faster job that they would therefore devolve this responsibility to the private sector to provide houses.

This development would coincide with Government's intention to provide the housing for the lower income persons who are desirous of doing so. In order to make

this project possible we will therefore have to reverse the process and abandon this in order to allow Eastern Land Developments to carry out its work precisely because they presell their houses and therefore they cannot presell until Government has abandoned it and they acquire the property themselves.

That is the background to it, Sir. No actual money has changed hands and the value was given at \$476 600 and was given by the Commissioner of Land Tax and the land was approved for residential development by the Chief Town Planner.

Therefore, Government is seeking to take steps under the Land Acquisition Act, section 9(1) which provides for the abandonment of an acquisition providing that no compensation has been paid for the land. Like I said, on a number of occasions no actual compensation had been paid for the land so therefore we are just seeking to use the law as it anticipated such possibilities and use it to effect this objective.

I beg to move that this Resolution do now pass.

SENATOR Mrs. A. P. THOMPSON: Mr. President, there has been quite a lot said already this morning on Government and housing and the plans of this Government to do so. The Resolution which we have before us this morning raises several questions in my mind.

The first one is this. When Government decided to acquire this land at the time that it did, I believe the Minister stated that a number of persons had suffered, their houses had been damaged because of the land slippage in St. Andrew, in St. Joseph and that there were individuals who are facing dislocation because of the Tenancies Freehold Purchase Act. It was therefore a matter of urgency that this acquisition be done in order that Government could relocate these individuals.

I believe the Members of this Honourable Chamber at the time in all good faith supported the Resolution in order that this matter could be dealt with expeditiously that all those individuals who are now dislocated could be rehoused. When, therefore, we see a Resolution seeking to reverse a process which at the time seemed to be one of urgency and, not only to reverse it, but to transfer that responsibility to private developers, one has to ask some questions.

I believe at the time that this debate took place one got the feeling that this land was used for some form of agriculture. I remember the debate. As is done from time to time, we believe that Government has a right to determine if, as a matter of urgent national importance it

must convert agricultural land into land for housing. If Government can put a good case it gets the support of Members of Parliament. It therefore means that there was a change of use of this land at the time. I have to ask the question.

That change of use was done to accommodate the Government of Barbados. The reason I did not object at the time was because I wanted to make sure that the Government could relocate those Barbadians who are suffering significantly from poor housing conditions.
12.30 p.m.

I did not support that Resolution because I wanted to facilitate any private sector developer. I did not support that Resolution because I wanted to open another door for the change of land use in this country to have a system short-circuited in order to accommodate money people in this country.

When I stand in this Chamber and support a measure, I have already stated clearly my reason for being here is to represent the interest of Barbadians who have nobody to speak for them. I am not here to look after wealthy people. Let me make that clear. Therefore, when the Government of Barbados comes to this House with a resolution which is reversing a decision taken under the guise that at the time Government was alleviating the hardships of some poor Barbadians, I am offended.

SENATOR THE HON. P. C. GODDARD: On a point of order, Mr. President. The use of the word "guise" imputes improper motive.

Mr. PRESIDENT: I am of the view that is the Senator's opinion. The word "guise" to my mind by itself is not strong enough. Had it been the word "guile" or some similar word, I think your case would have been made.

Please proceed, Senator.

SENATOR Mrs. A. P. THOMPSON: Mr. President, I think it is a shame that the final lines of this Resolution in the Addendum says:

"The Crown has decided to abandon the acquisition to allow the developers to proceed with their plans."

The Crown said to us that it wanted to make housing available to low income poor Barbadians who were facing dislocation. At that time I knew nothing about who these people were, Eastern Land Developments. At the time we were told that this land was being bought from a Mr. C. O. Williams. That is what the Resolution stated.

I do not know the relationship between Mr. C. O. Williams and Eastern Land Developments. I do not want to know either. What I want to know is why the Government should back out at this time from what, to me, seemed to be a reasonably good reason for wanting to acquire this land during that time. Why are we backing away?

I know of the development at The Mount. I am from The Mount, St. George, so I know the houses. There are just a few hundred yards away from my family land. They look good. There is nothing wrong. I want to know why the Government is not going through with this project.

I know that Government is seeking, either on its own or in conjunction with private developers to provide housing. There is nothing new about that. I find it rather strange, and this is raising all kinds of questions in my mind. Why has the Government decided to back out and allow the private developers to come in and provide this housing?

Are those individuals at White Hill in the income category to qualify for the mortgages for these \$55 000 to \$75 000 houses? Three times your annual income is what it takes to qualify for the mortgage. So in order to qualify for \$75 000 mortgage you have to be earning \$25 000 a year which is roughly about \$2 000 a month. I would like to find out about the people who are presently housed around the White Hill area, how many of these individuals fall into this category that they can now qualify for these \$75 000 mortgages? Even those individuals for the \$55 000 mortgages, from what I can see here \$55 000 three times your annual earnings, \$18 000 a year is \$1 500 a month. In order for these individuals to qualify for these mortgages they have to be earning between \$1 500 and \$2 000 a month. Are these the individuals for whom Government was providing housing in the first instance? It is a question. I still need some answers.

What survey has Government carried out of those individuals whom it thought to accommodate in the first instance in terms of income levels in order to ascertain that now that Government has shifted from its plan to provide this housing and has given it to private developers, that these individuals can still qualify in terms of income, to be accommodated in these new houses? I want these questions answered, Mr. President.

I must say, Mr. President, that I am really offended by the words that the Crown has decided to abandon the acquisition to allow the developers to proceed with their plans. Government had a plan too and when the Government came to the people of Barbados with its plan, it got the support. What has happened overnight? The people are still providing housing...

Aside.

Mr. PRESIDENT: Order, please.

SENATOR Mrs. A. P. THOMPSON: My first concern is this. This land was used for other purposes before Government acquired it and Government does not have to seek any special permission, as we were told two weeks ago in this Senate, for the change of use of land. Although in the *Manifesto* of the Barbados Labour Party we were told that whenever Government was changing the use of land that there would be some public discussion and all kinds of talk for change of use. That is all in the *Manifesto* of the Barbados Labour Party.

I want an explanation. I want to be told by this Government, now it has taken this land out of agriculture and had it available to Government for housing, and it has now decided to back away from that plan, and private people are now going to use it for housing, what has given rise to this? Should I be allowed to retain a suspicion that the only way this land could have been used by private developers for housing is for Government to acquire it or it would have remained farming land? Should that suspicion remain or is the Government going to set me at ease, make me feel comfortable that this transaction is clean, transparent and that it should have no cause for concern whatsoever and I should sit in comfort and accept that it is all done in very good faith?

Mr. President, when I speak in Parliament, I speak with my convictions, but there are times when these things are discussed with individuals and questions are raised. There are a number of people who have already asked me why. Why has the Government of Barbados backed off its plan to provide us with housing and to allow these private people to do so?

Before I sit, because I hope, I have made my point very clear on this matter, I would like the assurance of this Government that those individuals for whom the Government was providing housing at the time that it compulsorily acquired this land, can still qualify by way of income for these houses when constructed by private developers. I do not want to hear another resolution now seeking to make land available for these same individuals.

I think the Minister can, in his wrap up, give me some assurances. I am not happy. I would like it placed on the record of this Senate that I am not happy at all with this transaction. I hope the Government would give to the people of Barbados a little more information on this matter and make us comfortable.

SENATOR THE HON. Miss O. P. SYMMONDS: Mr. President, I wish to support this Resolution and to say

that I am very happy with the Resolution. I wish to assure the Honourable Senator who has just spoken that it is the people who live in White Hill who chose to go to Farmers rather than Apes Hill. As far as I understand Farmers is closer to the areas that were affected and they have already been sending their children to school in an area adjacent to Farmers.

12.40 p.m.

That housing is in great demand is an irrefutable fact. It is also incontrovertible that the Government has been acting as a facilitator. There is nothing wrong in that, working in partnership with private investors. Government cannot build all the houses that are needed. Eastern Land Developments is building low cost income houses and they are doing it quickly and efficiently, putting in roads, electricity and water and therefore it is quite desirable that Government should encourage private investors. In fact, Government is looking for land to give to contractors who can build about 40 houses. All this talk and propaganda about putting in a golf course is something that should be disregarded for the talk that it is.

Everyone who is interested in all Barbadians getting facilities either house spots or houses should be pleased that Government is doing all it can after the aridity that took place for eight years when there were no houses built at all, scarcely any houses were built for eight years.

Asides.

SENATOR THE HON. Miss O. P. SYMMONDS: However much Honourable Senators may shake their heads, it is a fact that there were very few houses being built. Therefore, again the concern with words like "abandonment" – there is nothing wrong with that phrase. The point is that Government is, I repeat, acting as a facilitator and that houses are being built to facilitate a great need in this country.

Without any further or necessary talk on the matter, I wholeheartedly support this Resolution.

Thank you, Mr. President.

SENATOR J. A. WORKMAN: Mr. President, I have a few concerns on this matter.

These concerns stem, Sir, from the very words which the Minister used in introducing the Resolution. He spoke about "transparency". I am not sure in the eyes of the average individual how transparent the transaction may appear. When this land was acquired, it was acquired from the C. O. Williams Group and under the Land Acquisition Act, when a compulsory acquisition is abandoned, the land

reverts to the same person. In the introduction of the Resolution no mention was made of that, but introduced was Eastern Land Developments and this causes one to enquire whether the land is to be established in favour of Eastern Land Developments which would be contrary to the laws of this country.

I believe, Sir, one may say that a purchaser has the right to nominate another individual in whom the land may be vested but in this particular case, which is indeed a peculiar case, because there is specific legislation and not general legislation, this Chamber needs to be satisfied that the land in truth and in fact reverts to the C. O. Williams Group.

If this is not the case, Sir, this type of transaction can be used subsequently as yet another roundabout method which will see the Government losing substantial sums of money by way of stamp duties and property transfer tax which obviously will have to be paid when the C. O. Williams Group transfers the land to Eastern Land Developments.

The first thing that I am concerned about is to whom the public of this nation can understand that this land will revert. That is the first question. The second thing, Sir, is that the Government in its manifesto on page 29 says that "the Government will pursue a land use policy that will protect arable land against the depredations of greedy speculators." This is where the question of transparency hits me again, Sir. The Government is able to acquire arable lands and has the right to change its use and then abandon its plans, which it has the right to do, but then it goes back to the original in a form in which it never had it.

All things are lawful but all things are not expedient. It can savour of corruption. I am not saying that this Government is guilty of corruption but what I am saying is that the law as it stands can allow a form of corruption. I feel, Sir, that the Land Acquisition Act needs to be amended, not only to say that on the abandonment of an acquisition, the land reverts to the owner for the same estate in which he held it at the time of the acquisition but that the use should remain the same. In other words, this parcel of land should revert to the C. O. Williams Group or whoever the owner may be from time to time in a situation like this as agricultural land. It means that through this procedure an individual can obtain what I consider an 'unfair advantage' where another law of this country can be bypassed. I think, Sir, that the time has come that an amendment must be made to plug this loophole.

I am sure that Senator Laurie and all others in here must agree that the value of this land has now changed dramatically purely on the stroke of the pen of a Minister of Government coupled with the consent and the

agreement of Cabinet meeting. I am not saying that these are things that cannot be done, I am talking about what is expedient, not what is lawful. This is why the loophole has to be changed because at anytime, any given Government can acquire my agriculture land and say we have a project for housing and abandon it and I, John Workman get that 'unfair advantage' because land that was worth \$200 000 is now worth \$800 000.

12.50 p.m.

That is the thing that I am concerned about, Sir in this matter. I agree with Senator Murray that there must be transparency but as the law allows, it does not seem to me as if transparency exists. This perhaps is no fault of the Government. It is the fault of our legislation but I dare say that a Government which says that it is going to pursue a land use policy to protect arable land against the depredation of greedy speculators, should not get involved in a transaction of this type. It is contrary to its social contract which this Government continues to boast of, a contract with the people of this country that there will be transparency, that there will be morality, that there will be integrity and in particular in this specific instance that the people of this country will be protected from the greedy speculators of arable land.

I have great difficulty with that, Mr. President. Why is it that the Government has not gone into this project hand in hand with Eastern Land Developments as it has done on other occasions? This is a question that the public will ask and these are the questions to which the public needs to have positive answers and clear answers.

As I understand it, Sir, we are put here to represent those who cannot speak for themselves in this Chamber and that is why we speak, at this time, and in this manner.

I find it difficult, Sir, to support the Resolution unless greater clarification is brought to the Chamber today to show the total transparency of the matter. Again I say, Sir, the time has come for an amendment to be made to the Land Acquisition Act so that in cases like this the land will revert to the former owner in the same use in which he held it. I am obliged to you, Mr. President.

SUSPENSION

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I beg to move that this sitting be now suspended until 2.00 o'clock.

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

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed.

SENATOR C.K. LAURIE: Mr. President, I am of two minds here, one to support this resolution which is to abandon the acquisition of this land since I spoke against the acquisition in the first place and I could feel that at long last somebody is listening to me. But I want to make it very clear that my opposition to the use of agricultural land for housing is not just Government's use of agricultural land for housing but also for private sector's use of agricultural land for housing.

I have been on record all over this country objecting strenuously to private sector developments on agricultural land. So the fact that this Resolution now says that we are going to abandon the acquisition by Government but we are going to allow the private sector to go ahead does not make any sense to me at all. So I would have to object to this.

The fact that this land is agricultural land from the point of view that sugar is worth about \$2 000 per acre and a lot of estates have been sold for less than that would mean that this land would be around \$22 000. We have been told in the figure here that its value is \$476 600, so somebody has made by the change of use of this land some \$454 000. This is totally mind boggling that this should happen and I ...

Asides.

Mr. PRESIDENT: Order, please.

SENATOR C. K. LAURIE: I would like to think that the only way we will stop seeing the use of agricultural land changing its use to housing is that it is no longer so indecently profitable against \$2 000 an acre for agricultural land and building land is selling at \$7 00 per square foot, over \$280 000 per acre. This is crazy. We have to come up with some way to dissuade this kind of speculation and one way would be to put a tax on the huge profit that is being made and tax it to the extent that it would no longer be such a temptation to people to have their land cut up. It must be a great temptation because this difference in the value of the land for agriculture and housing is just too much out of line.

Land prices have continued to climb in the last few years, year by year, and already we have complaints of people, even when land is made available to them, they cannot afford to buy it. Even when they have to buy a tiny piece of land then you see houses separated by about 6 feet between the house and this is bad environmentally, it is bad for people's health. There is one answer. There is land owned by Government or under the control of

Government in the Barbados Agricultural Management Company. They have a large acreage of land that is not in active agriculture, that is rab land as it is known here, and if this here was put on the market in a relatively controlled way this would tend to bring the prices of land down. Because of the scarcity of land the price has gone up. If it was made available then the price would come down to something that is more reasonable and I would hope that Government would look at this thing.

I actually heard talk by BAMC executives some 2 years ago about making land available and this would mean that land would go back towards the rehabilitation of the agricultural land by selling off some of the rab land. But this has not happened for some reason. I am not sure why.

Now permission has been granted for the change of use of this land. It is not possible now to go back and say, okay there is some other new owner and the position will be rescinded because then you are discriminating against an owner. Once Town and Country Planning has given permission for the land no matter whom it belongs to the permission is there and cannot be rescinded. It is not to say that these people are not going to get permission to build because they have already got the permission and the land will move back to them at its value.

Now, the question arises whether Government, under the Act, cannot get any money from having the land use changed. Unfortunately they have to return it either to the owner or to the developer and that is a bit confusing at the present moment. One thing that I would like to understand clearly here is town planning permission for the use of land. We have a Town Planning Act and we have a Town Planning Department which is doing a reasonable job under all of the duress that it has and so on. It does consult with all the various parties about the development of land. I think it is very wrong of Government, because it is Government, to evade the law and avoid getting town planning permission before they compulsorily acquire land. I think they must always get town planning permission first because I was told that the land they quite recently acquired at Farmers, which I objected to strenuously, the Town Planner had said no, the Ministry of Agriculture had said no, the Ministry of Health had said no, that land should not be used for housing and the Government had acquired it for housing. What are they going to do? How are they going to impress on the Town Planner to change his mind? Under the Act, unfortunately, the Minister responsible for Town Planning can overturn everything. Even if somebody appeals it he has the right to overturn it and that is wrong and indecent and should be removed from the Statutes Book because no Minister should have that power.

Now, I understand that we are acquiring land for low income housing and this is the area that really appeals to. In reading the Green Paper on Housing and Government's concern for poor people in providing land for them to build houses we are now talking about houses costing \$75 000. How are poor people going to ever own a house costing \$75 000? This is a crazy thing.
2.10 p.m.

Asides.

Mr. PRESIDENT: Order, please.

SENATOR C. K. LAURIE: To get shelter for poor people Government must supply the house and rent it to them and let them acquire it over a long, long period of time. You cannot expect poor people to buy a \$75 000 house. That is crazy.

Finally, I would like to remind the Senate again that we are spending \$3.2 million in a study on land use. A study that will show where land should be acquired for housing and where it should not. What land must remain in agriculture. We are putting out this huge sum of money and in the meantime it is like it is not going to happen. It makes me believe that this Physical Development Plan will come out and go on a shelf and Government will totally ignore it. They will do as they wish, they will acquire land where they wish and not be guided by the \$3.2 million worth of study. And, that to me is very, very worrying and I would like to say, we should put a hold on all these acquisitions until the next few months when we get the reply from this study then we will know where we are going.

Thank you very much.

SENATOR T. E. BARKER: Mr. President, thank you for giving me the opportunity to speak on this Resolution. I want to raise the standard of the debate because, it is clear that some Honourable Members have not read the Resolution and they do not intend to even try to understand what it is all about. They have a mind-set and they will not deviate from their mind-set.

Some Senators feel that they have the God-given right to determine what is agricultural land and what agricultural land should be used for as though they were not of the same element that have destroyed agriculture in this country.

The fact, Sir, that sugar production is down, is not due to Government taking out land for housing, because a few acres here and there would not cause the devastation that has been wrung on agriculture by the same owners of the land? But, we can ignore that, Sir, because we want to get to the facts of this Resolution.

The fact number one, which Members have conveniently chosen to ignore is that this land was originally designed for those persons in White Hill who were dislocated as a result of acts not of their own making. Except, Sir, that they were castigated for desiring concrete houses and water toilets. But the point is, Sir, that this land was designated originally for those persons.

But for one reason or another the persons in that area, quite rightly in my view, felt that the dislocation from White Hill to Apes Hill would have been too severe, given the fact of the availability of a school that the children were accustomed to and various other factors, so Government, acting in the best interest of the people, decided to go to Farmers. The last time we were here, Sir, we had a human cry about Farmers, because everytime you touch certain lands in this country, then there are those who are willing to protect the interest of the landed class. But, we have no such problem. The people must come first.

Sir, the land at Farmers was found to be more suitable for resiting the White Hill folk than the land at Apes Hill. Therefore, Government decided that they are going to abandon the Apes Hill acquisition, but by then the land had been earmarked for local housing. Under the law, as the Honourable Senator Workman quite rightly said, the land has to go back to the original owner. That is precisely what is happening.

Asides.

SENATOR T. E. BARKER: Because, Eastern Land Developments is the development of the same company. The point is that the original intention is preserved. That the land is not going to go into middle or upper income housing as some Members in here would have objected to if it did, but it is going to house poor people. I am sure that those of us in here who boast on our Africanism would gladly appreciate the fact that people of a certain class are now having access to the land of their ancestors.

So the land, Sir, is going to go to house poor people. Now, Sir, people are worrying about the cost of the house. Sir, the fact remains that there is a huge unsatisfied demand for houses in that particular price range. Because, the two developments, Sir, of a similar nature in The Mount and in Bournes Village were sold out even before the houses were completed. There were people queuing up because, Sir, the lower, middle income and some working class people are in a position now to be able to afford houses of that particular price. Because, Sir, do not forget, there is money available through things like the mortgage credit fund and the mortgage companies for low income housing.

So Sir, if a Member is talking about three times the annual earnings, a person working for \$20 000 a year would be able to afford these houses. And, \$20 000 a year is within the grasp of quite a large number of Barbadians. Even, Sir, a lot of artisans are making this sort of money. That is why, Sir, there is this large demand, but even before the houses are built, the demand is almost doubled the number of lots that are going to be available. That is a fact. Because, we in here have a condescending attitude towards the poor man. We feel that all the poor man can afford is a breadfruit and yam. But, we do not know, Sir, that while we were sleeping things were happening. And, a lot of our people are now in a position to be able to afford houses, especially, Sir, since the mortgage provision allow, if there are two income persons, the two incomes can be added together to meet the requirements for the mortgage company. So, to say, that the lower, middle or even the working class cannot afford a house for \$50 000 or \$70 000 is flying in the face of reason and common-sense and it betrays a lack of understanding of what is going on in this country of ours.

Sir, some people live off the taxes from the people and are not aware of the struggles that they are making. But, the point remains, Sir, that for these 36 units there are almost double the number of applicants for these units.

Asides.

Mr. PRESIDENT: I am hearing too many voices and I want to hear only Senator Barker.

SENATOR T. E. BARKER: In the case of retribution in my case...

Mr. PRESIDENT: There is some measure of that, I would agree.

SENATOR T. E. BARKER: The point must be made, Sir, that the demand for low cost housing can never be met by Government alone. Therefore, Sir, we have to make sure that Government acts as a facilitator in order to get private companies to get involved in this important segment of the housing market.

We make no apology for facilitating a private company to go to this area of housing. For too long, Sir, the private company has been going into houses in the \$200 000 bracket which clearly is not intended for the vast majority of Barbadians.
2.20 p.m.

I am glad that the private companies have seen their social responsibility and are putting their money to ensure that affordable houses are within the grasp of ordinary Barbadians. I do not see why Members on the Other

Side are castigating the Government for facilitating a private company to build houses not for the upper income but for working class and poor people of Barbados.

I understand that will cause problems with certain people but I am quite happy, given my roots and my inclinations, to support any measure which improves the life of the people of this country.

All the reports I have read indicate that there is a serious problem with housing in Barbados. The last Government conveniently ignored the legitimate aspirations of ordinary Barbadians in their quest, to build monuments of stupidity. We are not going to follow that road to ruin. We are prepared to put things in place so that Senator Boyce if he so desires can form a company and approach Government. Any private developer can get in and find a niche in the market in order to provide affordable houses for the masses of people in Barbados.

If this was a middle or upper income housing project I could understand the difficulty that they have, but it is for people whose aspirations they would have us believe they are cognisant of. This is yet another example of how Government intends to satisfy housing demand in this country.

Sir, it is my belief that when a person owns a piece of property it attaches him in a more fundamental way to the country. I remember when I owned my land, the psychological boost that I got when I, as a young man, was able to go into the market and buy a piece of real estate. It does something for the individual.

Unless we satisfy this basic demand for housing we are letting ourselves to be open to all sorts of social and other unrest in this country. Any Government then has to make sure that it puts measures in place to satisfy this legitimate aspiration of the people. But the point must be made that whenever you are talking about housing developments and land for housing it is almost inevitable that land would have to be taken from other uses because as we know there is little land in Barbados that is not zoned for one thing or another. We do not have an abundance of land like other countries have. Therefore to accommodate housing we have to go to the land which has been previously earmarked for other purposes. That is a fact There is nothing you can do about it.

I do not support the untenable position that the only land that the masses can get is rab land. I am not sure that that is a tenable position. Again it might show a lack of understanding of the sociology and history of Barbados.

Only this morning we were debating another Resolution that in the urban sector of Barbados there are a

lot of vacant lots. Only this morning, this Honourable Chamber has given approval for Government to acquire compulsorily 2 pieces of land in urban Barbados which were otherwise vacant for housing purposes. It is not only that we are encroaching on other land for housing but we are also looking within the urban sector and any vacant lot that we see that can be used for housing purposes we are going to acquire for the people of Barbados.

Sir, we are seeing the benefits of our policy, because I am told that there are quite a few vacant areas in the urban corridor but they alone cannot satisfy. To get real benefits for low income housing we need to have a sizeable area of land in order to reach certain economies of scale. Do not forget, Sir, you want to ensure that in building these houses... A lot of them were unable to build a conventional type house so we have to make sure when we are building houses that we do not sacrifice strength, that we try to get as much economy of scale as we can get.

Sir, it might benefit the contractor to build a few houses in one area as opposed to one house here and another half mile away and so on. We have to make sure that we can have a few acres of land in one place so that a developer who is into low cost housing can be able to apply the economics of the situation in order to minimise the cost of the house.

This acquisition fits in nicely with Government's overall policy for housing in Barbados because, in spite of the carping of the Democratic Labour Party Opposition, this land is not going into land speculation but rather this is going into ensuring that affordable housing can get to the people of Barbados.

Those who bandy about figures of \$2 000 an acre for agricultural land and other prices will conveniently forget that when you subdivide land there are a lot of other costs that go into it, infrastructural costs which will include roads, water, electricity and so on which evidently will have to go into the final cost of the house.

I understand that the final cost of the house will include that when the house is sold that the roads and all the other services will be there already. It does not make sense just to compare the cost of agricultural land and the cost of the final product. Whoever made those remarks should know better than to make those sort of wild comparisons, comparing apples to oranges. It does not befit one who claims to have experience in these matters.

Sir, I have no difficulty at all in supporting this Resolution. If I felt that it was land speculation my instincts and my inner self would be at odds with my mouth.
2.30 p.m.

I can say, Sir, that I am at peace. I see the benefits of Government using this sort of approach because, in the final analysis, I am aware of the fact, as Honourable Members might not be, that there is a large demand out there for affordable housing. This is Government's way of ensuring that private companies are given the means whereby they can provide affordable housing for the people of Barbados. Government, instead of being castigated, ought to be commended for ensuring that this land is used for the purpose for which it is intended.

Sir, I want Honourable Members in here, by the end of the year, to go up to Apes Hill and see what has happened to the land that we are talking about here today. Look and see how the people of Barbados have benefitted from the decision which we ought to take in this Honourable Chamber because any time this Chamber does an action which enhances the life of the people of Barbados, I personally am extremely happy to support it.

Sir, if there is one thing I believe that I am in this Chamber for is to make life a little bit easier for the masses of this country who have supported me from the cradle and who, I know will support me even to the grave. In that light, Sir, I have no difficulty in supporting this Resolution.

Thank you for your indulgence.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I have some concerns about this Resolution but up front, I would like to place on record that I have so far always supported Resolutions for the acquisition of land for housing development. Even though it may be said that some of it is agricultural land, I have always asked, please can we have a little part of the map so we can debate it intelligently because one half is saying it is agricultural land, another half is saying it is rab land and to give the benefit of the doubt, I have voted for the Resolution.

In addition, we as nurses support development of housing to the extent that we have asked for about two houses to be allocated to our organisation to be given to nurses. Therefore, this points out our seriousness in supporting the development of low cost housing areas, Mr. President. Nurses cannot afford \$75 000 houses and I will say why. If there is a man or woman, or a husband or wife together, with the two incomes meshed together they can afford upfront that type of house but, Mr. President, it is a fact that the majority of the nurses are single heads of households and therefore there is not a combined income to add up, so that they can afford \$75 000, \$100 000 and \$200 000 houses on their own. When we are talking about low cost housing, \$75 000, in my estimation, is not for low income housing. It is not even for nurses. It is too expensive.

Mr. President, I am very concerned about first bringing the Resolution to Parliament, letting us pass it even though we objected that if it is agricultural land it should not be given to housing but because we know of the situation in housing development we voted for the Resolution. Now, having changed agricultural land that we greatly need to supply the working population to grow vegetables to feed the industrial source, we need agricultural land. We have started diversifying and we need to continue to promote diversification so that we do not have to pay \$5 a pound for tomatoes, sweet peppers, *et cetera* in the market. This agricultural land is now being returned to a private developer for housing.

Mr. President, I would have felt much more comfortable if the Government had acquired this land...

SENATOR THE HON. G. S. H. MURRAY: On a point of elucidation, Mr. President. I would like to take this opportunity to assure Senators that the land by law has to revert to the original owner, C. O. Williams. It will not go to a private developer.

Mr. PRESIDENT: Senator that is not a point of elucidation. A point of elucidation clarifies something that may have been misrepresented in your speech. I do not think that is the case here.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President. Given the scarcity of house spots, Sir, and low cost housing in Barbados, I personally as an Independent Senator – I am only speaking as an Independent Senator. I am not speaking on behalf of any group. I personally would have liked to see the Government hold on to this property and make it available to low income people and build houses and, if necessary, subsidise the homes for the purchase by low income people. This is the view that I am putting forward here.

I am very concerned that it is going back to another developer and we know that if someone is in private business, they must make a profit. Therefore, it is going to raise the cost of any individual house that is going to be built. This is my concern and this is my reluctance not to support this Resolution as it stands.

Mr. President, I feel this should go back to a Committee. It should be further discussed in light of our present laws and seek the views of our people before it is brought back to Parliament because even though persons have tried to persuade me that a \$75 000 house is for low income persons, I am not persuaded because I know any low income person cannot afford to purchase that property on their own on their salary. A nurse does not get \$2 000 a month. They cannot buy a \$75 000 house on their own. I am talking about the facts.

Mr. President, another matter that concerns me gravely about this Resolution is the argument, that the people who live in White Hill chose to go to Farmers. What is the indecent haste of bringing the acquisition of land resolutions before you find out about the sentiments of the people you are going to resite? We are doing things backwards, Mr. President. That concerns me.

I think if we are going to resite people from one area to another and you have an idea where you are going to resite the persons, I think it is socially acceptable that you consult with the residents about where they are going to be resited, if you are going to give them a choice because, obviously, they have a choice. If they can choose between Farmers and another area, obviously they have the luxury of deciding where they want to be resited. If this is the position that is to be taken, okay do a survey and go to the people, it does not cost any extra funds. We have the public health nurses out there in the community, we have the public health inspectors in the community, you have the rural development community commission, factor that into their work and let them find out from the people where they want to go, then feed that information back into headquarters and then decide whether or not you want to acquire land at Apes Hill or land at Farmers to resite the persons concerned. This would save quite a lot of embarrassment, because I see it as an embarrassment, and I feel very uncomfortable about it. I feel that what the Government intends to do is in the interest of the people but the way it is going about doing it is not as transparent as it should be.

2.40 p.m.

I am sure that there are other people out there that it would not be as transparent to as well. Therefore, I think they need to take back this Resolution and examine it very carefully and explain to the people that this is not speculation of land because that is how it comes across as though people are speculating in the land and getting the highest cost for persons who are going to help provide the so-called low cost housing, because it is not low cost housing. Persons with a minimum wage cannot afford such housing, these persons can only afford to pay small quantities of money, they cannot afford to pay the 10%.

Mr. President, I know that in the Green Paper on Housing that it is said that they are going to bring 100% mortgages but it is not here yet.

On the same note, Mr. President, what I would like to say is that if we are going to talk about housing development we also need to talk about a land use policy, because the problem in this Senate is that there is not a proper land use policy and therefore every time we come to a Resolution to acquire land, there is always some sort of conflict between the various persons who are debating the issue.

Asides.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I would not say it is unnecessary because all conflict is enlightening and there is good stress and bad stress and you learn from it. I have learnt quite a lot in this Senate this morning. I came here to support it but after listening to the debate, I have changed my mind because I have seen it through a totally different light. It is good to have conflict so that eventually the truth will come out and I think when these issues are debated honestly in the Senate, it gives you an indication of what the different parts of the public is thinking. You will know that everybody is not thinking the same way and you need to go back to the drawing board and look at the different arguments put forward and then come back to the people.

Mr. President, the Government is trying its best but at the same time if there are things that need to be brought to the attention of the Government it should be brought to their attention. There is nothing wrong with having a second look, so that by the time you come back all of us will be satisfied and happy about it and will support it 100% and help the Government with its policies.

Mr. President, the Government has the power to overturn any decision at Town & Country Planning. I know that, I have experienced it with a seven foot wall but I am not going to talk about it today. The Government can overturn any decision, it can overturn the use of the land for building, it can send it back to agriculture. I know because I have experienced the Government overturning a decision by Town & Country Planning.

Asides.

SENATOR Mrs. P. E. RICKINSON: It is there and the Minister has the last say. I urge you either for the Government to take this project back in hand so that it can be truly, truly low cost or else send it back to agriculture.

I thank you.

SENATOR THE HON. P. C. GODDARD: Mr. President, I rise to support this measure. I hope to be able to dispel some popular misconceptions which have arisen during the course of this debate about what is low cost and what is high cost. The mere fact that Government constructs low cost buildings at a very high cost and the private sector constructs low cost building at efficient cost should be perfectly obvious. Where there is a profit motive there is an element of efficiency that comes into the building process. I think that in the construction of low cost housing people develop expertise, they develop systems of construction which reduce cost, they control their materials better and they develop a truly low cost housing for those who are in need of it.

I think, Mr. President, that this programme will benefit a large number of Barbadians who are desirous of obtaining low cost housing. As some Senators said previously, the demand far outstrips the supply. The mere fact that the private sector is building these houses should not detract from the perception that these are truly low cost housing. They will be no profit on the land such as profit that was made in areas where agricultural land was sold at \$25 000 an acre in the early 90s and the late 80s.

In this instance the acquisition is being discontinued, the land is being made available at the same price to the developers and the developers are putting in low cost housing. It can only be low cost if the total component of the land cost and the housing construction is as low as possible. This is the process that will take place at this location.

I have witnessed an example of a building being renovated on one hand by Government and across the road, a brand new building being constructed. The renovation started before the foundations were poured for the second building. The second building is completed, it is totally occupied, all the space is rented out, the landscaping is finished and it is all done. That was done by the private sector. The other building is still being renovated and that is done by the public sector. One has to recognise the differences in efficiency of the two organisations. I think, Mr. President, Government is moving in the right direction by engaging private sector companies to build low cost housing around the country for the wider population.
2.50 p.m.

I think you will find, Mr. President, that in so doing it will stimulate business activity, it will create opportunities for many small contractors to get into the business and it will create a wider business activity for the up and coming entrepreneur.

We are not only creating low cost housing but we are also creating business activity for Barbadians to engage in. I think, Mr. President, that this is a bold new direction that this Government is going in. I know that we are going swiftly but I believe that the people of Barbados demand that we act swiftly.

We cannot do things the way they have been done forever. We certainly cannot return to the lethargy of the period between 1986 and 1994. We are now dynamic. We are moving forward and we are developing housing for the people of Barbados. This is the business of our Government and Mr. President, I wholeheartedly support this Resolution. Thank you very much.

SENATOR J. D. E. BOYCE: Mr. President, I would have hoped to have heard from a lot more Government

Senators before I spoke on this one but that is not the way it is going to be so we will have to go with what we have.

Certainly, Sir, this is an about turn on the part of Government in terms of the Resolution before us. It is an about turn within the space of not even a year when this Senate could be debating the abandonment of the compulsory acquisition of the land from C. O. Williams. We are not discussing the legality of it. That has already been dealt with by an earlier Senator who clearly set out where even legality sometimes can lead to hints of corruption. So we do not need to discuss the legality of the actions of the Government anymore.

Senator Barker in his address talked, I believe it would have been an aside, that Government was firing on all cylinders but I think the Honourable Senate would appreciate that if cylinders are not connected to a camshaft you can fire as long as you like, Sir, you are not going to move from where you are. This abandonment is about not moving. Government has suddenly back-turned on themselves and have recognised that no matter what argument they can make, the truth of the matter is that we are faced today with the giving back of developed lands which have now been developed and I could only assume that the land, because I have visited the land, I did an extensive tour of the Orange Hill area yesterday to make sure that I knew exactly where I was talking about. I did not want anybody accusing me of coming from St. Peter and not knowing where Orange Hill was so I went to Orange Hill in the rain and I walked around in the rain under threat of sickness, Sir, to make sure I knew where we were talking about.

I was also pretty sure that the Minister would not have provided me with a plot as he has not, so that is another reason why I had to make sure I knew the spot I was talking about and it is the spot which is adjacent to the old Buccaneer Club and the club is now utilised as a community centre for the people of Orange Hill.

I have read the discussion or comments on the discussion about the original acquisition in the House of Assembly, Sir, and the first point I want to make is that this acquisition would be accompanied by the acquisition of two other spots of land. We have not got to them yet, Sir, but are we to anticipate that before long the other land which is now properly in Apes Hill will be returned too and be abandoned? Are we to anticipate that the other spot which was indicated to me to be the Hope Plantation, is that going to be returned too? Senators in this Chamber today have gotten up and said the reason for abandoning this particular area is because the White Hill people, and I will get to the White Hill people in a while, are to be now located at Farmers, a land acquisition which we dealt with and approved not so long ago.

The point is, Sir, not only is Government on that side confused about this abandonment but the White Hill people are confused too because I took the time to canvass the area. The slippage of the land in White Hill occurs in a particular area. It is not the entire White Hill area as we know that slips. It is about halfway down between Mount All and White Hill itself that you get this slippage occurring and it does not affect all the people.

Even so, Sir, my next question to the Honourable Acting Leader of the Senate today, Sir, is why is it then that Government is at high cost undergoing the repaving of the road in the same White Hill? Why are they repairing the road if they are abandoning it to the natural incidences of slippage and whatever natural calamities that can befall the area? Explain to this Chamber why they are taking the time to repave that entire strip of road, Sir.

I say that this Resolution has in the proverbial sense more in the mortar than the pestle and it is their job to worry about Tiltman and tell the people of Barbados why in spite of the abandonment or the proposed moving of the people of White Hill, why are we still going ahead and paving the roads? Is it anything to do with the fact that there are plans to expand the Highland Tours into the adjacent areas of Baxters Plantation and Pool? Is that the real plan?

The Highland Tours, Sir, is an activity that I am referring to. It is not a place, Sir. In listening to Senator Barker's speech, Sir, it is clear that he was totally confused. He does not even know what the Highland Tours is all about. The Highland Tours is a business operation geared towards eco-tourism to an extent where we take visitors and Barbadians alike, because I believe tourism is about Barbadians and we need too to get them more involved in tourism.

I am sure that Senator Lynch would address that in due course if not today some time down the road. That is his job, Sir. So is it that we are planning to expand this Highland Tours activity to include White Hill and to include Pool and to include Baxters? As I said, Sir, if the people of White Hill are to be now located at Farmers, why are we not also giving back the lands at upper Apes Hill and the Hope Plantation?

Mr. President, Sir, there is another element to this abandonment and land acquisition and I have spoken at length and I agree with the other Senators who have said we should have, and I am going to use the word again for the benefit of Senator Symmonds, a concretised policy on housing. And even as this Green Paper which is yellow, or at least published in a yellow cover, Sir, is being bandied about as the gospel according to the Barbados Labour Party with respect to housing in Barbados, we are getting in total

confusion. And we are faced with an abandonment when they came to this Chamber less than 18 months ago preaching the gospel that this land was urgently needed. The people of White Hill were not only in danger, but were already being shifted and slaughtered at the wrath of the natural elements of the day, Sir. So we are very concerned. 3.00 p.m.

The question of profit motive could not have been part of the consideration. When Government acquires land for relocation there is no question of profit.

Asides.

Certain remarks made by Senator J. D. E. Boyce were ordered to be struck from the record by Mr. PRESIDENT.

SENATOR J. D. E. BOYCE: We must therefore repose more confidence in the thinking powers of the Senators, at least on this side, Sir, and yourself. Even if we do not have that confidence on that side, because sometimes it appears more like if there are bringing messages from other Ministers elsewhere having not themselves knowing what they are talking about.

Asides.

SENATOR J. D. E. BOYCE: They do not prepare well, either...

Mr. PRESIDENT: I would not like you to reflect on their preparation. Please proceed.

SENATOR J. D. E. BOYCE: They do not have the opportunity to carry out adequate surveys of the Resolutions, Sir, like the one before us. They do not discuss the Resolution before us extensively before coming here, Sir. I have that on record, the parliamentary group of the Barbados Labour Party.

Asides.

Mr. PRESIDENT: Senator Boyce, it would help if you forgot the personal references and dealt with the Resolution before us.

SENATOR J. D. E. BOYCE: I would forget the parliamentary group of the Barbados Labour Party and go ahead with the Resolution. Sir, I started to refer to the manner of these acquisitions. And, you get this information, Sir, by being intimate with the people involved. So, as I said, I went into the area involved and I have been discussing with them the difficulties. And the manner in which the Minister of Housing, for example is going around acquiring lands and placing, and I say,

personal pressure, in some cases on the residents and land owners in this country to acquire their land.

Land owners, Sir, come in all sizes. They are as big as Eastern Land Developments and they are as small as the proposed ultimate beneficiaries of these 1 000 square foot lots at Apes Hill. So, I know the land owners they are talking about, Sir. I am saying this is wrong. I think that if we could develop a policy where we can hand back this amount of land to someone whom we have acquired it from, we need to consider all those other cases, or many of those cases, Sir, because, we cannot consider all. There will be some which will be hard and difficult to deal with.

One case, Sir, I know of a young man who is going into what I would call a novel kind of agriculture. He wants to culture Snails. He wants exotic foods. And, the point is his project is under threat. This is after putting a tremendous lot of effort. I think there are some Senators in here who know exactly what I am talking about. When you venture into a new area, a revolutionary area almost, to try to do something different, to present another element of Barbados for all of us to enjoy and it is really hard that we have to interrupt these plans in the ways they have been. It is harder still that we interrupt them in the manner, and that is always very important, the manner in which they have been interrupted. I am speaking, Sir, about the personal way in which the Honourable Member has been dealing with some cases that have been reported to me, Sir. I have to put the position as the people of Barbados see it and as the people of Barbados are undergoing. No amount of talk in here about efficiency of building, because it is of little relevance about private sector being able to build a building more cheaply or more economically than a public sector. There are a lot of stories to that too. And, I will not stand by and have the workers of the Public Works Department, or the National Housing Corporation reflected on in this Chamber in this manner, Sir.

I know of cases where during the renovation of the Courts, over yonder, painters were forced to come into the Court and sit down, by the presiding officer, Sir, because they were keeping too much noise on the outside. They do not do it with the private sector workers but they do it with the public sector workers. I am sure Senator Bolden will elaborate when he makes his contribution. I know that story, so I would like if Senator Goddard could reflect a little bit on this.

In the case of provision of low income housing in Barbados, the Government has been always the sole provider of this kind of housing, and all the housing areas in Barbados are repeats of testimony to the activity of...and I am saying this especially for the benefit of Senator Goddard, all the housing areas are repeats of examples of

good Governments, continuous good Governments which have in some cases even traversed the period of the administration of the Barbados Labour Party. It has not always been good Government under them, but it has at times.

We have been able to provide real, really low cost housing. Housing which can be rented at rates of \$36.00 or \$40.00 weekly.

Aside.

Mr. PRESIDENT: Order. You are interrupting these proceedings.

SENATOR J. D. E. BOYCE: He cannot really interrupt me, Sir.

Certain remarks made by SENATOR J. D. E. BOYCE were ordered to be struck from the record by Mr. PRESIDENT.

SENATOR J. D. E. BOYCE: I apologise, Sir. The Government of Barbados has always been accustomed, through its public ordinance to providing low cost housing in this country, and I do not want those who like to tout the idea of privatisation *ad absurdum*, because that is what some people do. Tout this idea that the private sector can only do x, y and z, but I have been in private sector all my life with the exception of when I worked for holidays, as a young man in either the Post Office or what was then the Agriculture Credit Bank and in some cases before Senator Forde's time, in the Ministry of Education, Sir, as a Parliamentary Secretary.

I have worked in these organisations and there are tremendous pockets of efficiency. There are many public sector officers who endure tremendous difficulty in carrying out a job which in many times can be without any guidance whatsoever. Because they are in actual fact daily having to deal with requests from the same private sector people, whom they serve predominantly in terms of having matters resolved expeditiously.

I think of people like the Customs and I think of people like the National Housing Corporation and the Public Works Department these people are inundated.

We have another example here, Sir, in this precinct alone where a couple not even a year ago were being referred to as the Parliamentary depot of the Public Works Department. And now today, Sir, they are back there returning to carry out a job which is urgently required.
3.10 p.m.

In the meantime, the building has suffered untold damage because of exposure to the elements. The same exposure which a number of other projects in Barbados are going to suffer if the Barbados Labour Party does not get off the nonsensical idea of playing party politics with issues of importance to this country and develop the infrastructure of this country to its true potential.

Aside.

SENATOR J. D. E. BOYCE: You are boasting of a beer/fish fry garden which is a lovely facility for people and it does not have any form of covering. Now it is rainy season only God knows how they will survive the economic onslaught of this period when they will not be able to do their business. This is the kind of measure that you need to be paying attention to and continue a meaningful policy of housing and land developing.

We, on this side, say again you commissioned a study of some \$3½ million to look at this whole question of land use. The Government is obviously confused in terms of its land use policy. Why are you so resistant to waiting for another couple of months to have the benefit of greater input from people like me all over Barbados and people like Senator Laurie and Senator Workman who have something to say about how the land and the housing in this area... Those are the people you have to listen to. Government will be well advised to follow this route in terms of developing a firm land use policy.

Sir, therefore, in light of the kind of information coming out, not only in this debate today but also the information which we have been able to glean in discussing this whole question of the Orange Hill activity and, specifically, the land at Baywoods which Government is seeking today to abandon to C. O. Williams Farms, it brings to mind the indecent haste which many Barbadians thought the Government came to settlement with the same C. O. Williams, I believe, in respect to the Highway 2A judgment at considerable cost.

It is all about C. O. Williams. It is all about abandonment to C. O. Williams. It is all about the fact that the land in question now has on it roads and curbs. My question is who put those roads in. Who paid for it? Is it the Government? How much did it cost and will Government be compensated for them? Has water been turned in? I was there yesterday. There was one abandoned yellow tractor that did not have a name on it so I could not say from whom the tractor was and I did not feel minded to go and pursue that any further. As I said, the rain was pouring.

Aside.

SENATOR J. D. E. BOYCE: Senator Murray, I do not make up stories.

Mr. PRESIDENT: Please address the Chair.

SENATOR J. D. E. BOYCE: Mr. President, I never make up stories.

Mr. PRESIDENT: I made no accusation.

SENATOR J. D. E. BOYCE: I come in here, Sir, armed with the facts, and I am saying that when I visited this spot yesterday there were paved roads. All they want now is some of C. O. Williams' barber green on them. They have everything else on them already. My question is, who has paid for that development? Is there water and telephone lines in there? If it is Government, then what is the compensation?

I believe the Minister should have that information, if the file he is carrying with him is up-to-date. As far as this Chamber is aware, the land has been safely settled in the bosom of the Government of Barbados since December 1995 so any development on that land should have been funded by the owners. So we want to know on this side who paid for it, how much was paid and what was the compensation now in the abandonment? We want to hear about the compensation within the abandonment. It is not obvious to us.

Sir, therefore I want to see this Government develop a consistent land use policy. All their policies should be consistent and I want, when I hear the Honourable Leader summing up, to hear the answers to these questions so that we can give consideration to the Resolution before us. As it stands now, and the depleted numbers on that side, they are going to have a problem. They will have to phone the Attorney General again and ask him what to do. Senator Bolden is on this side today, Sir. So he will be minded to follow the lead on this side.

HIS HONOUR SENATOR C. L. BOLDEN: On a point of order. Mr. Speaker, from the time I came in the Senate they put me to sit down here as Deputy President. I have always been on this side but when it comes to voting with that side I will vote with anybody except the Honourable Member who was speaking because he always talks things that I will not credit myself to be associated with.

SENATOR J. D. E. BOYCE: I was not here when the Honourable Deputy President was seated. I saw him there this morning and over there. I do not know where the Honourable Senator sits.

Mr. President, Sir, it is with the comments previous to these that I end my contribution on this Resolution.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I was not exactly surprised that this Resolution generated so great a volume of words and, in some instances, a great deal of hot air, because one had seen a precursor of this from the debate that was generated in the Other Place. And also, one had heard stories being put into circulation as to what a certain approach would be regarding this Resolution, based on the fact that speculation was rife and stories were running left, right and centre attributing all kinds of unsuitable motives and nefarious activities to Government in this instance, because of the abandonment of this acquisition. An abandonment which, as I said in my presentation as I introduced the measure, has been provided for in law under section 9(1) of the *Land Acquisition Act*, Cap. 228, which provides for the abandonment of an acquisition provided no compensation has been paid for the land. As I said also, no compensation had been paid for this land.

3.20 p.m.

Sir, we heard a great deal of talk. There was a great deal of speculation. Suspicions were aroused. However, not everything said was based on cynicism or scepticism but I think a lot of it came from the fact that some people had become accustomed to a certain way of doing things where land was concerned and they were fearful that this Government, though it has never established such a record, was going to fall into the trap and follow the less than respectable ways of doing business as had obtained in the past under a previous Government by the other party.

Sir, I am sure as Senators listened to the speculation that was raised, they had visions and memories of such acts as had obtained in 1971, I think it was, with the acquisition of Mangrove where the Barbados Workers' Union now lies, where an area of land was bought for a few hundred thousand dollars in the morning and by the afternoon of the same day it was sold for millions of dollars. I understand the concern, particularly of the two Opposition Senators who, I am sure, are familiar with that culture as it obtained with their party. I understand their sensitivity and then seeking to judge everybody by their standards but, Sir, no such thing obtains with this issue.

Sir, I appreciated Senator Workman's concerns. He raised the question to whom would the land revert on abandonment. Now, not being a lawyer, and not even pretending to be, not even a standpipe lawyer, of course I had to seek legal guidance on this matter. As I investigated the facts of this case, Sir, and the facts surrounding the abandonment, it is a very simple matter when all is said and done.

One, the original owner of the land was C. O. Williams Farms Ltd. That is point 1. Point 2, the

Government acquired the land for housing from C. O. Williams Farms Ltd. Point 3, at the same time Government had acquired another 40 acres of land in the general location of Baywoods/Apes Hill for which it had also decided to put in housing. In the circumstances no compensation, as I said, had been paid for the lands that had been acquired from C. O. Williams Farms Limited. As a result of this abandonment, therefore, the land will revert to C. O. Williams Farms Ltd. There is no doubt about that. The land will revert to C. O. Williams Farms Ltd.

What has happened is that C. O. Williams Farms Ltd. and Eastern Land Developments have come to an arrangement where Eastern Land Developments which, as I said, develops low cost housing with two projects already existing at The Mount and Bourne's Village in St. George, Eastern Land Developments has made an arrangement with C. O. Williams under which they will continue the low income housing on the very same land.

The use of the land cannot change because the permission by Town Planning would have been determined by certain conditions one of which was that it would be used for low cost housing, so even though it goes back to C. O. Williams Farms Ltd. and will be used by Eastern Land Developments Ltd., it cannot be used to build any villas, golf courses, middle income houses or whatever. The point is it has to be used for the purposes for which it was intended, low cost housing, so there is no doubt about that.

The private sector, it is felt, can do the job faster in this instance than Government. There being the strong demand for this kind of housing, and contrary to what people say, if people would abandon their patronising ideas about who is poor, who is low income and who is to be relocated, there is this patronising attitude because people still see the "poor" as people with breadfruits, barefoot and working for \$3 and \$4 a month. Those days are gone.

Low income is always relative. The category of worker who would have been considered low income 20 years ago because of the income he earned at that time, is now outmoded because the threshold of income has risen and therefore it makes affordable to him things which he would not have been able to afford 20 years ago. So there is no need to use the emotive phrase of "low income" unless you define what is meant by low income and seek to determine that because people are "poor" or "of low income category" therefore they automatically cannot afford certain things.

There are people who are considered low income purely on the basis of the fact that they are not in an elite profession, but who have more money in the bank than me and a lot of us around here, I am sure, who can buy

things for cash, who are thrifty, who can save and who have a way of stretching dollars in a way I cannot, or other members cannot do. So therefore one cannot just judge a person on the basis of their perceived "poorness", to decide that he or she is poor, he or she is low income, and therefore, he or she automatically cannot afford certain things, particularly when there is the question of the combination of income between husband or wife, or partners. In addition, there are other provisions under the Housing Workers' Credit Fund to allow people to afford these houses.

A house and land at \$55 000 is not really an expensive house in Barbados today, when one considers the cost of other things in Barbados, when one considers that a cheap car can cost \$30 000, \$35 000 or \$40 000, a cheap one like the one I drive, which is \$42 000/\$45 000.

Therefore, Sir, that is the context. It is simple. It is straightforward. It is above-board. I am sorry that some Honourable Senators allowed themselves to have unnecessary bouts of anxiety, that they thought, like I said, that we were falling back into the bad old days of the Democratic Labour Party where there was widespread land speculation and what not. I assure them that is not the case. Like I said, it is a very straightforward measure and everything is above-board.

I believe I would have answered the major points of Members' concerns (1) the fact that the land will revert to the original owners and (2) it has to stay in low income, and (3) Eastern Developments Ltd. has a private arrangement with C. O. Williams Farms Ltd. to build the low income houses.

Sir, it is against that background that I beg to move that this Resolution do now pass.

The question was put and a division called for.

The question that the Resolution do now pass was put to the Senate and agreed to, the Senate dividing as follows:

Ayes: SENATORS THE HON. G. S. H. MURRAY, Hon. P. C. GODDARD, Miss C. Y. FORDE, T. E. BARKER, THE HON. Miss O. P. SYMMONDS, D. T. GILL, N. A. LYNCH, N. P. WELCH and HIS HONOUR C. L. BOLDEN – 9

Noes: SENATORS J. D. E. BOYCE, Mrs. A. P. THOMPSON, J. A. WORKMAN, Mrs. V. J. DAVIS, S. P. BERNSTEIN, the Venerable Archdeacon J. L. SPRINGER, C. K. LAURIE, and Mrs. P. E. RICKINSON – 8.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, I speak in this manner because in a vote you

have to cover your head when you want to speak. But it brings great displeasure to me to hear Senators in this Chamber stand up and say "I rise to support this Resolution" and then vote against it in a division. It is about time the rules of this Chamber be put into effect. This is the second time I have experienced this in this Chamber. We have to know where we are going.

ORDER NO. 1 – CIVIL AVIATION (AMENDMENT) BILL, 1997

SENATOR THE HON. G. S. H. MURRAY: Mr. President, the matter before us has to do with the setting up of an aircraft registry for Barbados in a more substantial way than it has existed before. This question of an aircraft registry has been long in engaging Government's attention. It actually stretches way back to March 1980 when the issue first came to public attention. Some legislation does exist for the provision of a registry. The issue has lagged for some time and then was revived in 1990. What we are really seeking today is looking to amend the Civil Aviation Law as it currently exists to make adequate provision for the registration of mortgages of aircraft which are registered in Barbados and the establishment of a system of priority in respect of such mortgage whereby the rights and interest in such aircraft are determined and protected.

3.30 p.m.

Sir, the situation is that at present Barbados already does have legislation that facilitates the registration of aircraft and actually there are some 17 aircraft presently registered in our registry as it is currently structured and as it currently provides for registration. There are 17 aircraft which are currently registered, three corporate aircraft, two of which are foreign owned, and 14 others.

The Barbados aircraft registry is already opened not only to the Government and citizens of Barbados but also to members of Commonwealth countries and indeed all other countries who are signatories to the Chicago Convention, the convention on international civil aviation. As I said, the present law lacks certain provisions which would put it more in keeping with what is required in a modern day society that is seeking to take advantage of international business, and this proposed legislation will focus on seeking to provide for further proper registration and the protection of the security of interest in aircraft.

Sir, if one were to look at our current legislation, for example Rule 9(2) of our 1984 air aviation regulations, it makes reference to "a register of aircraft mortgages" but it does not have any rules attached to it for anything in that Act and there is still no satisfactory process for the registration of mortgages of aircraft in Barbados.

Furthermore, as regards the security of interest in aircraft, the owners and financiers of aircraft now

require that mortgage priorities and security interest attached to the party in relation to aircraft, be recorded and be recognised in the same location in which the aircraft has been registered. As a matter of fact, Sir, if one looks through the records in this matter, one would see that Barbados has lost some considerable amount of business as recently as 1992 because of a defect in our legislation which did not provide for the registration of mortgages. This came about when a letter received from a leading local law firm regarding a request for the Airbus Group of the United States who wanted to de-register an aircraft in the U.S.A. and re-register it in Barbados.

By law to de-register an aircraft in the U.S.A., the consent of the financing parties would have been required and to obtain the consent of the financing party they had to be assured, amongst other things, that the mortgage would be a priority lien on the aircraft in Barbados. That was not possible under the current legislation and therefore that business, as other businesses, has had to bypass Barbados because of the existence of this glaring opening in the current legislation in Barbados.

This amendment, Sir, as I said, is seeking to plug that hole and to bring Barbados in line with other countries who do great business in this respect. This legislation is addressing that concern in total effect and it seeks to establish an appropriate recording system to protect interest in the course of transactions relating to the registration of aircraft.

Barbados has in the past sought to amend this legislation, it has basically been tinkered with to some extent by amending domestic legislation. We are, Sir, among a number of Commonwealth nations which have not yet ratified the 1948 Geneva Convention on the international recognition of rights and aircraft namely, the Mortgage Convention. We are not alone, Sir in this respect, the United Kingdom has not done so and the Cayman Islands and Bermuda are yet to do so too. This deficiency is likely to be corrected very shortly as consideration is being given to the making of a recommendation that Barbados does accede to this Convention to allow Barbados to bring its house fully in order with international requirements in this area.

As Government sought to amend this legislation, it did not seek to do it alone. It did not think that all knowledge, experience or ideas in this area rested in any one particular Ministry, in the Ministry of International Transport for example or any other Ministry. But wide negotiations and discussions were held with the Ministry of International Business and with local practitioners who have to work in this field. A committee was set up involving representatives from the Attorney General's

Chambers, the local legal fraternity, representatives from the Ministry of International Transport and the Ministry of International Business.

Sir, what we are considering here today results to a large extent from the intelligence, input and experiences of these institutions and these interests into this legislation. In the context of the wide consultation that has taken place and the discussion that took place during those consultations, we have now seen it fit to bring the legislation before the Chamber, and I now take the opportunity to highlight a number of important features of this legislation.

Under the legislation that is before the Chamber today, a new part 5(a) is being inserted in the Civil Aviation Act and this consists of new sections 18(a) to 18(j). At section 18(a)(1) for example, it states that the Minister may by order make provision for the registration of mortgages of aircraft registered in Barbados or capable of being so registered. This will now be done by order. Subsection 2 states that the order made by the Minister may make provision for a number of features and 18(b) makes it mandatory for the Minister to maintain a register of aircraft mortgages registered under the Civil Aviation Act.

With respect to the draft order, the order provides for a creation of a register of aircraft mortgages – Rule 4(1), it provides for procedures for making applications for registration of mortgages and associated documentation – Rule 4(2), 4(3), 4(6), 4(7), 4(8), 4(9), 4(10), 4(11). It also provides for the requirement that the mortgagee must advise the Minister regarding any change in the status of the aircraft as applied in Rule 5(1) of Rule 5(2). It also establishes procedures for registering a discharge of a mortgage – Rule 6.

That is the context in which we are seeking to bring the legislation up to scratch with what is required of us today. Those are some of the features, Sir, of the move to provide Barbados with an open registry. We have looked at what is obtained in some of the other countries, the Cayman Islands, Bermuda and Mauritius for example and we have taken some of the good points from what is obtained in their instance and sought to put it to good use.

There are certain advantages which we will obtain from this facility which even though some people may consider it to be an esoteric area and not a highly glamorous one, can still have certain benefits for Barbados, for example the revenue that could accrue to Barbados from the registering of these aircraft through a more open registry. And while this revenue might not be monumental, it would still help to fill the Government's 'kitty' and in addition by these aircraft seeking to register here, it

will also provide the means for exposure for Barbados in a wider spectrum as an international business sector and community. We are seeking therefore to build on this reputation for Barbados and to provide linkages between the more general and better known international business activity and establish a linkage with an area which although not fantastically big, still has certain benefits for Barbados. 3.40 p.m.

In doing so we are seeking to take advantage of a number of factors that have also worked well for Barbados' reputation and standing as an international business centre. Such things as our political stability, a sound and well established and highly respected legal system to handle any issues that might arise as a result of this sector being developed and what is known as a neutral profile regarding the registration, which would guarantee less hostility to aircraft registered here from certain parts of the international community that used to be generated in certain places towards registered US aircraft for example. That is the kind of background that we are seeking to bring the legislation up to marks.

As I have already said, we think it will have certain benefits for Barbados, but it also brings with it certain responsibilities. As an open registry, Barbados would have to meet certain obligations as it functions in this respect. For example, it would have to be involved in certifying the airworthiness of aircraft, it would have to be involved in the approval of a maintenance programme, the monitoring of quality certification of maintenance checks as well as the status, competence and the integrity of maintenance personnel and the facility responsible for such work. It will also have to take responsibility for the licensing of flight crew, including evaluation, monitoring of registration, appointment of medical examiners, review and approval of crew training.

It will, for example, also have to be responsible for the investigation of aircraft accidents which occur within the jurisdiction of Barbados and participate as an observer in the investigation of accidents involving aircraft registered in Barbados occurring elsewhere. On that score, Sir, I think that there might be certain issues which I would like to give some insight into, where for example, the whole question of crashes of aircraft are concerned in the recent past involving Barbados.

Sir, it will be recalled that there was a helicopter crash in Barbados in 1992, the Bajan Helicopter crash on 8th February 1992. I would like to give the assurance, Sir, that that, along with all the other investigations, whether it is the Trans Island Air crash in Martinique or whether the Air Mustique off Barbados, those investigations, contrary to what some people might think, are not dead. There are

certain procedures that have to be gone into. For example where the Bajan helicopter crash is concerned, this report is now expected to be completed by the last quarter of 1997. Let me explain certain matters where that is concerned.

Admittedly, there was a long delay in receiving a copy of the report of the Coroner's inquest and when this was received in the middle of last year, copies had to be sent to the two external investigators involved in the investigation. These external investigators, Sir, are now signing that report and are drafting the final text which will assist in the completion of the final draft report. The delay is to be regretted but it was unavoidable and the delay in completing this report was also due to the department being involved in the investigation of, like I said, the Mustique Airways crash because some of our personnel who were involved in that Bajan Helicopter crash also had to be involved in this through no fault of their own.

As regards the Trans Island Air crash, Sir, my latest information is, Sir, that on January 25th and 26th last year a Barbados delegation met with representatives of the Director General of Civil Aviation of Martinique with respect to the investigation.

SENATOR J. D. E. BOYCE: On a point of correction, Sir. I believe ...

Mr. PRESIDENT: A point of correction? There is no such thing.

SENATOR J. D. E. BOYCE: On a point of order, Sir. I think that the Honourable Senator is referring, not to Trans Island Air crash, because that means something entirely different to Trans Island Airways, Sir, which is the airline he must be referring to.

SENATOR THE HON. G. S. H. MURRAY: Sir, I would like to thank the Honourable Senator for making a slight correction. It is not very often he makes those useful insertions and I really appreciate it this time.

With that correction, Sir, in mind, a delegation went to Martinique and met with the Civil Aviation Authorities in respect of the investigation in the Trans Island Airways crash. I know there is a lot of Barbadian interest in this, a lot of Barbadian emotion involved, and quite rightly, Sir, because it involved the loss of one of our sons of the soil in particular. Apart from all the other tragic circumstances, I think that is tremendously important because it involved the loss of a father, husband and son and a loss to his relatives.

When the delegation undertook such a mission it was provided with the following information: a copy of

the traffic control tape, a copy of the transcript of the tape, a copy of the controlling statement, meteorological information, information of flight movements the night of the crash and a copy of the preliminary report. However, 4 items still remain outstanding. These were the autopsy report of the pilot and passengers, the analysis of parts and avionics including the automatic direction finder, the technical log book of the aircraft and the pilot's papers and notes of preceding flight of the aircraft.

Several formal requests through diplomatic channels were forwarded to the French requesting these documents. The Embassy of France advised the Barbados Authorities that these items could be obtained from a Mr. Bernard Fenton who investigated the accident.

On the 30th December, 1996 the Ministry of Foreign Affairs in Barbados sent a wire to the Judge in Fort-de-France, Martinique, requesting the autopsy report and to Mr. Bernard Fenton requesting the technical log book, the notes and personal papers of the pilot and the notes of the previous flight. These are still being awaited and from what I understand they are expected very shortly and will therefore provide the means whereby the investigation can proceed further.

The other one I need to make mention of and give some update on has to do with the downing of the Mustique Airways flight on the 8th January 1996. The report on this crash, Sir, has been filed with the Ministry concerned as recently as 6th June, 1997. There is a requirement that for persons whose reputations may be adversely affected by the conclusion of the report, that they had to be provided with relevant details and make representations by a deadline of July 11, 1997. So until such time as these representations are received or until such time as the deadline has elapsed, no further action can be taken. But the determination is that when such is received matters will be proceeded with as quickly as possible in all the circumstances concerned.

I just want to assure the Chamber, Sir, that Government has not gone to sleep on this issue. We have not allowed it to rest or relax or to lapse but that seeing that it has involved a number of complex matters, we have had to draw on the resources of reports and cooperation and involvement and information and documentation, *et cetera* from various agencies and Governments and personnel, *et cetera*, and that has been proceeded with. And we are seeking, Sir, that wherever possible to respect and to see that established procedure is followed and respected, because there is a lot at stake in all of these issues and we want to make sure that everything is above-board and that we respect the integrity of the process and that all interests are given full protection.

Sir, it is therefore within that context that I would like to move that the Bill be read a second time.

SENATOR Mrs. A. P. THOMPSON: Mr. President, I would not want to spend too much time on this particular area as it relates to aircraft and aircraft registration. I prefer to look at it as it fits into the international business sphere of Barbados and I have a few questions which I want to direct to the Minister who is responsible for the area of international business.

3.50 p.m.

I think in 1994 when this Government came to office we were all led to believe that we could during this five-year period create at least ten thousand jobs in this particular area of activity. That was the impression given in 1994 on the change of Government. So, I have been eagerly and anxiously awaiting the creation of this large number of jobs in this international business sector.

And as I look at the 1996 Annual Report of the Central Bank of Barbados, I believe we are lagging, somewhat significantly actually, in the rate at which we are creating jobs in the area of international business. I think it is an area at which Barbados can excel as a financial source sector in the international business arena and as I followed the information on Hong Kong over the past few days, I could not help but say, I really look forward to the day when we could proudly sit back and speak of Barbados as the premier international business sector of not only the Caribbean but I would say of the Americas. So this is a challenge which Senator Goddard has.

The aircraft registry in this legislation all fits into the international business arena and reputation of Barbados and I therefore believe that I am quite at home as I address this area.

We recently passed legislation for international thrust and for societies with restricted liability, but I note there has been some talk about the partnerships, and I know this is an area in which a lot of North Americans have some interest, and I wonder when this legislation will be coming.

In addition, we have talked quite a bit about mutual funds and I know already in Barbados we are into this activity of mutual funds and we are yet to see the legislation, not only for international mutual funds, but for local mutual funds. And I would like to encourage Government to really speedily get about having the current legislation on the books. Because, we know that in order to attract international people, we must have our legislation up-to-date and, I think we seem to be trailing very much in that area.

In addition, I believe a number of Barbadians in recent years have been getting into the area of business administration, finance, and in our local, limited capital market, there is not a whole lot of scope for them to find jobs in which they can use this knowledge and these skills which they are now acquiring. I believe that as we try and make our legislation relevant and current in this international business area we would attract a number of our Barbadians, not only those at home but those who are now living overseas and who can impact significantly on our economic activity here.

The reason why I have an interest in the international business sector is because I believe we are placing too much emphasis on tourism. I have a concern for the ecology of Barbados. I am one of those people who feel that tourism is one of those necessary evils that we need to watch very closely. I believe there is a limit to the number of people we can accommodate in this country at any one time and I believe there comes a pressure point when all of our social services and all of our limited resources are placed under undue stress as we seek to pull the last dollar out of tourism.

Since the international business sector is so promising in terms of the foreign revenue which we can generate, and the level of employment which we can create while taking up as little of our natural space as possible, I would like to think that Government is really seriously to go about in its thrust in the whole sector.

I do not see a whole lot to the aircraft registry thing. I think it looks somewhat like the Shipping Registry Act. I believe it will bring in some dollars but at the same time I do not see it as central to our economic activity as a wider business and financial services sector. So, I would just want to say to the Minister that he has a lot of enthusiasm and I know he loves this area a lot, but there has been some slowing down and I would like to think that at the end of this five-year period, never mind we anticipate an early election, I would like to think that by 1999 when I take up the records of the Central Bank that I can see some significant increase in the employment creation in the international business and financial services sector.

I intend to support the Resolution, because there is nothing controversial about it. I only wanted to say to the Minister responsible for International Business that I want to see a lot more activity in that area. I believe that Barbados stands to benefit significantly and I would not like to think that we would allow other sectors which drag on the economy, which tourism does, by the way, Senator Lynch might not agree with me, but I would not like to see us pay all of our attention to tourism and in a way neglect

the international business sector which is so profitable for this country.

Thank you, Sir.

SENATOR N. P. WELCH: Sir, I rise to make my contribution to this debate which seeks to amend the Civil Aviation Act. Because, Sir, I am one who shares the view that by and large, Barbados has missed out on a lot of business that countries like the Caymans and Bermuda have benefitted from largely as a result of the fact we had certain inadequacies in the current Civil Aviation Act.

Sir, my understanding is that perhaps the major difficulty with the Act relates to the Mortgage Convention of 1948, which makes certain provisions for the registration of mortgages of airlines.

I am sure that there is some contribution which can be significant which the amendments to this piece of legislation can bring to this country.
4.00 p.m.

In 1948, the Mortgage Convention set about to make certain provisions for aviation and those provisions were to seek to give international recognition to the rights of aircraft which is called the Mortgage Convention 1948. It deals with rights to acquire aircraft by purchase coupled with possession with aircraft under lease for 6 months or more. It also seeks to establish a system whereby rights and interests of aircraft are protected under a system that meets the requirement of the Mortgage Convention.

Because of this lack of provision for these sorts of insurances Barbados was left behind in this area of business activity. It is not necessary, as the case of Britain, Cayman and Bermuda that Barbados would have to be a signatory to the Convention; but if legislation is put in place that can make certain assurances to owners of airlines, Barbados, then, would become more attractive.

For example, if we look at the whole issue of registering an aircraft in the United States as opposed to registering it in Barbados there are certain advantages that one can get. Any airline registered in the United States of America is subject to the monitoring and regulatory standards within the United States. In a lot of instances these programmes are so tight that maintenance cost can become exorbitant and people would want to move away from these restrictions in the United States and put themselves in jurisdictions which give them some advantages.

For example, there is the issue of tax benefits from being able through registration of airlines in these countries to be an advantage in terms of taxes where you can

pay fees that are very competitive to what is charged in the United States. There are also advantages like when a major power like the United States is at war or has a diplomatic problem with countries.

Let us take, for example, a cargo company like DHL which might want to deliver cargo to what the United States considers an unfriendly country – Iraq or Iran. When an aircraft is registered in a country like Barbados which basically is seen as a friendly country it removes those sorts of political problems that could be problematic in the area of aviation. These are some of the areas in which Barbados can use for developing strategies to attract business.

It is not sufficient to put in place legislation and hope that somebody will come. Having put in place the legislation, we have to develop a strategy to go out there and attract the sort of business that we would want to see in Barbados. One particular company comes to mind: the General Electric Corporation which is a large maker and owner of airlines. If we can go out there and target some of these like General Electric to encourage them to bring their vehicles to Barbados through the registration of their aircraft here, then we can get some financial benefits.

I understand that the fees are rated on the basis of the size of the aircraft. If we can attract some 747s, some of those bigger aircraft, to register in Barbados obviously Government revenue would increase to some extent.

There is also scope for attracting small manufacturers in Europe and South East Asia where a lot of the emerging airline manufacturing companies in South East Asia might want to locate in Barbados or to register in Barbados to take advantage of certain markets that they normally would not have available to them in this part of the world.

Sir, there is also a large market for leasing of aircraft from a number of international insurance companies and a number of banks. I believe that part of our strategy in marketing Barbados as a destination for aircraft registration must target these sorts of companies in an effort to bring this business to Barbados.

Sir, we find ourselves in a situation where you might find an airline operator might seek for whatever reason to want to come to Barbados and it might want to come to Barbados because there is more flexibility in the maintenance programmes that the civil aviation authority of Barbados might allow. For example, because of the strict civil aviation standards in the United States an airline may see a certain advantage in coming to Barbados, advantages like the flexible maintenance which inevitably could reduce the maintenance of an aircraft.

I am not one who believes that because an aircraft is registered in Barbados that it necessarily lowers the standard of maintenance and the standard of monitoring and regulation that would be involved. I am particularly proud that an airline like BWIA could have such a tremendously good track record for safety and that the maintenance is done, particularly in a third world country like Trinidad and Tobago.

We must ensure, however, that in a quest to get away from the tight regulations in the United States that we have in place and we monitor our standards and our rules and regulations to ensure that airlines that are registered here do not compromise on maintenance and therefore create problems of aircraft safety for us.

There is also the problem of those who might wish to register in jurisdictions such as this in an effort to get away from certain tough laws. We know of the old policy in the United States where aircraft coming into the United States found with drugs can have serious fines imposed on them and in circumstances the aircraft can be confiscated. International aircraft might find Barbados attractive because it might figure that those types of measures that the United States might use it would not be subject to here in Barbados.

The third issue is the issue of improved regulations. I would want to believe that whatever the international standards which regulate the amount of continuous flying hours that we would have a situation when aircraft are registered here that we will keep very strict standards that would not allow flight crew to go beyond what is reasonable or what is expected as reasonable flying time.

Sir, along with making Barbados attractive for the registration of aircraft comes certain linkages. For example, aircraft companies may decide that since they are going to base all of their airlines here they may want to establish a maintenance facility in Barbados to look after maintenance. This brings along with it not just revenue but also the opportunity for Barbadians to be involved in or to acquire skills in sophisticated areas of aircraft maintenance and in areas like avionics and these sorts of activity.

I think that the Government must be commended in its efforts to update the legislation to make Barbados more attractive. I think that the country as a whole will benefit from this amendment if it puts in place strategies that would target those people who would see advantages in registering their aircraft here.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I support this Bill to amend the Civil Aviation Act. However, there are a few queries that I would like to ask, listening carefully to the debate, regarding the attracting

of other aircraft. Have we enough space at the airport for this? Do we have the infrastructure for all of this? Do we have to start looking ahead and expanding our airport to accommodate all of these various aircraft that seem to be anticipated? Maybe I am speaking from ignorance and these aircraft will not be coming here.

If we are talking about maintaining aircraft here we would need to do quite a lot of training and have space for such technical matters to be done. I know that some aircraft are maintained here because I know one engineer who works and maintains aircraft here. If one is planning in the future to go into it on a large scale perhaps we need to look more at expanding our infrastructure.

I think we have to be very careful when we start registering aircraft here. I would like to ask if, for example, aircraft is registered in Barbados and drugs are found on it, does it affect Barbados? Does it throw an adverse light on Barbados? I really do not know.

If there are air crew regulations and they lapse and air crew can fly and work for excessive amount of time that affect their ability to perform, does it throw an adverse light on Barbados? These are questions that I am raising regarding the registration of aircraft and going into the expense to seek alternative business here in Barbados in this area.

4.10 p.m.

I would like to support the attempt to sign the 1948 Mortgage Convention because even though the U.K. has not signed it, the U.K. is different from Barbados. Barbados is a little 2 x 2 country which needs to sign these Conventions to show that it is serious so that if they do not adhere to the Convention they can be reported to the ILO and the ILO could step in *et cetera, et cetera*.

There are other Conventions I would like you to look at like the Nurses' Convention on Occupational Health while you are looking at the Aircraft Convention.

What concerned me was about these various crashes. Again, Mr. President, I am very ignorant, but a crash in 1992 and in 1997 it has not been resolved makes one feel a bit uncomfortable unless they have said that it is an unknown crash with no origin *et cetera*. I do not know what is the hold up. I do not know if one could try and speed these things up a bit so that one could have some form of resolution, however one goes about it.

There is nothing much more really I have to say other than I support the Bill.

SENATOR J. D. E. BOYCE: Mr. President, I want to add a few comments to this Bill before us. I know I keep

saying this, but I am not afraid to repeat it because repetition is good for the soul. I would have wished to have heard Senator Goddard first on this matter. I am going to ensure that when I am finished he will get up and speak, Sir, because Senator Goddard is the Minister closest to the action of this Bill. As Minister of International Business, he is the Minister closest to this Bill. Indeed, Sir, on reflection, he might have been the one to introduce the Bill to this Chamber.

I have no problem standing and commenting on matters of this sort in here. It must be done. We need, as was pointed out this morning during an earlier debate, to get information being provided in a complete manner before this Chamber when we are considering Resolutions or Bills of this nature. I say again that his work, when he is doing it, impacts mostly in this area, and he should have been rightly the Minister to introduce this Bill to the Senate this afternoon.

The Bill before us to deal with the mortgaging of aircraft or the right to register aircraft and to allow the register of mortgages for aircraft in Barbados has a number of implications for Barbados activity and Senators in varying degrees have touched on some of them.

What it has nothing to do with are the aircraft accidents which the Senator who introduced the Bill brought into the debate. It has nothing to do with that. It has to do with the opportunities to develop more international business opportunities for Barbados, whatever it is worth, and that is what we want to get at. What is the quantum result? What is the amount this Government will benefit by having an aircraft mortgage registry in Barbados.

We know by experience what the effect of the shipping registry has been. There are varying comments as to the success of them. We, with that experience, and I should say our Minister, because he is now a servant of the people of Barbados...

Aside.

SENATOR J. D. E. BOYCE: When you become a Minister of this country you are the highest servant in that Ministry. He is a member of the public service of this country. Our Minister has to account on a regular basis on what the activities are.

I am reading now, Sir, from the Annual Report for 1996, for the Central Bank of Barbados, and I am going to demonstrate why he should be accounting even more. This is page 7, Sir, and I am sure this is already a document of the Senate. It has to do with the number of licensed active companies in the international business sector.

What I find, Sir, is that almost to a sector there has been a decline, a tremendous turnaround in activity and there has been a replacement by inactivity in many of these sectors. There was a decline over 1994/95, in 1995/96 of 304 new international business companies in the period 1995-96 as against 348 in 1994-95 and the Democratic Labour Party had a lot to do with the development of international business companies in the 1994 period.

The Foreign Sales Corporation, Sir.

Mr. PRESIDENT: Senator, I am not persuaded this is relevant to the question of the Civil Aviation (Amendment) Bill.

SENATOR J. D. E. BOYCE: Sir, I am not going to attempt to change your...

Mr. PRESIDENT: No. I would like to be persuaded it is relevant.

SENATOR J. D. E. BOYCE: My point is, Sir, that we are dealing with a Bill which will allow Barbados to enter into opportunities for international business. I am talking about other areas of international business.

Mr. PRESIDENT: For the mortgaging of aircraft registered in Barbados. I am not sure when you go into international business companies and foreign sales corporations that you are actually on the point.

SENATOR J. D. E. BOYCE: The only point I would want to make, Sir, at this time is that this provides an opportunity for more offshore business. That is, in fact, what it is about because there is not going to be any presence of more aircraft necessarily because of this legislation.

Senator Welch needs not worry about his house in Pilgrim Road and the need to use the land in that area. It does not have by itself then, Sir, to cause any increase of activities in this area. It is, if you want to use the term, Sir, a flag of convenience. It can help some of the effects which Senator Welch did refer to like the offshoot associations that might occur. I agree we need to guard ourselves in respect of these kinds of relationships when the opportunity comes for aircraft to either circumvent, or move around legislation or rules that might be set by other regulatory bodies like the FAA in their activities.

Sir, as I read through the Bill, I must admit I read it predominantly this afternoon as the Bill was being introduced because I preferred to deal with it then. If we look at section 2(f), for instance, it confers on the court in

Barbados the right in respect of registering it. Indeed it would mean we now have to look for the provision of adequate personnel in the country because we do not want to be continually having to seek to import technicians, and I mean technicians in the very widest sense. We would need to have our attorneys and our arbiters or judges *et cetera* trained in these areas.

Of course, this brings to mind the very worrying question of caps in training as we have been hearing over the last couple of weeks where the Minister of Education and the University of the West Indies cannot seem to agree on who is setting the limits on the number of medical students.

Mr. PRESIDENT: Senator Boyce, you are ranging widely.

SENATOR J. D. E. BOYCE: Similarly, Sir, we will need to provide for legal training for your young people to get involved in work of this nature. We will need to provide the legal training at our universities and colleges for our young people to get involved at an early age in this kind of activity.

Sir, we have talked about the fact that this legislation has been a little bit long in coming but we are not going to cast blame for it on any Member on that side or this side. The point is that things come about in the natural evolution of business.
4.20 p.m.

Indeed, the only point we would want to register is that we need to hasten our activity in terms of this kind of legislation and other kinds of legislation as it relates to the Trust Companies and the incident of Hong Kong is not lost in this debate either, Sir, because with the change of administration in Hong Kong where Hong Kong has now reverted to Chinese rule there is no question that the free marketeers who have operated in Hong Kong for the last 150 years will at some time in the future come to odd with the more traditional administration of the Chinese and the Government in Beijing. I, without any exposure to international law or foreign affairs to any larger extent than the daily newspaper, can anticipate that even as I hear the addresses today. I say there will be opportunities there where there will be some measure of migration or movement that we can grasp a couple of these opportunities as they do occur.

We need therefore, Sir, to get our house in readiness but to do so with all the caution of good Barbadian sense and make sure that when this is done that it is for the continued and sustainable development of Barbados and it will not result in any sort of tarnish on this good name of Barbados that we are trying to maintain in the Caribbean.

I thank you, Sir.

SENATOR THE HON. P. C. GODDARD: Mr. President, I rise to speak on this measure and I am minded of the admonition that one should not try to teach their grandmother to suck eggs.

In large measure the comments made about this Bill and its relation to the offshore financial services business is very accurate. This measure will add to the portfolio of the international financial services and it will add substantially though it will not add a great number of jobs, I will expect that the revenue streams would be significant. When one considers today that a 747 Whispers runs about \$150 million and that a smaller wide bodied aircraft will run about \$60 million with the 777 running about \$100 million, you get into several billions of dollars very, very quickly.

In fact, I recalled flying over an airport, which was not one of the largest ones and just as a casual, arithmetical exercise I totalled up the capital lying around the parking apron on this medium sized municipal airport and came up with a figure of about \$4.5 billion.

The world's airline fleet is expanding at a phenomenal rate, the back orders for both air space and Aerospecial and for Boeing are staggering. The aircraft leasing companies at which this legislation is aimed are the ones that buy the aircraft and then lease them to the operators who are the airlines.

Listening to some of the discussion here, I think that it was very clear that there is a lack of appreciation of the mechanism in which aircraft are bought, leased and operated and where the different authorities lie within those different channels. In other words we were talking at one point about who would be liable if narcotics were found on an aircraft. Very clear, the airline, the operator, the airline operating it is the one that is liable. The aircraft would be leased to the airline by the owners of that aircraft. The ownership of that aircraft could be very complex or it could be a single ownership. It could be a consortium or it could be a single entity.

The benefits now to locating in Barbados because of our tax structure, because of our support systems and because of this piece of legislation will now make a lot of sense for international investors. It brings to mind that there is going to be a need for expertise in this archaic area of the law and in financing. We are talking about people having to develop specialised legal expertise as well as specialised accounting and tax expertise. The jobs that will

be added in this area are going to be high valued jobs. As we all know, when these area of activity operate, there are also support functions that are necessary, expanded office space, computer support systems and expanded telecommunications. The ripple effect of this job creation will bring quite an expansion through the area.

This is a very, very important piece of legislation. I would point out that it does not mean that aircraft will have to be domiciled here and we will not need any additional parking space at the airport. It is something that an aircraft operating out of Moscow could be leased from a company in Barbados and an aircraft domiciled in Moscow flying to Ukraine and back, it is that sort of an arrangement.

Though the speeches relating to this did range wide and so on, I will report on the general state of the offshore financial services to state that in the last two and a half years as many companies were formed as were formed in the previous ten years. It would appear that there has been an expansion of the business. However, let me say that that is a very simplistic way of looking at it and one cannot just count numbers of companies. It is the value of those companies and the job creation that each one of those companies provide that is very important.

I will admit to you right now that the statistical data on this is woefully inadequate and the Ministry is engaged with the statistical department in developing a questionnaire and a statistical system that will collate meaningful data about the offshore financial services in terms of its generation of income, foreign exchange earning, its impact on the hospitality industry in Barbados as well as job creation.

I will say that this is a very complex issue because it touches so many areas of Barbados' business. I have no doubt that this Bill will go a long way to add substantially to the international business that we will be doing in Barbados and I commend it to this Chamber, Sir.

Thank you.

SENATOR THE HON. G. S. H. MURRAY: 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. G. S. H. MURRAY the Senate resolved itself into Committee on the Bill, SENATOR THE HON. Miss O. P. SYMMONDS in the Chair.
4.30 p.m.

COMMITTEE

Madam CHAIRMAN: The Senate is now in Committee.

Clause 1 was called.

SENATOR THE HON. G. S. H. MURRAY: Madam Chairman, as I move the passing of Clause 1, I would like to point out that where it says 18A (1) there was an amendment to this subsection moved in the Lower Chamber and I beg to move that that section now really says:

"The Minister may by Order make provision for the mortgaging of aircraft registered in Barbados or capable of being so registered," and it now be amended to read:

"The Minister may by order make provision for the registration of mortgages of aircraft registered in Barbados or capable of being so registered".

The question was put to the Senate and agreed to.

Clause 2 was called and passed.

On the motion of SENATOR THE HON. G. S. H. MURRAY, Madam CHAIRMAN reported to Mr. PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. G. S. H. MURRAY the Bill was read a third time and passed and cited as the Civil Aviation (Amendment) Act, 1997.

ADJOURNMENT

SENATOR THE HON. G. S. H. MURRAY: Mr. President, having completed today's business, I beg to move that this Senate now adjourn *sine die*.

The question was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.
4.40 p.m.

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