
THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1994 – 99

THE SENATE

Wednesday, July 30, 1997

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, July 30, 1997, at 11.20 a.m.

PRESENT

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

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

Senator the Honourable R. R. FARLEY (Minister of Industry, Commerce and Business Development) (Leader of the Senate)

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)

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 Miss J. C. ODLE

Senator N. A. LYNCH

Senator N. P. WELCH

Senator J. A. WORKMAN

Senator Mrs. P. E. RICKINSON

Senator S. P. BERNSTEIN

Senator C. K. LAURIE

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

Senator Mrs. V. J. DAVIS

Senator J. D. E. BOYCE

Prayers were led by Senator the Venerable Archdeacon J. L. Springer.

Mr. PRESIDENT: The Senate is in session.

SUSPENSION OF SITTING

SENATOR THE HON. R. R. FARLEY: Mr. Chairman, I beg to move that this Sitting do now suspend until 12.00 noon, due to technical difficulties.

The question that the Sitting do now suspend until 12.00 noon was put to the Senate and agreed to. Mr. PRESIDENT suspended the Sitting accordingly.

RESUMPTION

Mr. PRESIDENT: The Sitting is resumed.

SENATOR J. D. E. BOYCE: Mr. President, I make apologies for Senator Thompson who is absent, Sir, because of illness. She had surgery recently, Sir.

PRESENTATION OF PAPERS

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move the following documents be laid before this Honourable Senate.

1. Report of The National Task Force on Crime Prevention.
2. The Barbados Water Authority (Water and Sewerage Rates) (Amendment) Regulations, 1997.
3. White Paper on Housing.
4. Financial Administration and Audit (Amendment) Rules, 1997.

5. Duties, Taxes and Other Payments (Exemption) (No. 9) Order, 1997.
6. Duties, Taxes and Other Payments (Exemption) (No. 12) Order, 1997.
7. Barbados Port Authority (Tariff Book of Dues and Charges) (Amendment) Order, 1997.
8. Habitat II – The Barbados National Report and Plan of Action.
9. Caribbean/United States Summit – Bridgetown Declaration of Principles and Plans of Action.
10. Memorandum of Understanding between The Government of Barbados and The Government of the United States of America for Cooperation in Preventing and Combating Criminal Activities, including Illicit Traffic in Narcotic Drugs and Psychotropic Substances.
11. Agreement between the Government of the United States of America and The Government of Barbados Concerning Cooperation in Suppressing the Illicit Maritime Drug Trafficking.
12. The Customs Duties (Dumping and Subsidies) (Amendment) Order, 1997.

SUSPENSION OF STANDING ORDERS

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that Standing Order No.45(2) be suspended for the remainder of this Sitting.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS

SENATOR THE HON. R. R. FARLEY: I rise to move the first reading of the following:

1. Bill to amend the Public Documents (Exemption from Diplomatic or Consular Legalisation) Act, Cap. 122.
2. Bill to amend the Paramedical Professions Act, Cap. 372C.
3. The Limitations of Actions Bill, 1997.
4. The Urban Development Commission Bill, 1997.

I beg to move, Sir, that these Bills be read the first time.

The question was put to the Senate and agreed to.

PUBLIC BUSINESS

Mr. PRESIDENT: Public Business is the order of the day.

ORDER NO. 1 – BILL TO AMEND THE PUBLIC DOCUMENTS (EXEMPTION FROM DIPLOMATIC OR CONSULAR LEGALISATION) ACT, CAP. 122

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move this amendment to this Bill which will make provision for the more expeditious issue of certificates under the relevant legislation.

This matter, Sir, takes its root in the 1961 Hague Convention which concerns the movements and verification of the authenticity of certain documents which are passed between sovereign states.

In 1961, Sir, at that particular Convention it was decided that an effort will be made to abolish the requirement of diplomatic or consular legalisation for certain foreign public documents. And basically what they were seeking too, Sir, is to remove the provision whereby documents had to be authenticated by the embassy and its officers as proof that they were in fact true and proper documents.

So, for example, if a document concerning the registration of a company or some other matter of that nature were to be passed from Barbados to the United Kingdom, then in order for that document to be accepted as being legitimate prior to the Convention would require the issuing of a diplomatic note and other similar formal actions, and that occurred across the United States.

Therefore, in 1961 the original signatories to the Convention, Sir, were Germany, Austria, France, Greece, Luxembourg, Switzerland, Yugoslavia and the United Kingdom. Barbados being a dependent territory of the United Kingdom at that time, was joined to the particular action in 1965. Under that Act, Sir, provision is also made for there to be other persons who are designated as competent authorities to confirm the authenticity of particular documents. So that all documents would not have to go through, either the Ministry of Foreign Affairs or the Diplomats resident in other countries.

Barbados has never taken the action to give full effect to identifying additional officers and offices which can be used to certify the legalisation. As a result, Sir,

the amendment before us seeks to give effect to that original intention which is bound up in one of the articles of the Hague Convention of the 5th of October 1961.

What is being proposed therefore, Sir, by way of amendment is for the creation of additional schedules. The original Bill contained merely one or two schedules, one schedule being the Convention, the second schedule were the countries who were original signatories. The amendment we are proposing today, makes provision for a third schedule as well as a fourth schedule and the consequential renumbering.

The third schedule stipulates persons who may issue certificates as proof of authenticity of public documents arising out of Barbados in accordance with Article 2 of the Convention and those persons so named are:

Solicitor General

Deputy Solicitor General

Registrar of the Supreme Court

Registrar of Corporate Affairs

Permanent Secretary, Ministry of Foreign Affairs

Chief of Protocol.

The opportunity was taken as well for a fee to be attached to the issue of such certificates. The fee as described in the fourth schedule is \$50 per certificate. As indicated earlier, the Certificate is in a fixed and prescribed format according to the Act and basically swears to the authenticity of the document and if given under the hand of an officer named in the third schedule, becomes accepted by a second or third country as being the real thing.

So, this amendment is just to give effect to one of the provisions of the 1965 Public Documents (Exemption from Diplomatic or Consular Legalisation) Act, and I beg to move, Sir, that this Bill be now read a second time.

Mr. PRESIDENT: Senator Boyce.

SENATOR J. D. E. BOYCE: Mr. President, there is not much contention in this Bill, Sir, but I could not help but note during the presentation by the Honourable Senator who just sat down, when he pointed out that history will reveal that the origins of all this requirement lay in the groundwork of the immediate post independence year when Barbados moved away from being a dependent territory of the U.K., but became an independent territory, Sir. Because of the potential, because, indeed, the evidence before us

sometimes refute the verbal demonstration or orchestrations that the offshore sector or the foreign based corporations are on the increase in Barbados and some of the evidence does not point to any large increase, it points more to a need for us to make changes similar to these so as to facilitate a smoother transfer of business between these international business companies and their offshoots who potentially might be set up in Barbados.

12.15 p.m.

So it is a Bill which will allow, as the Senate Leader has indicated, for a much quicker transaction of this sort of business. It brings to mind the whole question of public documentation and who authenticates public documentation. It all begins there even at the level of the passport in the case of the Barbadian, and in the case of the business people, we are talking about affidavits, even affidavits within Barbados, as things develop.

There is always contention in Barbados about the fact that the Justices of the Peace as appointed by successive governments, who in the main – and there has been a public complaint – tend too much to be political appointments. We have just seen paraded across the newspapers again another set of Justices of the Peace who carry this same distinction. I will use the word being put into my mouth from over yonder.

Sir, it brings me, too, to the question of the professionals that are included in the list of persons who can authenticate these public documents – priests, lawyers and Members of Parliament. I say that very carefully, because some documents do not allow members of the Senate who are, to my knowledge, Members of the Parliament to sign. I get the impression that people are not certain whether Senators who are appointed rather than elected as parliamentarians do indeed have the right to sign these public documents.

Sir, it brings me, too, to a discussion which I have often had in my own engineering profession where we have addressed this question time and again and asked why the distinction in profession and why do we set up the priests or the lawyer as being – I want to be careful not to cast any kind of aspersions on Honourable Senators. Why do we need to have this distinction between professions and not include all professions – engineers, economists, journalists? These kinds of persons who are in their own right citizens of high repute and can be easily attested for.

I think the time has come when we in Barbados and as the Barbados Labour Party continues to sift through the legislation which we left to be updated and brought to the House... Some must be dumped, you will not be able to use all of it but the one that is not dumped and the useful ones like this one which we had been working on and in

some cases successive governments have been working on for a number of years. Drafting legislation is not an easy task and I am beginning to appreciate it more and more.

We need to have our draftsmen and our policy makers start looking at widening the whole scope from which we draw our references and not afraid to challenge new ground, to strike out in new areas. I want to make a call for consideration to be given to include more professionals, and nurses, indeed, and use the criteria of citizens of appropriate repute rather than the criteria which we are essentially borrowing from the days of old which we are striving not so much as to forget but to allow to recede gracefully into the annals of our history and to become records.

With those few comments I am appreciative to you.

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

The question was put and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, His Honour SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 to 4 were called and passed.

The Third Schedule was called and passed.

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

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

The question was put and agreed to.
12.25 p.m.

ORDER NO. 2 – THE PARAMEDICAL PROFESSIONS (AMENDMENT) BILL, 1997

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the amendment to this Act, the Paramedical Professions Act. The intent of this amendment before us is to amend the First Schedule to make provision for inserting some additional professions into the list of

paramedical professions. There are currently in the Act some 9 professions which are identified and an additional 13 are being proposed for inclusion.

Now, Sir, it is well recognised that over the years the entire concept of the practice of medicine has gone through a number of changes and that in recent times the number of persons and number of skills that are considered necessary to be part of a total health team both for preventative as well as curative care has been expanded.

Our action today, Sir, will make provision for a wider range of persons to come under the appropriate regulation and control in order to ensure that the ultimate beneficiaries, those are, the general public of Barbados and any visitors to our shores, will be adequately protected.

The principal function of these various Acts for registration of professionals particularly in this case health professions such as the Medical Practitioners Act, the Dental Practitioners Act and the Paramedical Professions Act are really designed to ensure there is an adequate system for the registration of qualified persons. It makes provision for the identification of what qualifications would be appropriate, the principle there being ensuring that persons who purport to be in possession of certain curative and preventive health skills are, in fact, in possession of those skills.

Those pieces of legislation also seek to set up a framework for the discipline within the profession to ensure that the obligations of the practitioner are clearly spelt out and to ensure that in all cases there is a programme of remedies for any clients who believe they have gotten service which is not of the highest professional standards, so that there is in the legislation for these medical professionals provision for complaints to be made and a complaint handling procedure.

The amendment which is being proposed, Sir, like I said, merely adds to the list of existing paramedical professions. I would want to ensure that we understand the context in which those additional professionals would be added and to reiterate some of the provisions of the Paramedical Professions Act, Cap. 372C to ensure that everyone is quite clear on the framework within which these professionals would be added to the list.

First of all, Sir, the Paramedical Professions Act speaks to the methodology and the process for registration. In order for any of the 9 persons who are originally in the Schedule to the Act, or the additional 13 persons who are to be added to practise in Barbados as a paramedical in the various fields, they need to be registered on an annual basis with the Registrar of the Supreme Court and be issued with a practising certificate. Penalties are attached to

those persons who attempt to practise under one or other of the relevant names.

This is very important, Sir, because what it means is that in the same way for persons who require specific registration right now like in the case of the Medical Practitioners Act where a person claiming to be a medical doctor must be registered on an annual basis, in the case of the Paramedical Professions Act currently a person who purports to be a chiropractor, laboratory technician, optometrist, clinical psychologist and so on, must be persons registered under the relevant Act.

It means that these persons included today, Sir, in the areas listed in the Bill will also need to be registered and be in possession of a practising certificate from the Registrar of the Supreme Court. But they are only able to do that if they meet specific criteria as established by the professional body established under the Act for the regulation and control of the paramedical professions. As in the case with the Bar, medicine and dentistry, there is a Council. The Council is able to set the level of professional or academic qualifications, the relevant experience and the like which would qualify one for registration. That is very much clearly spelt out.

Now, Sir, the Act also makes provision for a list to be published on an annual basis. The Act requires that in February of every year the Registrar shall publish in the Official Gazette a list of persons who are registered to practice in the relevant professional areas. So that with the passage of this amendment the list of professions which one can expect to see listed with professionals, their names, addresses and relevant information published would include things like persons practising dietetics, nutrition, cardiac technology, speech language, pathology, reflexology, osteopathy and so on so, that the public is able to look at that list and determine who are the persons in Barbados that are fit and proper to provide these paramedical services in the country of Barbados.

There is provision for disciplinary proceedings where, for example, a paramedical practitioner is convicted of an indictable offence, whether that offence is in Barbados or out of Barbados, or where that person is alleged to have committed professional misconduct and you know this is one of the big areas of concern within the entire health care industry, the matter of professional misconduct among some members of the various professions. The Act does provide protection for Barbadians by having a structure in place to handle complaints from the public and for imposing discipline by way of suspension of licence while a hearing is being held. It makes for the revocation of licences to a paramedical practitioner who is found

guilty of any of those offences after, of course, having due process.

Sir, I should also add, that the Act makes provision for regulations to be made by the Minister of Health in consultation with the Paramedical Council to continue to monitor and control the profession, for example, continuing to prescribe and update the qualifications for admission to the paramedical professions, prescribing a course of training which is relevant to the particular profession, identifying the nature of the services that are to be rendered by the paramedical professionals, and this is very important because, unfortunately, in some of the professions you will have persons who are qualified in a particular area related to the broader areas but those qualifications are specific, but then sometimes they hold themselves out as being capable of delivering services in related areas but areas in which they are not specifically qualified and not specifically entitled to provide.

12.35 p.m.

Indeed one of the areas which is a lot clearer here and one which has been the subject of some misuse over time is this matter of psychologist. Because whereas previously only clinical psychologist was identified as a paramedical profession which required one to register, you would often hear persons in the media or elsewhere being identified as a psychologist.

However, the additions to the paramedicals include a category for 'educational psychology and counselling' psychology and in order for persons to represent themselves as being in those latter two categories, then they have to meet the specific criteria. What this does really is to make sure that persons who purport to be able to provide counselling or provide educational psychological services would not just be persons who believe they can do it but they have satisfied their peers in the form of the Paramedical Council and that they are in fact qualified to do it in a way that clinical psychologists have for several years had to do in order to be able to say that they are practising in a particular area. The capacity to make regulations and to amend those regulations is certainly very much there.

We are satisfied, Sir, that these amendments that are being proposed will broaden the range of paramedical professions which are available to the public on the one hand but also given that many of them are out there and they are available without any controls or obligations other than a direct contractual relationship between provider of services and persons procuring those services under the new dispensation, persons who are providing services in any of the listed areas would have obligations to their clients and the clients, would, more importantly, have recourse in the event of their belief that there is any malpractice or any of the issues.

The list indeed, Sir, is pretty extensive and reflects some of the new thinking and some recognition of the role of some old practices but which, as in the case of acupuncture, for example, have never quite been fully recognised in some parts of the Western Hemisphere. But there are really older in the eastern world than our conventional western medicine but now it is a profession where one can register and control as well. Recognising the importance of the chemistry of food and its relation to disease, the matter of nutrition is also one where placed under the Paramedical Professions Act, one cannot loosely call oneself a nutritionist but again you have to be appropriately qualified. The matter of nuclear medicine is now being brought under the Paramedical Professions Act, reflexology etc. The list goes on and on.

I commend this amendment to the Honourable Senate, Sir, and stand firm in the view that this will add to the level of health care which is available by insuring that persons who purport to offer paramedical services in the listed areas are brought under the appropriate control which would ensure that only suitably qualified and experienced persons are able to practice and that the general public has recourse first of all by having the means to certify that these people are indeed what they say they are but also that they have recourse in the event of some problems arising.

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

SENATOR THE VENERABLE ARCHDEACON J. L. SPRINGER: Mr. President, I rise to give support to the Bill. Just to say a few words. I understand from what the Honourable Leader of the Senate has said that there is much usefulness in what is being proposed in this Bill. For example, identifying the level of certification which is very important, providing the opportunity for the control of the activities of these paramedics and thirdly, the protection of the clients when once these fields have been recognised. I think that all of this is very important. I think, however, that we need to go a bit further and identify the opportunities for study of the various fields that are being included in this list.

The impression that I am getting, probably wrong, Sir, that what we are doing is we are talking about using the skills and the expertise of persons who have found their training wherever and elsewhere. I am making a plea for us to go beyond that and provide the opportunities for training persons in these fields. I do not know how many of them are already available but we can only hope to replenish the supply of persons if we provide the opportunities for them to study. Of course, going hand in hand with opportunities to study must be the finances provided to help those persons who could well be quite expert in their field if the opportunities are offered.

Sir, I hope we will meanwhile encourage and I think that this legislation is likely to do this, to encourage those who already have the skill to come to our shores. I mention one particular field mentioned here on page 2, paragraph 15 – chiropody and podiatry – I think podiatry is the more recent name. Chiropody is an ancient study. Indeed, Sir, you will recall that Christopher Codrington had hoped that the students at Codrington College would not only study theology but chiropody as well so that feet must have been very important to persons living as long ago as that. I do not know what connection the Lord himself had with the art because he got involved in feet washing and it was regarded as being very important, physically as well as spiritually. I mentioned chiropody because I have learnt over the years that a number of persons in this country and probably elsewhere have been losing their legs particularly diabetics unnecessarily because of improper care of feet. I would like to know that something is done about this to ensure that by protection of the feet of these persons that they would not be losing their legs. It is the most unfortunate thing to go into a hospital ward or at a home and see usually, it seems to be they are usually women, unfortunately with no legs at all. Some of them die of a broken heart because they cannot take it.

12.45 p.m.

I would like, Sir, finally to note that the field of chiropody is regarded as a highly specialised field in North America. In fact I know of an outstanding Barbadian in Canada who is in the field, is not a medical doctor but is regarded and referred to as the foot doctor. I am glad to see that we are giving greater status to these areas of paramedics. I support the legislation, Sir.

SENATOR Miss J. C. ODLE: Mr. President, when I got this piece of legislation, I was absolutely elated that at long last areas such as the ones in this Bill have finally come before these Chambers in a way that can only benefit the entire populace of Barbados as a whole.

I myself am particularly happy because I have been one of those who has benefitted from what I call alternative medicines. When I looked here and I saw acupuncture my heart soared because areas such as these, chiropody, acupuncture, reflexology, chiropractic treatments and so on, previously were not recognised and therefore one could not claim those on their insurance benefits if you had medical insurance. So, many persons who would have wanted to do this were a bit sceptical because they figured, well if it is not recognised maybe it will not do me any good. I am very happy that today these have been added to the list of the paramedical profession. I would want to commend it to all other Senators here.

I look at the area of orthoptics, when one has a squint. There are certain areas where, when you had

such things done it was considered cosmetic only and not really beneficial to your health, that and the whole question of contact lenses as it deals with the eyes and in this day and age it is more than cosmetic, Mr. President, it really goes to improving and enhancing the individual totally not only in the physical sense but emotionally.

Again a lot of these things I like to make reference to and I am not going to bare my bosom as we say, in this Chamber, but a lot of this speaks to the development that I myself have made as an individual because I am always very cautious to speak of things when I can attest to their benefit. I speak of the contact lenses and so on, the whole question of self-esteem which, Mr. President, in this day and age when we realise that there are a lot of young people particularly, who have very low self-esteem and certain things, even as listed in here, could go to help make them feel better and look better and therefore act as better persons in this civil society.

Mr. President, the whole question of training as was approached by another Senator is absolutely vital because even though I absolutely support all of these alternative medical practices there are individuals whom I have heard persons lodge complaints that the treatment they received did more harm than good and so it is very relevant that this Act will give permission for persons to be registered to ensure that their methods of training are appropriate and necessary and current because it is no good doing a training now and 20 years later you are still doing the same things and have not upgraded your skills because time moves on and technology improves. Things change, although one thing that never changes and is still very beneficial is the whole question of "herbology" and the whole question of essential oils and things that we take from nature and develop. Even that is an area which I think, according to Senator, Archdeacon Springer, is an area where people would really want to make sure you do adequate and proper training.

Mr. President, I would want to go on and touch on an area which is again relevant to me. It is one that deals with the actual beautification of people but in real terms, in the modern day sense, deals with the person's emotional development. I am talking about cosmetologists, hairdressers, beauty therapists, masseuses, people who deal on contact with people and more often than not are using chemicals etc. which can be hazardous.

Mr. President, I raised this, not to prevent persons from entering a profession but to ensure that their training is adequate and, Mr. President, I call today for a reintroduction of the registration of beauty care professionals who by extension offer some health services, massage, beauty facials, and the list goes on and on. But as the years have gone by I have noticed an upsurge in

persons in these professions that I just mentioned and I would not want for one moment to say that they are not adequately qualified but as most of us walk the length and breadth of this country we can see people with what we call eat out hair.

Those of you who come in close contact will see sometimes swellings in the neck, you will see people with rashes and allergies. Mr. President, at one time it was necessary for persons in these professions to register and to pay a fee but at the time, being an outstanding member of the society, and seeing that I like to follow and not break the law, when I went in to register and pay the \$100 fee they did not even have me on the register and I had been then paying it for some 8 years. This is many, many years ago, under, I believe, a different administration. However I would want to see an introduction of that again so that all hairdressers, and hairdressers nowadays are called cosmetologists, they are beauty therapists, they are masseuses, etc. so that not only the public but they themselves understand the real importance of adequate and proper training particularly in this day and age when contact with persons can either cause you to get diseases which can be fatal to your health or you, if you are not practising healthy methods within your profession, could transmit diseases to other individuals, and I speak of AIDS because those of us who work in cosmetology know we deal with scissors, we deal with razors, etc.

Now at the moment we have to register with the health authorities and every year it is a renewable thing but I am not satisfied with the methods and I have raised this already with the inspector that comes to my work place, with the methods of checking. He is more concerned with whether, and I say he, it may be a she, he is only the messenger, he did not develop the message. He is more concerned with whether the counters are lined with paper where you store your products and what basket you use to transport towels from the washer if you have one, or whether indeed you are even using the towels on more than one person, what sanitation is available and that is vital. I must give them credence for that because they do check on that.

Mr. President, I am not satisfied that they go the length and the breadth of this country to look at all establishments that offer these sorts of services. It is okay to come at my work place. I am not looking for any advertising so I would not call the name of the place. Everyone of my staff are registered and renewed each January and we make sure that everything as required is in place.

There are hundreds of thousands of persons practising this same profession and I am not satisfied that they go

to all those whether it be a one-door, 2-chair, 10-chair or 50-chair establishment. So I would want to urge that registration of persons in the professions that I have mentioned before again takes place.

I agree that we must pay a fee because I do not believe that there are any freenesses in life and if you want to have certain measures and certain quality of service offered you have got to pay for it just as you have to pay for certain levels of education if you really want to advance yourself.

Mr. President, I may have strayed slightly but that too refers to health and Senator Rickinson will tell you, Mr. President, when sometimes persons who use unsanitary implements or use chemicals and they infect the body, those persons then have to pay high doctor bills in order to redress some of those problems.

Some may say that I am leaving myself wide open for this but I am prepared to stand by the words that I make. Twenty years is a long time in any profession and I have come out unscathed and there are a lot of people who would want to say if you are registered then of course you could be liable but those who are not registered can do all kinds of things and get away with it.

Mr. President, I am concerned that any profession, whatever it is, and Senator Boyce mentioned this too, that all professions be treated equally in terms of recognition. I am not recommending that everybody gets to sign as some former Senator mentioned but that all professions, if we are talking about professionals whether it be a carpenter, whether it be a cosmetologist, an engineer, an attorney, whatever, you have to approach it in a very positive professional way and that would also include making sure that the health aspect which is the issue that is before us, the paramedical issue, is also taken into consideration.

Mr. President, with those few words I would really want to say that I am elated because I know now I can claim some of these things on my medical insurance and continue to enjoy optimum health so that I can live to a ripe old age. Thank you, Mr. President.
12.55 p.m.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President.

Mr. President, I rise to support the amendment to the Paramedical Professions Act. I would like to congratulate the Government in bringing this important and essential piece of legislation which confers responsibility to professionals, trained, educated and who will be registered in particular areas of speciality.

Mr. President, the Paramedical Professions Act and the amendment are similar to all the other professionals' Acts apart from the wording of the various specialities. In other words, it is similar to the Medical Professions Act, it is similar to the Nurses and Midwives Act and the Veterinaries Act and the Dental Act. By virtue of this Act, provision is made for councils to regulate the training, education, practice and registration of the various persons concerned and this is where the Act becomes very important.

Although it is not said in the Act, there is a social contract which each profession has between the society and the profession itself, and under its terms, the society will grant the professions authority to oversee its functions and it gives them a considerable amount of autonomy to conduct their own affairs.

In return, society expects the highest calibre of professional conduct. It also trusts the individuals which are registered under these Acts. In other words, Mr. President, these various paraprofessionals and nurses as well, are expected to self-regulate themselves and this is acceptable and this is how it should be.

In order to self-regulate themselves, the Government appoints a few people to the Council and the professionals themselves are asked to nominate certain persons to sit on the Council. Mr. President, these persons who sit on the Councils, the Paramedical Professions, the Nurses and the Doctors Councils are supposed to look at the conduct if there is a complaint made about any of these professions. I have mentioned it here before and I will mention it again.

England has found a transparent way of electing persons to sit on these councils. In that, what they have done, they have made provision for two-thirds of the persons on the Council to be elected by their peers, and the other one-third to be elected by the Ministry of Health.

Mr. President, this is laudable because when people are hand picked to sit on a council they can hijack the profession. Unfortunately, this is what I have been seeing in nursing and I am very disturbed about it and I sincerely hope the same thing does not happen to the paramedical profession. People are virtually hand picked by the associations to sit on the Council and do virtually nothing. In other words, they do not carry out the social contract.

Each Council, Mr. President, is supposed to have regulations, standards of conduct and a code of ethics that should be followed. This is very important now and for the next century. What I would like to see, Mr. President, is not the Paramedical Council, the Nursing Council, the Veterinary Council, the Dental Council, *et cetera*, get together and develop a special code of ethics for the

health professions, so that some of the complaints we have been hearing in the call-in programme will be dealt with.

Mr. President, like all professions, we have good and we have bad. Those persons who are not honouring the profession, be it the paramedical or the nursing or the dental or the medical professions need help, and the help should be given from the various Councils concerned.

I feel very strongly that this is an area in which all the Councils could get together and directly look at a code of ethics that could be practised and, as we are talking about a bill of rights, the medical profession did meet and suggest one. I think perhaps we can get back to that so that all the professions could look at a bill of rights for the patients and come up with a standard bill of rights, so that we all will know where we are going and what we should and should not do.

Mr. President, after one has been registered according to these various persons, nurses and doctors, the registration is renewed annually. There have been calls for life registers and continuing education and I support that. But, we have to be careful as well, Mr. President, we need to try and set in motion avenues or places whereby people have access to the various continuing education programmes before the legislation has been changed.

The doctors themselves have the university and they have their various continuing education programmes. Nurses and the paramedical professions themselves have not been able to keep pace with this, and I think it is time that all the various professions start setting up continuing education programmes so that persons who were trained in 1955 would not keep doing the same things in 1995 and 2005. In England, what they have done is that 5 days education for 3 years was made mandatory for nurses. After about 10 years they make provision for continuing education for various persons so that people have access to education. They have done it in such a way that, for example, if I am in the Senate my continuing education could be in parliamentary procedure or in seminars. If a person is in law, the continuing education could be in law, but if you are practising, whatever practice you are doing, be it nutrition, dietetics or what, one must be exposed to continuing education every 5 years or at least every 3 years. That is not calling for very much.
1.05 p.m.

I would like to call for the various professions to try and see if they cannot put courses in place so that they can have continuing education.

Mr. President, one thing that is needed is education of the public. For all of these paramedic professions and

especially for nursing the public is not really aware that these professions and nurses must register every year. If they are unprofessional or if they violate the law they can be censored or they can be struck off the register for not more than 2 years after an investigation. It is set out very clearly in all of the Acts what process can be followed.

I think what we need is to educate the public. Instead of calling on the call-in programmes or writing in the newspapers, they should write to the various Councils concerned about any complaint that they have for any of these professions, be it nursing, psychology or whatever.

Mr. President, what I would like to see added to the Nurses Act in addition to this Paramedical Professions Act is specialisation in nursing. There are various areas of specialties. Nurses are running the kidney unit, they are doing surgical intensive care. They are there 24 hours and they are accepting quite a lot of responsibility. They are really acting in the Accident and Emergency, operating room techniques and working in these specialist areas without adequate specialisation. Mr. President, the Barbados Labour Party's manifesto has promised that it would get involved in specialised education for the nurses and I would like to see this done in this area because specialisation is greatly needed. The doctors have gone ahead and specialised. When I first came here there were only about 4 doctors at the hospital...

Mr. PRESIDENT: Senator, I am not sure that the working conditions of nurses and the degree of specialisation in that profession has any particular relevance to what we are discussing.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President. Maybe I did not put it properly. What the Bill has done is to divide the areas of health into different specialties like chiropody, nuclear medicine – there is nuclear medicine in nursing – counselling, psychology, educational psychology, acupuncture, orthopaedics, osteopathy, reflexology, chiropractics. Some of these are not the same in nursing but what I would like to see in health is something parallel to this in nursing so that we can register the various specialties just as these specialties are registered under the Paramedical Professions Act.

What I feel should be done is that after the rationalisation study in health is completed to take another look not only at the paramedical profession but at the completion of the rationalisation study to see what areas of specialisation we need. We might find that we need some more areas of specialisation in the area of the paramedical professions and in nursing as well. I would like to see that happen quite soon.

Mr. President, as a point of clarification. Mention was made about amputations and this relates to chiropody, the study and care of the foot, including its normal structure, its diseases and its treatment, which is laudable. We need this simply because of the high rate of diabetes mellitus in Barbados.

These persons by themselves cannot do it all by themselves. The Barbados Diabetics Association is doing an excellent job but what we also need to prevent the amputation is education of the public, education via the electronic and print media and whenever persons go to the polyclinic, because the chiropodist can see only so many people and there are not many chiropodists in Barbados. There are only a few. We will need some more to be trained so that persons can help to look after their needs.

Maybe we need to start treating the care of the feet much earlier because if one has diabetes one is not supposed to walk barefooted and one is supposed to wear a special type of shoes so that one would not harm one's foot and end up with an amputation.

Mr. President, another area is counselling psychology. I am very glad that this has been added to the list because there are many people who have set themselves up and called themselves counsellors and I think they are doing more harm than good. They get on different programmes and they really do not know how to counsel. This is one area that needs to be properly policed. I myself was trained in counselling; but I do not do it, simply because it is a highly specialised field.

There are some persons who feel that counselling is telling people what to do and that is what it is not. It is mainly listening and interjecting at special times.

I would therefore like to see whoever is going to police this Act and I am not sure who at the moment because some of these areas are so new that it would take a little time for the Associations to form and start making public statements about who is entitled to do what. Counselling itself, in particular, people counselling persons about AIDS, people counselling persons in the area of crisis, have to be very careful. People must be allowed to grieve and you have to walk them through the grieving process if not they can end up having depression. So we really need people who know what they are doing particularly in the area of counselling.

1.15 p.m.

I feel the Ministry of Health should set out to let persons know that they cannot call themselves counsellors if they are not properly trained and educated, they do not have a certificate and if they have not done the practical

work, they will have to find another name for these persons who are walking around but they are not counsellors. Perhaps we can call them listeners but not counsellors.

Mr. President, another area I would like to touch on regarding the Paramedical Professions Act is that now we are getting these various specialities there must be a salary and a salary scale should be commensurate with the education and the practice of the person. I am not sure if these persons will be allowed to practice on their own. I guess they will. Before they had to practice under the supervision of a doctor but I suppose that if they are practising on their own they will have to market their skills themselves and try to prevent the quacks from giving the various specialities a very bad name.

Again, we need a lot of education because you get certain people setting themselves up as certain specialists and taking money in particular from our ageing population. We have an aging population and they do not know the difference. What we will have to tell the public is that these persons must show them a certificate of registration because when one registers every year and when I register every year I get a receipt showing that I am registered as a nurse for a year. I think the public has to start demanding certificates of registration from these persons.

I am saying this simply because in nursing it is easy but a nursing assistant must function under a nurse. A nursing assistant is not registered. A nursing aide is not registered and cannot go and offer his or her services to the elderly. They are doing this and this is where we have to start educating the public that these are people who should not be working on their own. They should be working under the supervision of a nurse.

Mr. President, I think I have covered most of what I wanted to say other than I would like to make a call for all the health professionals to get together because I have read all the Acts, and the wording is virtually the same. What they can do, as I said, is come together and set out a code of ethics *et cetera* and a draft charter for the patients' rights.

I would like to support this Bill.

SUSPENSION OF SITTING

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Sitting be suspended until 2.20 p.m. today.

The question that the Sitting be suspended until 2.20 p.m. today was put to the Senate and agreed to and Mr. PRESIDENT suspended the Sitting accordingly.

1.25 p.m.

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed.

SENATOR THE HON. Miss O. P. SYMMONDS: Mr. President, in looking at this Bill I was particularly interested in two areas, that of educational psychology and the other speech language pathology. As an educator, I know the value of psychology having had to take a course in it as part of my post graduate certificate in education and it really is invaluable in teaching children and especially when there are problems. When it comes to speech pathology, again, that is in the area of my discipline having specialised in language and literature.

I was very pleased to know that the Ministry of Education was conducting systematic testing of speech and hearing in primary schools last year and they found children with hearing problems which had formerly not been identified. It, of course, hampers learning. For instance when it comes to speech, there are children who stammer and children who are unable to pronounce words. Sometimes there may be some sort of physical defect as well, in fact in this test it was found that 5% of the students in primary schools have speech disorders.

Unfortunately, there is no speech pathologist on staff at the Ministry of Education but there is someone who does look for them, someone who is qualified and who has evaluated these children and there is also a speech pathologist at the Queen Elizabeth Hospital. Nevertheless, there is room for more. When I hear Senator the Archdeacon speaking about training and the need to inform people that these courses are available, I could not agree with him more. I thought it was very important. I know that Senator Rickinson also agreed with this. Sometimes you find children with lisps and these defects tend to make children self-conscious and, of course, affect their self-esteem.

It has been said that language is the greatest gift given to man and it exemplifies the highest form of human development. Therefore it is extremely important that these disorders are detected early so that children can get the best treatment and help and when these disorders are identified, children are being sent to polyclinics for help and treatment. Therefore it is with the greatest pleasure that I support this Bill to amend the Paramedical Professions Act.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I too welcome the enactment of this piece of legislation, if only for one thing, it gives a certain recognition, acceptance and prestige to a worthy number of occupations and professions that would be now designated, who have been making very useful contributions to the

health care and to the quality of life of Barbadians for a long time but for some considerable length of time suffered because they had not been given the prestigious accolade and recognition as has now been accorded them.

Sir, they do carry out worthwhile activities but my one concern is that now that these have been recognised officially and legally, it means that more and more will be accepting them and will be inclined to be involved with them because they involve areas of activity which in previous times would have been regarded as 'bush tea medicine' or 'quacks' or 'semi-obeah' because people were not quite familiar with the discipline involved and were accustomed to the traditional medicines, traditional in the sense of the more established methods of medical training and application of medical practices and things of that nature.

I said that I am concerned because with the upsurge in Barbados, a quite happy upsurge of interest amongst the public in health, with personal health and acceptance of the principles, basically that responsibility for your health is now your very own and not the responsibility of the Government or the community, parents or friends, that you yourself has to now manage your health, that you basically manage your future and your life. It means that people are very aware and very keen on doing things to keep them healthy and to keep them fit but I am afraid that with this awareness and keenness unless the public is aware, very many people can be taken for a ride and become subjects of exploitation by people who seek to capitalise on this keenness and this incentive to be fit and to be healthy and to lead a fruitful and productive life.

With the opportunity to repeat an admonition which I had uttered some weeks ago at a seminar for journalists involved in the health field and staged by P.A.H.O. that we have to be very careful that in publishing the claims and the various cures and treatments of particularly these new vogue occupations that the public is not taken for a ride and people are not exploited and taken advantage of.

One newspaper has begun to do it, not so much in health but in other activities too that when they are publishing editorial material upon a particular field in a manner which could be considered to be new, they now label them at the top 'advertorial' so that people read them and do not accept them as the gospel but realise that they are involved in promoting a service for various activities and therefore you are more critical of your approach to them rather than just accept them as straight medical fact and figures. To me, the newspapers, radio and television have a responsibility. I notice that television and radio are also promoting various activities of health where some people get on the air and make all kinds of claim.

One very readily recalls the experience of Dr. Tory and his claims that had taken Barbados by storm for a few months and then that passed away.

I think we have to guard some more against that and I would therefore like to urge that the media when they are promoting these activities, services, claims and products, that some judgement is exercised even if they have recourse to professional analysis but some care and judgement is exercised in what is given to the public and everything that goes out to claim by these people, especially if they have a title like 'Doctor' attached to their name, people tend to accept them as an authority but that some care is exercised in showing that any of the statement and claims of protestations made by these persons undergo some kind of scrutiny, some kind of test and that the public is not only informed but that the public is educated and guided about these claims and people are not lead up the 'garden path' and go like lambs to the slaughter.

I would therefore like to see the media ensure that they exercise and engage the services of persons either on staff, specialist writer or columnist to ensure that this material is vetted both to protect the integrity of the practitioner and the profession but most of all to protect the interest and the integrity and health of the general public.

Thank you, Mr. President.

SENATOR J. D. E. BOYCE: Mr. President, the scope of this debate has gone far into discussing some aspects of the paramedic professions which are listed specifically in this Schedule. I think that one of the considerations which I feel bound to add is that we are indeed talking, in some cases, not all, of what comes under the head of alternative medicine. Sir, I feel that with your agreement I would quote the definition of alternative medicine as taken from the American Encyclopedia. Alternative medicine is defined as "the technique for treating and preventing disease and regarded by modern Western medicine as scientifically unproven or unorthodox". The term alternative medicine can encompass a range of therapies including chiropractic, homeopathic, acupuncture, herbal medicine, meditation, bio feedback, massage therapy and various new age therapies such as guided imagery and natural...

2.35 p.m.

Although many alternative therapies have been widely employed in the treatment of disease, the scientifically oriented modern establishment has typically been skeptical about and strongly opposed to their use. In 1993 the United States National Institute of Health established the office of alternative medicine to examine the merits of such techniques and there is a reference to holistic medicine which, if we have time, we might want to revert to.

The point I want to make, Sir, is that the schedule included here, Sir, is admittedly not exhaustive but this schedule does not always, with the exception probably of acupuncture, refer in any real way to what is termed alternative medicine. The areas of paramedics, like dietetics and nutritionists, cardiac technology and indeed speech language, pathology and audiology are dealt with in sync with traditional medicine and they are included as part of the treatment of traditional medicine.

When we start now to move into the field of acupuncture and indeed as I reference bio feedback we are now moving into the realm of real alternative medicine and then of course we can mention what is probably at home to Barbadians, medicines relating to the practice of obeah for instance. There is no question that there are many of us, who would have, during our early years encountered either in a real one to one sense or certainly by way of story, Sir, the benefits or otherwise of obeah as it is referred.

Faith healing, is another treatment which stands alone in terms of alternative medicines and as I look through a list of items which should be included or which must be now considered we also refer to the herbalist. Sir, we need to appreciate this, that the schedule attached is not a stand alone schedule but is an addendum to the practice of traditional medicine in Barbados. That is the first point I want to make, Sir. The question of dietetics and nutritionists being allowed to be registered to practice, these people practice under the additional guidance of traditional medicine and so we must have in place, Sir, a framework for traditional medicine and treatment to be offered, Sir, at the highest level.

Sir, that is the basis of another of my quarrels if you may like, Sir, because today in Barbados we must admit that as this amendment is before us there is essentially a general concern about the level of medical care and about the quality of medical care which is necessarily available to every Barbadian. If we want to be considerate of the paramedical professions which we have here we must be sure that in many cases the medical care framework is firmly in place. For instance the question of cardiac technology and the schedule defines cardiac technology as the examination, invasive and non-invasive, under prescription of the human cardiovascular system for the purpose of diagnosis of disease or injury. We must therefore be sure that we offer, in Barbados, the highest standard of cardiac care in order to take full advantage of the work or in order to encourage the practice of the paramedical field of cardiac technology. An area of concern again because the information is that we are not fast enough, we are not acting quick enough in renewing our cardiac team, the team of cardiologists who deal with open heart surgery at the hospital.

Indeed, Sir, it is common knowledge. It is known about Barbados that this administration, has to some extent been responsible for doing some severe damage to the whole moral fabric of the delivery of medical care in this country.

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

SENATOR J. D. E. BOYCE: I take your guidance, Sir. I want therefore to bring home the point that the confidence in the delivery of primary medical care in Barbados at this time might be under pressure. We have seen in the case of psychiatric treatment, and again the delivery of primary medical care at that level is substantially important for the provision of proper facilities for both patient and practitioner, be it the psychiatrist, or indeed, Sir, the paramedic attached to the psychiatrist.

Mr. President, we have got to demonstrate in the overall approach to health service in the country a kind of confidence, Sir, which will give the public the assurance that they can be guaranteed of a good service even in the first instance.

Sir, sometimes one resorts to alternative medicine for different reasons. One of the most often referred to reasons is a lack of confidence in traditional medicine or the failure of traditional medicine to deliver the goods or to bring about recovery. This failure of traditional medicine can be two-fold. It can be either in the form of the infrastructure around which traditional medicine is being delivered or it can be in the form of a person or persons being convinced otherwise by suasion that alternative medicine might be the way to go. It is therefore important that as technology advances in the world, even in traditional medicine or indeed, Sir, mostly in traditional medicine because it is still – and we do not, I think, have to do any survey to prove this – it is still the preferred method or the method of first call among the majority of Barbadians. We need, Sir, to look at the development of specialist hospitals. We need to look at the development of plastic surgery. We need to look at the use of more non-invasive techniques in terms of examination of the patient and we need to bring the very latest technologies to bear on the Barbadian field. We cannot accept second place, Sir.

2.45 p.m.

Barbados has been traditionally known in the Caribbean as being the number one in the delivery of health care and indeed, they have been many instances, Sir, when Barbados has played host, and has been able to offer medical care beyond what is available in our neighbouring countries. We have seen Trinidadians and other citizens of the Caribbean coming to Barbados for this treatment, Sir.

We need to look at developments such as endoscopic techniques in today's surgery, taking full advantage of the opportunity to deal quickly and effectively with medical cases and then refer these medical cases to the paramedics specifically whom we are dealing with today, who will be doing the ongoing treatment.

We need, Sir, to get into areas like magnetic resonance imaging. A newish field in terms of the ability to examine and diagnose injuries. We are in an environment where only one CATSCAN machine – and CATSCAN is the precursor or forerunner to the magnetic resonance equipment – is in operation. Even that has a recorded downtime of something like 40 percent or 50 percent. We are treading dangerously close to the days of insufficient medical facilities being available to the Barbadian.

Sir, we need therefore, to put aside funds for the delivery of this type of technology, because today, the incidence is not so much of other CARICOM nationals coming to Barbados for treatment, but the incidence is more of Barbadians going to Venezuela, going to Trinidad and going to Puerto Rico to have these medical treatments applied to them.

Asides.

SENATOR J. D. E. BOYCE: Sir, we need therefore to bring our facilities in Barbados up to a level which will bring us back to number one, first of all in the delivery of traditional medicine and then the entertainment and the development of alternative medicine and indeed holistic medicine, as it becomes fit. So one only has to examine the incident of asthma among young children in this country, to understand vividly the gradual albeit deterioration of the general health of our country.

Sometimes we walk into an environment that does not smell perfectly fine. We do not recognise the long term damage that we are doing to our bodies and sometimes when we call on the traditional medicines for help, that is when all hands are raised in despair, and one has to resort to some other form of treatment. This is not in any way, Sir, an attempt to cast any aspersion on the paramedic professions listed here, and indeed the paramedic professions that are not listed here. I am aware of many persons who have had tremendous benefit from pain and muscular damage. I speak specifically of acupuncture, a method of treatment by the insertion of special needles into particular parts of the body. A treatment, Sir, which was developed fully by the Chinese, many, many, many years ago before any of us were around.

My main difficulty, Sir, with the presentations I have heard so far today has been that we have taken them

and treated them almost as if these paramedics were stand alone professions. They are not in the main stand alone professions. They need to be developed in synch with an attitude and a government policy, Sir, which bears in mind that we have to have on the ground, a fundamentally sound traditional medical framework from the first born, Sir – even to our days when we have to go to the great beyond, Sir – to that final treatment that is administered in the twilight of our hours.

Sir, the question was raised very specifically by an earlier Senator who spoke to the question of insurance. What will be the significance of this kind of legislation on insurance? I want to suggest, though, that even now, one has got medical insurance policies which one will buy depending on the depth of his pocket, some of them do not include even vision or hearing, far less audiology or speech therapy. So, I think that the question of the effect of insurance, though a possible consideration, Sir, is stretching the intent of this present Act, Sir, a little too far.

Sir, what happens in the case of the paramedic profession not listed here who continues to practice? Where is the policing, what is the penalty, what indeed can be done? Do we not need, rather than try to be exclusive in our listing of these paramedic professions, an attitude or policy of inclusion? I mentioned earlier the question of holistic medicine, biofeedback, do we not need to have a more open policy. Does the state not need to withdraw itself somewhat from what the person wants for his own good?

2.55 p.m.

Presently in the United States we have a situation where there is a legal battle going on between Dr. Dvorkian and the State as he goes about practising either his medical or paramedical profession. I do not have a deep enough knowledge to separate euthanasia from the profession of a paramedic or pure medicine.

Dr. Dvorkian goes around the country assisting persons who have indicated that they have to the best of their opinion come to the end of their days and they want to get out. We need to look at the possibility of developing more of a hands-off policy to allow some things to evolve among the people. This does not only refer to the paramedics but to many things that we have to come to consider later, today, and in the future.

We need, therefore, to examine where this schedule is short and start including all these professions. We have a number of minority groups in Barbados who from time to time call on Government to consider their cases. We need to encourage discussion on these areas of medicine and areas of treatment rather than try to

appear to be waving the big stick. It is not good for an educated population.

I recall the newspapers only 2 weeks ago highlighting and I am not blaming Government for this one because I do not know the facts behind it but there is a question of the apparent treatment rendered a visitor who was here to deal with the Bahai faith, a group who believe very strongly in the practice of holistic medicine.

John Public and I do not have the good fortune of sitting behind the Minister's desk so we do not know what the real thing is. The message out there with the public is that less than full regard was given to this case. I think we have to be careful as we are often urged in here not so much to deal with the messenger but deal with the message. If the message that is being sent out there is the wrong message then the Honourable Senators on that side who have responsibility for the development of the message and are only the messengers should seek to straighten that out. That is not our business. When it is our business we do it, and when it is ours again, we will do it too.

Sir, against a backdrop of the closing of the St. Joseph Hospital, the termination of the programme at St. Joseph to deal with the psychiatric cases – what is the alternative? We know that the private sector has moved towards establishing the Teen Challenge Programme in St. John. I make bold to say that my reading of that situation is that that facility would not necessarily be available to the rank and file of Barbadians. If that is not so I will stand corrected.

Mr. PRESIDENT: What has that, Senator Boyce, to do with the Paramedical Professions (Amendment) Bill that is before us?

SENATOR J. D. E. BOYCE: Sir, I would like to suggest respectfully that the treatment of those cases does involve to a large degree the practice of paramedics – in the profession of psychiatry, in general therapy, not specific hands on medicine as we know it.

Mr. PRESIDENT: Well, of course you can tie it to almost any activity. One needs paramedics for any cause under the sun; but I do not think that you are sticking to the Bill before us.

SENATOR J. D. E. BOYCE: If not, Sir, I will render repair to that situation immediately. The point being that we have got to develop and encourage in Barbados a medical mood which encompasses more people and more practices rather than one which tends to be exclusive in the real sense and not necessarily to encourage one strata of practitioner.

The intent of the Bill is not in dispute as far as this Senator and indeed the Democratic Labour Party is concerned. The point is that the Bill cannot stand alone and we must therefore discuss with it the kinds of programmes in traditional medicine and in alternative medicine that are being developed and what is the atmosphere in the country with respect to training of medical practitioners far less paramedics.

I heard Senators this morning calling for the programme to include training and continued education for these paramedics but we are faced today with denial after denial from one ministry or the other in respect to the quota system that is to be implemented for medical students in Barbados.

We have one thing coming from the mouth of the University and another story coming from the Minister. We therefore have to make sure that the public of Barbados is not getting the impression that in truth and in fact all is not being done to guarantee proper and adequate health care delivery, not only today, but well into the future. The training we do today will redound to our benefit in the future.

We have to develop educational programmes around the practice of alternative and holistic medicine, educational programmes which will not lump all these practices under the ambit of obeah medicine, to use the term very guardedly, because obeah in itself, as I have indicated before, can be considered by some people as a method of alternative treatment.

So we have got to gear our educational system to make our citizens fully cognisant of the significance and the reality of all of these opportunities that they will be faced with.

Indeed, as we reach our middle and twilight years, we are encountering the tip of the iceberg of holistic medicine. When we go beyond and look back at Barbados the practice, I am sure, will be widespread and the list, if we continue to develop lists like these, will be unending and indeed undefendable. So we need probably to look at a different regulation altogether in terms of how we deal with these professions and recognise that because we started in a particular way it does not mean that we have to continue the method of listing every profession as we do here but maybe use language which encompasses the practice that we are trying to get at and void the specificity and the questioning which can relate to the permission and in certain cases the inclusion of particular fields of practice in a list such as this.

3.05 p.m.

I want, Sir, to refer to the register and I want to add my bit to the question of the Registration Boards. I must

agree that something has to be done to put more energy behind the work of the Registration Boards. If we stand here and pass legislation and say that paramedics in audiology have to register with their Council and next year when we go and look at the list there is no registration, or next year when the first audiologist walks into the Registry and say "Well, I am here" and one of the Senators who spoke before referred to the fact that she went to register as a cosmetologist and nobody knew what she was talking about.

SENATOR Miss J. C. ODLE: On a point of order, Mr. President. I went to register and my name was not on the list but I nevertheless paid the required fee. It was not that I was not allowed to register.

SENATOR J. D. E. BOYCE: The point is, Sir, the office we set up for registration must be aware of what is going on. The question of the left hand and the right hand not working in sync, we will get to that later on this evening, Sir.

The Minister responsible for this area, whom I believe would be the Minister for Home Affairs, must put pressure on the services to make sure that these registering facilities are in place. It makes a nonsense of the work we do in here and it makes a nonsense of persons like the Senator who intervened just now if when they go to register, and I speak too of a profession where we register as an engineer, and there is generally not a full enough knowledge of what is required in terms of the registrant and those who are carrying out the act of registering the professional. So unless we bring along with this legislation the bite and the energy from the appropriate Ministry, we are creating this back-patting facility where one or the other administration can say, well we put these amounts of Bills on the statute book, we increased the list, as was said this morning, of paramedics by 13.

I would like to note, Sir, that there are 14 listed here so maybe during the later discussion we will find out which one...

Aside.

SENATOR J. D. E. BOYCE: Oh, the chiroprapist is listed twice. My apologies, Sir. I withdraw, if that is right if not, Sir, I look forward to the clarification to which one of the 14 the Senate Leader is leaving out so we will have the Bill correct.

The point is, we will go around boasting of this legislation. It happens not only in this Bill. It can happen otherwise but we have not put in place the proper mechanisms. We have not filtered down. Do you imagine somebody going into the Registry tomorrow or

whenever this becomes law, the date of registration after this and say: "Look, I am a nuclear medicine paramedic and I have come to register?" There is going to be total confusion if the situation is allowed to remain as it is.

The Minister is duty bound, and I keep saying so in here. When Bills are introduced in this Chamber, the Minister who is responsible for introducing them is duty bound to provide a full background to the entire Bill and where it is not provided, I am at liberty to operate in total ignorance and carry on...

Aside.

SENATOR J. D. E. BOYCE: I am at liberty to operate as I please and only based on the information I have.

Sir, the point about registration is made and the Minister, I am sure, will address that when he gets the opportunity to sum up.

Sir, even on the question of tourism, and we get back now to the accepted importance of the legislation because many of our tourists visit us from countries which are more advanced and countries the thinking in which I will probably refer to during my delivery. Many of our tourists come from these kinds of backgrounds and they expect to have this kind of system in place so when they have cause to seek medical aid in their preferred field, and given that they preferred field would be one of these areas, they would like to feel confident that they are going into an operation that is truly accepted.

One should have these displayed adequately, like we have displayed now for the Value Added Tax. Look how we have been able at the snap of a finger to get every business place in Barbados to conform to a position where you display prominently your Value Added Tax Certificate and even in the case of Liquor Licences sometimes and certainly in the case of professional registration. No attempt is generally made to establish the bona fides of the practitioner in respect of the unwitting public who enters his or her office for health and this is important too, Sir.

Generally, I want to add the Democratic Labour Party's support to the intent of the Bill. I believe that we should move towards a direction of wording these Bills in a way, as I said, that are inclusive and we need not resort to the kind of listings that we invariably find as we go through the different Acts. Sir, I feel that the Ministry must, along with this, ensure that the fullest information is passed on to the Registry so that these new registrations will be properly treated.

Finally, and especially because we are moving into a new area in some cases, I want to suggest, too that the system of display of the integrity of the professional we are dealing with, and in this case this requirement should be spread further among all professions, that this be displayed for the benefit and the confidence of the public we seek to serve.

I am grateful to you, Sir.

SENATOR THE HON. R.R. FARLEY: Mr. President, I listened with interest to the Honourable Member, the lead spokesman for the Opposition as he spoke about this Bill and many other matters. I was reminded of a little saying something about the hen and the cackling in relation to the laying of an egg, Sir. A comedian once said, I believe it was Jay Leno who said that sometimes when he goes out in the country and he visits some farms that the volume generated by some of these champs you would think it was an asteroid that was produced. When you examine, Sir, the few points that were made, I believe that the justification for the behaviour related to the asteroid, I believe that was not there and the volume, the length of time taken and the effort put into the speech was more attuned with that in relation to an egg.

Sir, the Honourable Member sought to approbate and reprobate at the same time. He spoke about having a regime for registration of professionals that should be more open-ended. He said, for example, with the quotation from his source that this was alternative medicine. I believe that was his introduction.

The Government never suggested that what this Bill was about was alternative medicine because there are several schools of thought on this matter and the mainstream and alternatives are now going towards complementary medicine where the left wing and the right wing are now seeking to work together. They are not saying you should only go to a medical practitioner or only go to a herbalist but the concept of complementary medicine is one in which the medical practitioners who are primarily trained in the Western oriented approaches to medicine are now acknowledging that there is substantial merit in forms of medicine and approaches to health care that predated by thousands and thousands of years their own approach which is focussed on the curing of diseases with very little concentration on prevention of illness, the promotion of well being and getting into the balance between the spirit and the body and so on.
3.15 p.m.

He gave a list of alternative medicines and professions. The list is so long that I cannot even remember where it started and where it ended and there were some professions that I had never heard of and

I never thought that they were medical at all. I thought some of them were more in the realm of strictly spiritual and on the negative side of the spirit rather than on the positive side. I take it to mean that he would want to have a Bill which would go in the direction, as he said to use a more general form of words, where anybody who figures that they have some new leaning or some cure for obesity, some cure for being too slim, too short or too tall could establish himself as a paramedical professional and get into some of the more outlandish names and he would want to have all of them included. At the same time he was also complaining that there was a need to ensure that it is adequate and that the public actually get what it is that they are going for.

I have a problem, Sir. He wants to ensure and he made the good suggestion that perhaps in these matters it should not be left to the good judgement and to the promotional skills of these practitioners for them to decide to display their certificate. And it should not be enough as provided in the Act for the Registrar of the Supreme Court to publish every February in the Official Gazette that these are the people who are registered and that a register be maintained at the office of the Registrar of the persons who are registered but he wants to have the certificate displayed.

SENATOR J. D. E. BOYCE: On a point of order. The Senator is misleading the Chamber in respect to what I said. I made it very clear that my difficulty was with the fact that this list of registrants that is supposed to be published is not in fact published on a timely basis and that is part of the problem.

SENATOR THE HON. R. R. FARLEY: The legislation says in February, it does not say the 1st of February.

Sir, whatever he is suggesting he wants to have this display and he is also saying that we should not bother with these individual categories but we should have some kind of all encompassing paramedical registration so that the fellow who is an expert in foot reflexology will suddenly now by having this all encompassing thing attempt to perhaps give acupuncture or be a chiropractor. I cannot agree with him that you would want to have such all encompassing registration or general language for registering professionals that the public is not in a position to determine who is a professional at what and that you need a distinction between a medical practitioner for a human being and a medical practitioner for an animal. I believe that these paramedical professions and the interest of the public is better preserved by having...

SENATOR J. D. E. BOYCE: On a point of order. The Honourable Senator is misleading the Chamber in respect of my speech again. I rise with reluctance but the

question of displaying a certificate does not preclude the certificate from precisely stating the profession which is being practised. I think that to try to impute that I said that the certificate would be all encompassing is not fair.

SENATOR THE HON. R. R. FARLEY: Mr. President, the Honourable Member clearly does not associate the two aspects of his presentation. I was simply in my summary recognising that he was calling on the one hand for this all encompassing general language form of registration as well as the certificate. I thought it was all one speech and I apologise if it was two or three separate speeches.

Sir, the Honourable Member made reference to the need for a full background to be provided on the introduction of these Bills and reserved his right to respond appropriately if what he considered a full background was not given. I believed he used the word about 'ignorance' and so on. The Honourable Member must recognise, as I said at the beginning of the debate on this Bill that given that what the amending Bill is seeking to do is to amend the Schedule to the Bill that that must be taken in full with the Act. The Paramedical Professions Act, if the Honourable Member had read it carefully, would have answered many, many of the questions that he sought to have answered.

The Honourable Member also is aware that as a legislator, Sir, there is only so much that he can do on the day of business. I keep hearing these calls that it is not enough to pass a legislation and that is true but what else do legislators do? He cannot today in here, neither can any of us in here, prescribe a form of training. We cannot arrange for scholarships so to suggest that the Bill is incomplete because it does not include these administrative details, which are dealt with separately is really stretching a point too far and perhaps could mislead persons who do not recognise the distinction between the role of the legislator and the person sitting next to you.

For his benefit, Sir, I would want to remind him that the need to ensure that the recognition by means of requirement for formal registration of these paramedical professions is also very much tied up with Government's policy and programme on training whether they be programmes at the Barbados Community College or in areas identified under the National Development Scholarships. This year, I believe that under the National Development Scholarships, psychology and these other areas are placed and a number of these areas are listed within the priority areas for which the Students Revolving Fund makes available.

The Honourable Member also sought to suggest that there is an issue arising out of the matter of

medical students. I want to take this opportunity to clarify for him since he says that he is getting mixed signals coming from the different arms of the Government. The matter is simple, Sir. You can only become a doctor after first of all obtaining the prescribed medical degree from the University but more fundamentally being exposed to the professional training in a teaching hospital and passing the period of internship.

Sir, the reality is that with all the best will in the world, the Queen Elizabeth Hospital in Barbados which is the most sought after hospital in the region remains the only option for not only Barbados but the East Caribbean people. So that until we are able to have teaching hospitals in St. Vincent and St. Lucia and some other places to take the pressure off the Q.E.H, the constraint is not going to be on how many people go through the University but how many people are able to be accommodated in a 600 bed hospital when there is a requirement for an institution to be certified as a teaching hospital which relates to the ratio of consultants and other senior persons to the number of medical students you have. The students do not teach themselves there.

3.25 p.m.

What the Government has said is rather than face the problem that has occurred on several occasions where the natural expectations of students has been that they will be able, upon entry into University to move smoothly right through university and into internship and out the other end as doctors. When they discover that after completing university there is no room, no physical room for them to be taken on as interns, then you hear a hue and cry and there is a big problem. Therefore the Government of Barbados has said, look, we can only accommodate this number of interns.

The University of the West Indies, unfortunately, in correspondence that was sent, gave the impression that the matter related to university fees. University fees was never part of the question at all. It was a matter of the Government saying it only makes sense for us to agree to put the number of people through university which can be accommodated in internship and that has been the case with other professions as well, particularly in law.

I believe the Honourable Member, had he had the benefit of my full explanation on the matter he would have been a lot clearer but I will speak to him otherwise. I believe there is room for me to make him understand the matter a bit more clearly.

The Honourable Member also sought to speak to the matter of what is required for registration. The burden of registration and the affairs of that department lie with the Registrar of the Supreme Court. I believe it is section 9 of

the Paramedical Professions Act that speaks to the matter of registration and the Registrar of the Courts would be well aware of what legislation is passed. I am sure that if legislation is passed here today and it goes through the process to the Governor General and becomes law that the Registrar would be able to accommodate any one who goes on the first working day thereafter to be registered and certainly the Government would ensure that if there are any issues arising there that they are appropriately dealt with.

The Honourable Member also sought to suggest, Sir, that the matter of the primary health care system was in some form of chaos and that, Sir, this Paramedical Professions Act was out of place as you are strengthening the upper layers or the fringes when the court is in crisis. I am in total disagreement with his view of the fact, Sir, but I am also comforted by the fact that if one were to take the eyewitness account of an accident on a street corner and there were 10 people all 10 would perhaps come with different views so I understand it if he has not quite clearly seen that the primary health care system in Barbados has in fact been performing well, Sir. That he has not seen the efforts that have been made in improving not only the quality of the care which is delivered but the widespread availability of the services. That he has not seen, Sir, not just the focus on the curative aspect but a new thrust within the Ministry of Health to ensure healthy lifestyles and recognising, Sir, that not only according to the Government of Barbados but reputable international institutions like the Pan American Health Organisation, and the World Health Organisation and numerous studies that have been done have identified that the health profile of Barbados mirrors that of a developed country with all of its attendant lifestyle problems. Lifestyle problems therefore cannot be addressed purely from a medical point of view. Lifestyle problems have lifestyle solutions so that an integral part of the provision of health care in that context has to be in ensuring the continuance of well being rather than merely waiting in the slips to cure illness.

The efforts, Sir, that have been made in all the departments of the Ministry of Health whether it be the discontinuation of the drain which was in the form of St. Joseph Hospital, whether it be, Sir, dealing with the other matter at the other place, Sir, to which I cannot refer but all of the actions, Sir, that have been taken have been taken in the furtherance of the ambition of providing health care for all and ensuring that Barbadians are able to live full, active and productive lives. We are satisfied, Sir, that the amendment to the Paramedical Professions Act will go quite a long way in achieving those particular objectives.

In conclusion, Sir, I would suggest that the Honourable Member in seeking to represent the views of the average man on the street, when he said that

the average man on the street thinks that the health care system is in some form of crisis, might have been attempting to represent the views of his colleague whom we miss dearly today but I believe she ran into a similar difficulty in seeking to represent the views of the farmers and indicated that her consultations was with 2 farmers in St. George on an issue. I would perhaps want, during the break, to have the Honourable Member quietly confide to me how many men in the street he canvassed to gather that quite erroneous view of any crisis in the health care in Barbados.

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

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY, the Senate went into Committee on the Bill, SENATOR Miss O. P. SYMMONDS in the Chair.
3.35 p.m.

COMMITTEE

Madam CHAIRMAN: This Senate is in Committee.

Clauses 1 and 2 were called and passed.

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

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

The question was put to the Senate and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move that this Bill do now pass and be cited as the Paramedical Professions (Amendment) Act, 1997.

The question was put to the Senate and agreed to.

ORDER NO. 3 – TO MOVE THE SECOND READING OF THE LIMITATION OF ACTIONS BILL

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the second reading of this Bill, the Limitation of Actions Bill. This Bill, Sir, basically seeks to reform the law related to the barring of civil actions through the structure of time.

Basically, this type of matter has had its origins in hundreds of years of legal history and generally it has been

agreed over many centuries that there should be time limits within which certain claims must be brought. The general principle being that it will be generally unjust to allow for unlimited time within which actions can be taken to file claims for loss and various matters.

Barbados has seen no statutory basis for limiting the time for bringing a case before the Courts. Certain conventions have developed, certain understandings have been there, but where such understanding and where such authority is there in one or two specific Acts some time frame is given. But, where such authority exists it has been fairly imprecise and reasonably unclear. There has never been a clear decision, for example as to whether a tort should be commenced within six years or within four years from the date that the cause of the action arises. One school of thought amongst the attorneys has been that the time limit is four years, in the context of Barbados. The others believe that it is six years and the rationale for some of these arguments goes back to the early Elizabethan law. However, the time limit for the breach in contract in Barbados has been set at six years.

The Government had promised that one of the things that it would do, as part of its reform of the legal system, to make it more clear, to bring it into modern times, to make it more accessible to the average man in the street and to make it more workable, is that it would seek to remove some of the uncertainties and the areas which lack clarity in the law and this matter of limitations has been one of those. This Bill really seeks to do that.

Some of the main features of the Bill, Sir, is that the Bill with respect to torts imposes a time limit generally of six years, and this is in Clause 6. It also makes a distinction for certain torts. So that for example, negligence resulting in personal injury, nuisance, breach of duty, the time limit is three years rather than six years. For fatal accidents the time limit is three years. The period for breach of contract however, is six years, and for claims which relate to land matters, the time limit is ten years. That is a matter that has a long legal history and as a person not registered in that profession, I would not attempt to practise.

Sir, there is also an important new provision with respect to claims against the Government departments or a statutory board. Previously, many persons, Sir, particularly the persons who were of limited means and with limited knowledge of the system, who would have suffered loss, would have experienced injury and who only sometime subsequently, in casual conversation or whatever, realised that a claim should have been filed. But then they ran into the one-year period time limit. What we are proposing to do is to increase that time limit from one year to

three years so that the typical example that occurs, a person driving in a Transport Board bus or involved in an accident with a Transport Board bus found themselves in a situation where, if after 13 months they did not file a claim, that was it. That is now three years. Where this becomes important as well, is in cases where persons are injured.

Generally Barbadians are not a litigious people and this also is compounded by the fact that when someone is injured they tend to think of their injury and recovery and getting their lives together. It is only after you have been restored to a state of well being, and you get your medical bill, after that, you begin to say that, "wait, it is not my fault, maybe the other person should pay." Then to run into a one-year time limit in a matter like that, because it is a Government, whereas if it were a private individual, then it would be another time limit. We thought it was unjust and we have proposed in this Act to increase that time period for future actions.

There is also a provision made in the Bill for the Courts on an appropriate application to extend time limits which are given in the various areas of the Bill. Sir, the Bill speaks to a whole series of activities but in Clauses 52 and 53 provision is made for an application to be made to the Court to extend and adjust the time periods within which claims can be filed.

I just want to comment that this Bill has been one which has been circulated widely within the legal community and the various comments have been taken, no doubt, because it is really a strictly legal matter for the most part. We are satisfied that this Limitations of Actions Bill will satisfy the needs of persons who were done hardships by the Government's very short limitation of action. It will also clarify for all persons in the legal profession the matter of what is the limitation for specific classes of actions. Particularly, torts where there was some difference of opinion as to what was the appropriate level of limitation.

So, I beg to move, Sir, that this Bill, the Limitations of Actions Bill, 1997 be now read a second time.

Mr. PRESIDENT: Senator Boyce.

SENATOR J. D. E. BOYCE: Mr. President, when I saw this Bill down for consideration today, I wondered if I would be appropriately armed to deal with it, but having heard Senator Farley's introduction, I feel confident in my own ability, Sir, to put my case too. He indicated very early and displayed no legal certificate. He continued to demonstrate that throughout.
3.45 p.m.

Sir, the Bill in essence is one which is supported by the Democratic Labour Party and I will just add that it is one of those Bills which has been, as stated by the Honourable Senator who just sat, under consideration and public deliberation for some time and included a part of our stewardship. There are a few more like this. Quite fairly, and quite magnanimously, the Honourable Senator did not seek to attribute any political gain to it and I really on this occasion respected him for that.

As far as the man in the street, the same men in the street I referred to earlier, it addresses a basic difficulty – which was referred to in terms especially to the existing disparity between the rights of the man in the street and the rights of Government – in terms of the period that was allowed to elapse before the motion of the man in the street and the Government. The treatment was prejudiced. In the case of Government, a citizen, John Public, would have had to bring his action within one year whereas in the case of Government they would have had 6 years to deal with theirs and this was addressed, indeed as far as the basic interpretation is concerned. This is one of the highlights.

However, as was indicated, a lot of the legislation which would have previously dealt with these matters go back to an Act of 1623 – which I will not refer to exactly now – which for all intents and purposes must be out of date. The fact that we today are considering this new Bill is more an indictment than a noteworthy activity.

I want to refer to the fact that in drafting we have to be aware and be flexible with the change. I believe in the area of negligence, for instance, the Bill refers to a 3-year period and I believe in that area even now there is a move afoot to extend the period under consideration and indeed we must grasp opportunities like these to ensure that we put in as much of the new thinking as far as possible instead of having to revisit this Bill in another year or so and claim some kind of modernisation because when we revisit the Bill, indeed, things might have moved again beyond our reach.

The question of retroactivity is not contemplated and we do not expect that such a matter would have been dealt with but there are cases where some citizens do feel that they have strong cases against the Government and maybe in the case, as the Honourable Member mentioned, with the Transport Board, there might have been wont to consider some kind of exception – I reiterate that I am not a legal scholar – some kind of provision whereby the public who have been wronged in instances like that might have had a period. We have had obviously difficulty in terms of where the retroactivity would have started and ended and maybe that is the situation which one encounters in these matters and prefers not to attempt to address.

We think of situations of the collapse of businesses within recent times, 6 years in Barbados, where a number of Barbadians have lost tremendous savings. Indeed an attempt to include the event that might have occurred back then in this type of legislation, some effort might have been made to deal with that.

Sir, the Bill was not opposed by this Party in the Other Place and we are certainly at one with the intentions and generally we support the Bill as presented to this Chamber. Thank you, Sir.

SENATOR THE HON. Miss O. P. SYMMONDS: Mr. President, I am going to be very brief. I wanted to observe that this Bill was passed in the reign of James I and became part of the law that the settlers brought with them. As the Leader of this Honourable Chamber has stated, the difficulty lays in the certainty and findings of the Act.

It is time that the law be made as certain as possible. Under the Barbados Labour Party emphasis has been not only on updating the law but reforming the law and it is good to see that this cycle is continuing under this Government and our dynamic Attorney General.

With those few words, I am very pleased to support this Bill. Thank you, Mr. President.

SENATOR THE HON. R. R. FARLEY: I beg to move that his Bill be read a second time.

The question was put and agreed to.

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

COMMITTEE

Madam CHAIRMAN: The Senate is in Committee.

Asides.

Madam CHAIRMAN: There is no quorum and I ask that members in the Chamber be summoned.
3.55 p.m.

Madam CHAIRMAN: We now have a quorum. We will now continue.

SENATOR THE HON. R. R. FARLEY: Madam Chairman, I beg to move that in Committee we consider the first five clauses and subsequently in Parts, Parts 1 through 3.

Madam CHAIRMAN: Thank you.

Clauses 1 - 5 inclusive were called and passed.

Part 1, Clauses 6 - 45, was called and passed.

SENATOR J. A. WORKMAN: Madam Chairman, I would just like to make an enquiry. I am not sure if you can answer or if the Leader of Government Business can answer but it is the question of the barring of actions where there are securities on mortgage in section 40, and barring of actions on judgments in section 45(1) particularly the barring of actions on judgments where it states:

"No action may be brought upon any judgment after the expiration of six years from the date on which the judgment became enforceable."

Under the Registration of Judgments Act, a judgment is renewable every five years ad infinitum. I am just wondering if there may not be some conflict or anomaly in relation to the two different laws, this law and the Registration of Judgments Act and the question of when the action does arise and whether if one had a judgment which was now seven years old whether this will completely bar the individual from reregistering under another law of our country.

Madam CHAIRMAN: Thank you, Senator. The Leader will answer it.

Aside.

The question that Part 1, Clauses 6 - 45 stand part of the Bill, was put to the Senate and agreed to.

Part 2, Clauses 46 - 54, was called and passed.

Part 3, Clauses 55 - 64, was called and passed.

The Schedule was called and passed.

On motion of SENATOR THE HON. R. R. FARLEY, Madam CHAIRMAN reported to His Honour the 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. R. R. FARLEY the Bill was read a third time and passed and cited as the Limitation of Actions Act, 1997.

ORDER NO. 4 - URBAN DEVELOPMENT COMMISSION BILL, 1997

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the second reading of this

Bill which seeks to establish an Urban Development Commission. This Bill before us seeks to establish this Commission for the purpose of providing for improved amenities in urban areas and for generally related matters. 4.05 p.m.

Sir, the matter of urban renewal is one which I think everyone recognises is of absolute necessity. Few can fail to agree that Central Bridgetown and even areas of Greater Bridgetown demonstrate at one and the same time some of the greatest levels of opulence as well as some of the greatest levels of squalour and deprivation. It is recognised that both Central Bridgetown and Greater Bridgetown is not just a commercial centre but is also home to a significant portion of the Barbadian population.

In fact, Sir, within Central Bridgetown which is the area bounded by Jemmotts Lane, Martindales Road, Hall's Road, Roebuck Street and coming as far down as the New Orleans and that general area there are about 6 500 persons resident there in the City. Many persons who do not live in the City probably perhaps do not recognise that nestled within the wonderful commercial buildings are residential areas. Then within what is defined as the Greater Bridgetown area, which goes from the bottom of Rendezvous Hill up to the ABC Highway going as far down as Holders Hill that area between the ABC Highway and the ocean contains some 103 000 persons out of our population of 262 000 and it really is the most significant concentration of population in the island.

That Greater Bridgetown area as it has been called, also itself demonstrates both pockets of opulence as well as pockets of deprivation. The Urban Development Commission is intended to speak to a number of issues which confront urban communities located in and around Barbados.

Sir, what is this business of urban renewal and why has this Commission been established? A classical definition of urban renewal relates to a situation in which areas of a particular town change in character over a time to meet the needs of contemporary society. So that urban renewal is somewhat of an ongoing process where areas of a city which have lagged behind in development change their character to meet the contemporary circumstance. So that what would have been good and appropriate and fine for Bridgetown 50 years ago may not be what we need for Bridgetown today and 50 years from now, perhaps another process of urban renewal would need to be undergone.

It also recognises that urban renewal is about the change in character of areas of a town at a time that the development tends to occur in planned, localised areas. This would be very much in keeping with the fact that in

urban areas there are both these pockets where there is no need for any improvement and other pockets where there is need for substantial improvement. That 40% of the population is resident in the area really speaks to the critical importance of the role which this Urban Development Commission will play in the development of Barbados. The fact of where the population happens to be located is clear proof that the average man in the street will be the beneficiary of the work of this Commission.

Among some of the issues which are faced by this 40% of our population living in this urban community are matters of insecurity of tenure. The Tenancies Freehold Purchase Act was perhaps one of the greatest pieces of legislation in modern Barbados. The only thing greater than that would have been the very progressive legislation passed by a previous Barbados Labour Party administration of the 1950s when all of the modern legislation that we take for granted, that has made it possible for us to be even in here, Adult Suffrage and Holidays with Pay, I could go on and on, when the framework for all of the institutions that we take for granted today were laid. In the second Barbados Labour Party administration that Tenancies Freehold Purchase Act was perhaps the single instrument that went somewhere in addressing the imbalances that had occurred right through from the period of slavery.

Without the Tenancies Freehold Purchase Act persons whose blood, sweat and tears would have helped to build the plantation houses, church and Government buildings would only be able to look on from the outcropping of rock which was the plantation tenantry at the distant plantation house and the other houses as they drove by.

However, while the issue for the Plantations Tenancies Act was fairly clear cut the progress at the transfer of land in the urban area was not so clear cut because of the nature of some of the ownership but also because of the change in the definition of the tenantry that was subsequently made and also because of the price which was being asked for the transfer of land in some of those areas.

One of the things which we have already as a matter of policy decided that we would do and which would be more smoothly effected through this Urban Development Commission and its activity is that we will ensure that the persons in urban tenancies who desire to purchase their lots would be able to purchase those lots at a statutory price. A price which would be fair to the land owner but would also allow for the ownership of land by a vast number of persons in these urban tenancies. That is one of the issues but I will speak more to the others as we progress.

Among some of the issues pertaining to urban renewal and issues that are faced by those 40% of the population, given where they are physically located, is poor housing conditions. Within walking distance of this Parliament, Sir, we can go east to the Central Bank and we see lovely columns and lovely pillars on which the ten floors are hung and if you barely step off the pavement of the Central Bank you are in Church Village. If you go into Roebuck Street you are into Green Fields. If you go south, you go across to Nelson Street and the areas on that side of the city.

I am pleased to note, by the way Sir, that the project which the Barbados Labour Party started for the improvement of the living conditions in the Nelson Street, Wellington Street area which was in progress when we left office in 1986, and which was downsized by the Democratic Labour Party that we are now in the process of continuing that project. This matter of urban renewal is one on which we have a long and proud record. Were it not for the fact that we were in Opposition for those eight years not only would that Pondsides Project had been finished but Bridgetown would have been a different Bridgetown from what we have today. Thank God we are in office and Bridgetown will never be the same again.

Even as we speak, the process of clearing all of the buildings off that area between Pondsides and the Boat Yard is being completed and construction will start shortly on the housing units for Pondsides. Like I said, all this was conceived before 1986 but was discontinued by the Democratic Labour Party. In the Central Bridgetown and Greater Bridgetown area there are pockets in Black Rock and wherever else you may go in some of the traditional communities.

4.15 p.m.

Also, Sir, on this matter of housing and so on there is a problem within the urban area of the under-utilization of land resources. It is a bit of a strange situation, Sir, where in a place where you have dense population, where you have pressure for housing, that you can have a number of abandoned structures occupying some 75 acres of land in this Greater Bridgetown area. The area from Holders Hill, ABC Highway to Rendezvous about 330 abandoned structures occupying 75 acres in all and then derelict structures, because all the abandoned structures are not necessarily derelict but the derelict structures when combined stand on some 23 acres of land.

In fact it has been identified that within the Greater Bridgetown area there are some 1800 or so house spots in pockets, a 5 000 square feet here, 6 000 square feet there which are really unoccupied at this point in time and a proposal to develop these areas which are already

imbedded within communities is the most cost effective way both from an economic and social point of view to develop the housing stock.

You are not throwing people into new communities with no family or other network support. You are going into areas where there already exists the infrastructure and utilities and so on and it is really the way to go. It also protects the health and safety of the persons who live in the existing community because rather than having either an abandoned building with vines and bush and dunks trees and so on growing in it you would have a neighbour and a house which is kept clean and tidy and so on.

Other issues which face the urban area, Sir, is substandard dwelling units, houses that are in poor condition. If you go through some areas in the urban areas particularly there are unfortunately pockets and in Brittons Hill and Church Village and Bank Hall and Bush Hall and Westbury Road and Black Rock, there are pockets where this type of housing can be found.

Interestingly enough as well in this Greater Bridgetown area there is also the problem of the danger of the contamination of our water supply. There are some 5 000 or so houses which are located in the Belle catchment area and the Belle catchment area covers a pretty significant area. I was just reviewing a map of various water zones and it would perhaps surprise many people to discover that the whole question of water zones is not a matter of taking large portions of Barbados but rather in one area you could have several pockets which are in entirely different zones. And we must, if we are to protect the health of our people and ensure the security of our water supply, we must ensure that people are not encouraged to live in water catchment zones. And where they are in marginal areas that the appropriate sanitary facilities are provided in terms of septic tanks and other care being taken in terms of the disposal of waste. That is another concern which is faced by the urban community but it speaks as well, not only to the environmental concerns but also the fact of the reality where if those persons have to be removed from where they are then other lands have to be made available but in more secure zones.

We will not be doing what was done by the other side where persons who should know better would encourage persons to squat in their constituencies and so on. We believe that the Government has a moral responsibility to encourage people to comply with the law rather than either to act passively by turning a blind eye or act actively by encouraging people to do what is wrong.

There is also, Sir, the matter of inadequate drainage, poor maintenance of the structures in the area, the issue of traffic congestion and poor road conditions and the like.

So that, Sir, those are some of the issues which are faced in this urban area and these are some of the issues which should be tackled by the Urban Development Commission when established.

What are we proposing to do, Sir? We have a vision for this Greater Bridgetown area which would see Bridgetown our capital city as being a vibrant leading regional service centre. Our vision is regional in scope and not just local. We will be offering a range of services providing opportunities for economic expansion for growth and development, providing the greatest possible level of job and wealth creation. So that, Sir, the efforts which have been made and which continue to be made in providing economic opportunities for the poor small black man, Sir, are continuing.

The work which was done, Sir, on the Palmetto Street Mall, the refurbishment which is to start soon on the Cheapside market, the work which will start as well on a new Fairchild Street market, all these efforts are designed to ensure that a revitalised urban area will also provide opportunities for the young, small entrepreneurs to ensure that the economic pie is spread and to ensure that our people are able to do their business in dignity and not have to worry about how wet the rain is and how hot the sun is and having to do their private business, Sir, behind a light pole or behind a tree but encourage them to build businesses of which they can be proud and of which their children and their children's children would be proud to inherit.

Mr. PRESIDENT: Senator Boyce, are you on a point of order?
4.25 p.m.

SENATOR THE HON. R. R. FARLEY: Now, Sir, one issue that has to be faced as well, Sir, is the facilitation of the movement of the people, transport, and of goods, economic progress and the road works in Bridgetown speak for themselves.

It is also important for us to ensure, Sir, that we have an effective mechanism for implementing this Urban Renewal Programme and that that mechanism, Sir, allows for the greatest efficiency in getting the job done and that it also allows for wider citizen participation.

We are suggesting, Sir, that this Urban Development Commission will be the most efficient vehicle for spear-heading the thrust into urban renewal. Recognising that one of the major components of urban renewal and the one which affects the majority of the people relates especially to housing situations, and the general conditions under which some of these pockets of people live, we are

proposing the Urban Development Commission. So, perhaps, Sir, at this stage I need to speak about what the provisions of the Bill happen to be.

This Bill before us seeks to establish an Urban Development Commission in this country.

Asides.

SENATOR THE HON. R. R. FARLEY: Sir, the Bill indicates that the body will be a statutory body, a body corporate and Section 21 of the Interpretation Act will apply.

Basically, the scope of the work of the Commission will relate to those parcels of land which, from time to time may be designated for the purposes of the Act. I should state, that the Bill states toward the end, there is no conflict, with the work of the National Housing Corporation. Section 35 states that urban areas designated under Section 5, and that nothing in the Act affects the functions conferred on the National Housing Corporation by the Housing Act. It is important because Section 35 is very much tied up with Section 5. In fact, Section 35 makes reference to Section 5, because what is being proposed is an institution which, from time to time will have specific responsibilities for specific areas through a process of designation. So that it is not an all encompassing corporation which will be handed, lock, stock and barrel all of the land between Holders Hill and Rendezvous Hill, for example. What it is, as it says in the Bill, that the Act applies only to land in urban areas that are designated under Section 5 and vested in the Commission. So, it has certain specific tasks to undertake.

So that it has identified that particular works have to be conducted in Church Village or any other area, for example, and that is an area designated. The Act provides for a procedure for designation, for example, the Act speaks to the matter of slum clearance. It says in Section 17, concerning this process of designations and what procedures have to be undergone. For example, it says that where the Commission is satisfied that the housing conditions in a derelict area are dangerous, injurious or likely to be injurious to the health and welfare of the inhabitants, then the Commission could pass a resolution designating the area and defining it for the purposes of the Act. It goes on to speak in Section 18 about a programme that has to be developed for the area before any work could start.

A programme has to be developed for the area indicating what they are proposing to do. It also requires that before the Commission could submit this plan to the Minister about what they plan to do with a given area, that they have to "publish in all newspapers published

and printed in Barbados, a notice stating that the scheme is about to be submitted to the Minister for approval," and the name of the place where the particulars of the scheme could be obtained and specifying the time within which objections can be made. That is Section 18(3).

There is no hush, hush secret dealing behind the scenes. This Party does not operate like that. This is a commission which, Sir, will be acting in a way which will involve citizens. Not only that, it says further that notice must be served on every "owner or occupier" of houses that are to be affected by the proposed plan. And then, where the Commission is satisfied that a scheme has been approved, or where approval has been granted by the Minister, then notice has to be further published in effect that the scheme has been approved and naming again, a time and a place where interested citizens can obtain copies of the approved plans and that if there are any changes proposed to be made to the plans after they have already been put out there, we have to go back through procedures again.

Sir, there is no secret deal. Nobody would wake up one night and discover that something strange has happened. I do not know of any other body, Sir, especially bodies set up by the Democratic Labour Party which have operated with that level of transparency and openness. So that the whole modus operandi of the Urban Development Commission will be one in which it will be focussing on doing certain specific activities for the wider development of the urban communities bearing in mind the need for an efficient vehicle to undertake these activities.

Now, Sir, the functions of the Commission as set out, include obviously, pursuit to some of the areas mentioned before they own land and property. They can construct, maintain and repair buildings, provide housing and improve social and recreational activities. They can make advances to provide some finances to help people acquire houses and lands, to construct houses, to refurbish buildings, will alter, engage and improve houses and they can execute some clearance and redevelopment. They also can encourage, promote and provide assistance with development of economic activity and enterprise.

Sir, the Urban Development Commission will be a vehicle providing enough of a range of functions which address the wider needs of the community.

What we are seeking to do with urban renewal is to rejuvenate and rebuild the communities and one will take a holistic approach. Providing the necessary shelter is only a part of what is required. It is also important that attention be paid to generating economic activity within the community to ensure where possible that persons are able

to earn where they live, as well, Sir, as ensuring that the residents of an area are able to develop some pride in their community, Sir; that services both of a social and economic nature are available because communities are not built or never become established when there are only places where people sleep. That is the problem with too many of the modern communities. They are lovely houses. People come from wherever they grow up, buy these houses, but they do not know their neighbours and the neighbours do not know them. They are only places where people sleep. They never ever are communities.

4.35 p.m.

The children do not go to school in the community. They do not play in the community and they do not work in the communities so that the only time the neighbours meet is when there is a crash as the two of them reverse from their garages at the same time. They go to work and drop their children off to school in far flung places. There is no church in the area or they might not go to church. There are also no social amenities so that the work of an urban development commission must of itself be multifaceted.

We do not want to replicate these very sterile hostels as you can call them because a community which is only based on providing some walls and a roof and a nice lawn, as aesthetic as it may be, if it does not engender the spirit of community, if it does not build relationships amongst the young and the old, the working and the retired, then it is no community and we do not propose to proceed with urban renewal unless it has that holistic approach where you build that strong community sense of values but you also ensure that economic activity provides some kind of supporting framework for the work of the community.

An important part of this whole urban renewal thrust that I alluded to earlier would be the matter of ensuring ownership, that persons are able to own house and land. There is a greater level of ownership, generally speaking, in rural areas than there is in urban areas in terms of the traditional community and insecurity of tenure is one of the most destabilising factors that you can have in a community.

When you have a community which is primarily made up of persons who occupy rather than own, there is a constant movement in and out. You do not have generational relationships being passed through.

In the typical rural area where for example you would have a great grandmother knowing another's great grandmother and so on and even if their mothers do not speak as children you cannot get into that because that is between them. In communities where people are

only transient then those kinds of relationships are never established so that the ownership patterns are fundamental to developing the social fabric of this community and that is an important spin-off of the work of the Urban Development Commission.

Getting back to some of the more specifics of the functioning of the Commission. I made mention of the procedures which will be used to give effect to or to start new developments where the Commission determines that an area is in need of development and in fact this has to be done by way of public notice and taking account of objections and other considerations.

There is also provision made for recourse to the courts where any persons involved or affected feel aggrieved by any action taken by the Commission. While this is always a right it is also useful to place it in legislation almost as a reminder for those persons who may not be aware that they have a right of recourse to the courts for most things.

We thought that it would be important in keeping with the effort to ensure the full involvement of citizens that they know that they have a right of recourse to the court concerning matters that might affect them.

Sir, let us look at the matter of the structure of the Commission itself because that is instructive in that it provides some insight into how the proposed Commission will function. I should tell you that this Commission was born out of a programme of research which was done. A survey was done of the urban region, the number of houses are known which are abandoned, what vacant land is available. A whole study was done of the urban area. A coordinated approach involving the Ministry of Housing, the Town Planner and several other governmental and private sector bodies was undertaken. It is therefore only natural that at section 1 of the Schedule that the Commission was given a Chairman, a Deputy Chairman, the Chief Town Planner, the Permanent Secretary of the Ministry of Housing or his nominee and 5 other persons.

The reason why the Town Planner is there is as an ex-officio member of the Urban Development Commission and that is important and instructive. What it does is to ensure that the input of the Town Planner can be received in all the deliberations of the Urban Development Commission. It would ensure that there is a smooth working relationship because no part of the Crown is exempt from the guidance and rulings of the Chief Town Planner. In fact, sometimes in central government we complain that some of our projects are held up because you cannot get through there.

Therefore, to aid in the smooth functioning of the Commission we thought it prudent to include the Chief Town Planner in his own right as an ex officio member, whoever is the Chief Town Planner be it me or John Boyce we will sit on the Urban Development Commission as a right, not by invitation, along with the Permanent Secretary, Ministry of Housing. I believe that that kind of intersectoral collaboration will go a long way to smoothing the work of this entity.

One other aspect of the Bill I would like to touch on is the establishment of an Urban Enterprise Fund and this fund will be the fund into which the resources of the Commission will be placed to allow it to carry out its work as outlined in the functions of the corporation. It will include monies voted by Parliament, monies raised by the Commission on its own by way of loans. Its power to borrow or otherwise raise funds is outlined in the Bill and it must be done under the guidance of the Minister of Finance to ensure that Government's policies in these matters are kept.

Again the corporation cannot dispose of assets without appropriate authority and the like. The Urban Enterprise Fund will provide the resources for undertaking the work of the Commission including where lands acquired by the Crown in accordance with the Land Acquisition Act are vested in the Urban Development Commission. The Commission can provide funds. As a matter of fact, it is provided in the Act that the Commission should pay money into the Consolidated Fund to cover the cost of the reimbursement which the landowner would be entitled to when the land was acquired by the Crown.

4.45 p.m.

Sir, I am satisfied that this Urban Development Commission Bill provides a suitable institutional framework for addressing the issues which confront us as we seek to develop a programme of urban renewal for this country. As I indicated at the start of this presentation, the urban area of Barbados stretching as defined and also referred to as the Greater Bridgetown area from Holder's Hill in the North, bounded by the ABC Highway, going through to the bottom of Rendezvous Hill in the South accounts for some 40 per cent of our population. They are equally deserving of every effort being made to resolve the problems they have.

As I indicated, Sir, it is interesting to note that within that area there are some 75 acres in total, not in a single location, on which stands some 330 abandoned structures in addition to which there are some 23 acres on which stand derelict structures.

I made note of the fact, Sir, of the problems we have with the 500 or so houses in the Belle catchment area. I made mention of the fact of substandard housing accommodation in other areas. There are some areas within that Greater Bridgetown area in which the substandard nature of the housing relates not only to the physical form of the housing itself but also the health issues, the very close proximity of some houses in the City to one another, the absence of waterborne facilities in others and the proximity to certain commercial and industrial establishments which give rise to threats to health and so on.

We are satisfied, Sir, that this Urban Development Commission, as the principal instrument for implementing the Government's programme, will be one of the most spectacular successes and an example of good governance and will take us safely into the next century with a Greater Bridgetown which is rejuvenated, reinvigorated which will become the centre of commerce and of quality residential accommodation, not just for Barbados but also to the envy of the Eastern Caribbean area.

Sir, with that brief introduction I beg to move that this Urban Development Commission Bill be now read a second time.

SUSPENSION OF SITTING

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this sitting be suspended until 5.05 p.m. today.

The question that the sitting be suspended until 5.05 p.m. today was put to the Senate and agreed to and Mr. PRESIDENT suspended the sitting accordingly.
4.55 p.m.

RESUMPTION

Mr. PRESIDENT: This sitting is resumed.

SENATOR J. D. E. BOYCE: Mr. President, I had not even put my finger on the knob when you said Senator Boyce but in my usual obedient style, Sir, I am ready.

Mr. PRESIDENT: According to the rules, the member who speaks first for the Opposition normally speaks at this time and that is why I give you that direction.

SENATOR J. D. E. BOYCE: Thank you very much, Sir.

Mr. PRESIDENT: I see that you have no colleagues today.

SENATOR J. D. E. BOYCE: I made the excuse at the beginning of the sitting, Sir. It is good that we can start the response to the contribution by the Honourable Senate Leader with such levity, not in the sense of the debate but certainly in the sense of our understanding of each other. It is good for the overall vein of the proceedings.

Sir, the Senator who just spoke was at length in introducing the Bill and wandered to and fro with different Clauses of the Bill. He certainly had no order to his approach and very early in the proceedings you would have noticed that he rushed over to Section 35 to seek refuge in the fact that the Bill says that Bill does not purport to do anything that the National Housing Corporation now does. I would add to that that maybe he would want to say too that it does not purport to do anything that the Health Services Bill now does. Sir, it does not purport either to do anything that the Ministry of Transport and Public Works now does. He might want to add that it does not interfere with the workings of the Freehold Tenancies Act, etc. etc.

The point has been made in the national debate so far on this Bill that the Democratic Labour Party stands squarely opposed to the Urban Development Commission Bill as the Bill stands. The reasons for our opposition have been put in public and in the other place on many occasions over the last couple of weeks.

We, not too long ago, certainly in the other place lent our conditional support to a similar Bill in the Rural Development Bill. That might not be the exact name again but we know what we mean. The Rural Development Commission which was established about a year ago and which the record will show has done predictably what many of us feared that it would have done. It has concentrated its energies in ensuring that supporters of the Barbados Labour Party benefitted substantially from the opportunities offered by that Commission and that essentially supporters of the Democratic Labour Party, who are in the majority, of course, as we all know, and other persons would have found themselves lacking.

Sir, it is against the background of this experience and I am yet to meet any beneficiary of that Commission who can indicate to me that a prerequisite has not been to be a supporter of the Barbados Labour Party. This Urban Development Commission is designed along the same structure. No matter how the intent might be explained or attempted to be explained by the Leader of the Senate, the benefit is in the actual eating of the cake and this cake has been carefully devised to benefit, we believe, the Barbados Labour Party supporters and indeed to provide a means by which support can be garnished.

Traditionally, it is a fact that the Democratic Labour Party support has come from the urban areas of Barbados where we have often held the majority of seats. This

Bill presumes that Barbadians do not understand what is going on. This Bill presumes, just like the campaign waged by the Barbados Labour Party in St. Michael North West that handouts would be the order of the day.

Mr. President, the Bill starts and sets out as its objectives slum clearance and improvement of social amenities. Sir, that might be the overall objective of the Bill but when one examines the details one sees interspersed among the many powers of this Commission, powers which will render the Commission untouchable by established agencies in Barbados. We are saying categorically that there are bodies presently established in Barbados who can carry out the work that is being duplicated in this Bill. The provision of adequate housing, the improvement of housing stock of Barbados is clearly set out as the mandate of the National Housing Corporation of Barbados. Instead of that, the Ministry of Housing has been of recent times concentrating its energies, I believe, in directions which do not provide for the real alleviation of the housing difficulties which are facing Barbadians. It has been said by the Democratic Labour Party and it is now being picked up by the Barbados Labour Party commentators that housing and the provision of adequate housing is going to probably be the greatest challenge to the social fabric of Barbados over the next couple of years. The provision of housing for our young people is going to be the greatest challenge. The Ministry of Housing, certainly in my experience in this Chamber has been acquiring lands to provide houses of a range which is out of the reach of the majority of people who require housing in Barbados. No effort is being made whatsoever to provide additional housing stock for the National Housing Corporation.

I left home this morning a little late and I was able to give a lady from Lower Carters Gap a ride to Bridgetown. She related a story to me which really sums up all that has to be said in respect to this. There is admittedly by none less than the two Ministers of Housing on more than one occasion that there is a waiting list of over 5 000 persons in the National Housing Corporation and none of them are being provided for. There are means of dealing with that and I am saying that if we are talking about developing urban Barbados and of course I would like to submit upfront that of the Bill itself, urban Barbados is now anywhere for the purpose of this debate that I feel like calling it, Sir.

This Bill seeks to give the Minister the power to today designate you as 'urban' and tomorrow designate the same you as 'non-urban'. It is a situation which all us anticipated in truth and in fact when about two weeks ago we did hear the pronouncement that somewhere in the Sion Hill area we were going to have established one Dean Town. That must be the first use of the wide ranging

powers which the Minister is going to have in this Bill, to designate any area urban.
5.25 p.m.

This Bill now seeks to give the Minister wide ranging power to look at any area in Barbados and to wake up one morning and say, I have got a problem with Mr. Jones down there in Chalky Mount and I want to deal with that property. For purposes of dealing with that property I am going to designate Mr. Jones' house. He does not even have to designate Chalky Mount, Sir. I am designating Mr. Jones' house an urban area and I will proceed with the rest of powers and the affirmative legislation and the advertising *et cetera* does not say much. We know how those things are dealt with and it is the perceived power of the Minister that will drive fear in the citizens of this country. I keep saying in here and I will repeat it again, it is important the message we send even if sometimes the messenger is blamed for it. I think these are some of the wrong messages that are going out into Barbados.

Is it true, for instance, that the Director of the Urban Commission has already been appointed? That is what is out there on the streets of Barbados, that he went to work already and had to be sent home by the guard, Sir, and told the job was not ready yet. He had his brief-case. I am telling you what I know.

Mr. PRESIDENT: Are you addressing the Chair, Senator Boyce?

SENATOR J. D. E. BOYCE: Yes, Sir. Only the Chair, Sir. I withdraw the remarks "I am telling you" in that address, Sir. Sir, the point is, the person designated has already been to work a day and had to be sent back out of the National Insurance Building because the Commission is not ready.

SENATOR THE HON. R. R. FARLEY: On a point of order, Mr. President, the Honourable Member is misleading the House since it is impossible for any one to be appointed, designated, coming to work for an organisation that does not exist. We are now, today, trying to debate an Urban Development Commission Bill so therefore no one can be designated to an organisation and come to work for an organisation that does not exist. I want to ask, Sir, that the Honourable Member withdraw those statements.

Mr. PRESIDENT: I think the Leader of the Senate has made a valid point and I would ask you to withdraw that statement in respect of the appointment of a person to an office which does not exist in law.

SENATOR J. D. E. BOYCE: He may not have been appointed, Sir, and in that regard I withdraw the remark but he went to work, Sir. The point is he went to work and the security guard had to ask him not to go in the place and that is a fact, but we would not spend any more time on that. I know the other side would like me to stay there so that I would not get to the meat of the discussion.

Sir, it is a Commission whose powers, as I started to indicate, are wide ranging. We talk about slum clearance and the first reference the Honourable Senate Leader could make was to the area of Church Village and New Orleans and Rotten Town, the areas where the majority of the most underprivileged members of the Barbadian society reside. The questions in my mind are what are the plans for those people? Is this legislation a dagger? I know they will shout and scream when I say this.

Mr. PRESIDENT: There will be no shouting and screaming in here, Senator Boyce.

SENATOR J. D. E. BOYCE: We know the record of this administration in regard to the treatment of the underprivileged in this country. We know that today in urban Barbados, Sir, in Shepherd's Alley, there is established a Café where one can sit and drink tea and in the last administration of that side, Sir, that same area was designated a street and ordinary working class Barbadians were chased out of Shepherd's Alley at the other end of a dog's tongue and police batons. So pretending and hiding now under the establishment of a vendors' mall in Palmetto Square, a project started by the Democratic Labour Party and partially completed by the Democratic Labour Party I am not going to be so ungracious as to read into the record the fact that the volume of stalls provided have been increased.

I believe the result of that is of course if you have a certain area and you have designated 20 rooms and you decide to put 40 rooms you know what will happen, each room has to give way and become smaller in order that 20 becomes 40. So they have created more space, more opportunity and I agree more opportunity for small business people and I have no quarrel with that, Sir, but the conditions need to be revisited and we should have been hearing, and I will never tire of telling him what he should say. We should have been hearing from the Honourable Senator who just sat down what plans the Urban Development Commission or the National Housing Corporation, for that matter, or the Ministry of Public Works has for adequate ventilation of urban Barbados, that is, the vendors' mall. What plans are there afoot for dealing with that problem and dealing with the provision of stalls for those vendors who have been displaced as a result of the limited facilities that are provided at this time.

Sir, this is a project which must be on-going and must form part of the programme for either the National Housing, the Ministry of Public Works, the Ministry of Agriculture, or if this Bill is passed, as I hope it would not be then this so called urban commission could undertake the task.

Sir, remember there has been public discussion too about the acquisition of certain properties from Government by people like the Tourism Development Corporation. I think I can recall some discussion in here even very recently, on this matter. Is the Urban Development Commission also going to be involved in that? Are they going to be responsible for the creation of vending opportunities which we talked about during that discussion which was part of the public discussion during that debate? Are they going to be responsible for that provision, Sir, because the record will show that the Minister of Industry in this country whom fortune would have it, is with us this evening, in fact two Ministers of Industry are here, Sir. 5.35 p.m.

Sir, only this week they have been discussing with me \$2 million which has been sitting down in the Ministry of Industry for at least two years purportedly for the benefit of small businesses in this country and not one cent has been dispersed for any small business in this country or half small business in this country or otherwise.

SENATOR THE HON. R. R. FARLEY: On a point of order, Mr. President, the Honourable Member is misleading this Honourable Senate. The Honourable Senator I am sure is well aware if the Ministry of Industry had \$2 million it would have been well spent. However, the funds which I believe he might be referring to are with the Small Business Venture Capital, Inc., which is a company established by the Small Business Association and those funds have been earmarked by the Ministry of Finance for that purpose, but they can only be accessed when the Small Business Association, through that company puts into place appropriate regulations to ensure that the money will be well spent.

The money is not or has never even passed near the Ministry of Industry nor is it endorsed.

SENATOR J. D. E. BOYCE: Sir, the responsibility for small business development in this country lies squarely, and I refer to The Official Gazette of this country, I am not depending on any contribution by the Senate Leader, in the purveyance of Senator Reginald Farley, who is the Minister of Industry in this country, and Small Business Development. He is not like the other Senator Industry Minister in here. The other Minister is in charge of International Business Development. But,

indeed the record might show that both of them are performing equally unwell, and that business development, both internationally and locally is suffering at the hands of unenlightened policies. So, how can we start to talk about urban development when in fact urban development must have at its core, the involvement of small business activity. How can we start to discuss urban development when it does not have that at its core, or when the record demonstrates that we have been unable to get the funds which the Small Business Association so badly needs. The Minister has been unable to persuade the Small Business Association of Barbados to get their act together in such a way as to access these funds and use them for their own good, and eventually for the benefit of greater Barbados.

Sir, the question of water contamination came into the debate when we discussed specifically, what was referred to as squatters at the Belle. The Minister was eager almost to share with us his discovery that the water zones of Barbados are, in actual fact, in places where many of us might not think.

I have always recognised that essentially Barbados has got to recognise that the entire Barbados is a water zone, because, our substructure is such that water seeps into the substructure when the rain falls.

Asides.

SENATOR J. D. E. BOYCE: It seeps into the substructure through the coral structure of Barbados and then eventually finds its way into the main water courses of Barbados, whether by aquifer or otherwise, I do not know. But the point is, any business place of Barbados is potentially capable of contaminating Barbados' water resources.

Asides.

SENATOR J. D. E. BOYCE: Look, for many years I worked at an industry in Wildey, have we seen anything done to deal with the effluent from that industry where the main components of the effluents, Sir, can in fact be extremely hazardous to the population, if left uncontrolled. I think it is time that the Minister responsible for urban development in Barbados, recognises that part of his duty, is to protect the water contamination, and stop running down the poor people in the Belle.

There has been on the drawing board for many, many years to put septic tanks in the Belle to deal with that problem. Go ahead with that programme, and deal with the bigger one, the discharge of caustic sewerage and the discharge of lime and the discharge of acidic acids and similar chemicals into the natural water course of Barbados by industry.

In many, many countries, places like the industry I referred to and the Minister should probably listen, we must start a programme which requires industries like Banks, and Pine Hill Dairy and when Tiltman comes, we will have that as part of our plan, the installation of adequate treatment facilities. This cannot be discharged. It is common place now. It is part of a common place in terms of manufacturing development. Nobody builds a brewery or operates an operation like Pine Hill Dairy or Banks without having some provision for making sure that the discharge into the public's sewer is not of a condition that can be adequately dealt with. It must not be seen as an imposition.

Asides.

SENATOR J. D. E. BOYCE: It has to be a requirement. It is a social responsibility that they do this. When we are looking at water contamination and we hasten to blame the residents of the Belle and start saying that Don Blackman put them there or Don Blackman did not put them there...

Certain remarks made by SENATOR BOYCE were ordered to be expunged from the records by Mr. PRESIDENT.

SENATOR J. D. E. BOYCE: Sir, my point in that regard is that water contamination in Barbados is a total Barbadian problem and should not be isolated to a specific area for example, the Belle, or to go down Haymans, or go into Christ Church or to go into St. George at Constant. You see, the arrangement now is that you can stand up here, by Senator Workman, and be all right. You can discharge your effluent freely into the substructure, but if you come over here by me, a line comes down the road, Sir, and you have to obey certain arrangements. We know that is not true, and we need to address these items.

We are talking about progressive legislation and we need, when we get the opportunity to deal with these things in a very clear way, Sir.

5.45 p.m.

Sir, we recognise that the Barbados Labour Party intends to use this Bill as a slush fund to draw monies from the national coffers for purposes of their re-election but they are fooling themselves. As I said earlier, they tried it in November. They lost miserably. The leaders of that campaign have not yet come back into public view. They have been driven into their corners and they will remain there for the rest of their political careers. Every now and then they will show their heads, but that is normal. A whale comes up to breathe but eventually remains submerged in deep waters most of its life.

The establishment of the Commission alone, if the regulations that are set out here are followed, and let me while I remember because it is that sometimes in the haste of your delivery you do not remember these things, the Senate Leader in setting out the structure of the Commission did not give credit to the Democratic Labour Party for at least begging that the membership of the Commission should include because they were so intent on demonstrating that the Commission would have nothing to do with Town Planning, despite what they say here, that it would have nothing to do with National Housing Corporation, despite what they say here, they would have gone ahead without them. At our insistence and they were not even graceful enough to tell the other Senators that they would not find the composition in the Bill as distributed to them but that they had to look at the attached page.

Aside.

SENATOR J. D. E. BOYCE: It is graciousness we are talking about and it is intent. The intent was not really to include the Chief Town Planner. The intent was not to include the Permanent Secretary of the Ministry of Housing or his nominee. Of course, I trust that at committee we would have an opportunity also to modify Chief Town Planner or his nominee. I am not sure I will be present but I am sure one of the Senators over there will make sure that that correction...

Aside.

SENATOR J. D. E. BOYCE: The point is that this Commission as designed by the Barbados Labour Party had no intention of including the Chief Town Planner. They would have trampled his territory as they liked. They would have set their own ground rules. The terms are all here. They would have acquired houses and lands. They would have constructed houses, refurbished, altered, enlarged, repaired or improved buildings. They were going to build and rebuild as they pleased without reference to the Chief Town Planner or the Ministry of Housing. We at least achieved that aspect.

We have said very clearly that the experience of the Rural Development Commission leads us to believe that this Urban Development Commission will operate similarly. The point is made that the Commission will provide for cottage industries. Again, Sir, who will make the decisions about the cottage industry because the Commission's terms of reference seek very clearly to be objecting to a house that you do not think should be demolished similar to the Health Services Act. There is no difference. It even refers you to the Health Services Regulations and tells you if you do not understand this, read the Health Services Regulations. It does not speak to any terms of reference as

to how the cottage industries will be decided upon, whether each person will present their project to a body or to the Ministry or to some adjudicating body which would then decide which one to proceed with.

We are saying that this strikes of the opportunity to deliver preferential treatment – that is the kindest I can put it – to members of that side. We cannot support that kind of legislation included in the body of this.

Sir, the Commission is to acquire lands and to dispose of lands. It is to go into areas and to say it wants this area for the development of a hotel and the people of the area will be given notice and the Commission will proceed with its project. The ordinary Barbadian citizen – and I keep saying that these kinds of tools do not affect the people who live in places like the Honourable Senate Leader. Nobody is going to come up there to acquire his house to build anything or to make a vendors mall of it. He even by his own guilt could utter the words that the first thing he has his eyes on is the poor people in Church Village and they have to move and we know the history behind that project. Pressure has been applied to those people...

SENATOR THE HON. R. R. FARLEY: On a point of order. I hate to interrupt the Honourable Member when he is rolling along so smoothly, heavens knows where. Nevertheless, in my presentation I did not indicate in any way that the people of Church Village had to move that they were targetted. In my presentation on the urban areas and the problems which are faced I mentioned housing conditions and I gave examples of areas where they existed, including Church Village, New Orleans, Greenfields. No where did I indicate where the Commission would start. I am not in a position to do that. I would want the Honourable Member to withdraw those remarks which he attributed to me because they are misleading the Honourable Senate.

Mr. PRESIDENT: You have clarified Senator Boyce's points. I do not think a withdrawal is necessary. Please proceed. Both statements now appear on the record.

SENATOR J. D. E. BOYCE: As is usual, the people who are going to be targetted by this type of legislation for what I call action are going to be in the main, in the majority, the less fortunate members of our society. The derelict houses that we refer to – we referred to 73 acres of housing in unsanitary conditions and now another 23 acres in derelict condition – they will essentially be properties that have been abandoned forcibly because nobody enjoys living in derelict surroundings and the point is what is the Commission's role in terms of ensuring that the persons in these properties will be allowed to remain?

There is no evidence that provision will be made for the persons because they will not be able to deal with the amount because the Bill speaks specifically to that, that if the Commission improves an area the person who claims the area will now be responsible for paying for the improvement.

In the first place buildings become derelict because of the inability to service them. So do you think that if you go in and rebuild one of these derelict houses and put up a property worth \$100 000 that all of a sudden the poor owner will have any opportunity of paying for the development in business? It is obviously a case where the property will have to be surrendered. This is serious business.

We are looking at a situation here where Trotman and a few other fellows can decide the fate of a number of suffering and already struggling members of this society and they will not be able to foot the bills that would be contemplated in the kind of redevelopment. Can you imagine going into Church Village and rebuilding Church Village in a way that would suit the architectural excellence of the Central Bank? Can you imagine what it would cost? Are you aware and can you imagine the cost to the residents of Church Village if they are to remain there?

Mr. President, what is not clear in the legislation but what must be inferred is that in cases like these it is certain that the residents and the home owner will be extremely disadvantaged at the end of the day.

5.55 p.m.

Sir, the powers of the Commission include the right to grant leases up to 99 years, so again we have a situation where you can contemplate the extent without any reference to any Parliament. The Commission can go in, once they have acquired a property or had the property vested, they can then act on this property as they please and concluded among the action which they can carry out is leasing this property for up to 99 years without any reference back to any Parliament of this country. At the end of the day, the only thread of recovery the people of Barbados have is in Parliament and their ability to every five years or period designated they can go out there and demonstrate their position. I know that come 1999 or before, they will again demonstrate their position in respect to whom they want to see running the affairs of this country.

When we put these threats, and this additional hardship on these people, a people who are already reeling under the Value Added Tax, a Value Added Tax which the Prime Minister has made it clear he is not touching until he is good and ready, with the people already reeling, we are

now contemplating a Commission which is going to move in and take their property as they see fit without any recourse.

Sir, section 15(1). The Commission will have the authority to require the rebuilding of a building. We are talking about the powers of this Commission, and I want to go to it, Sir.

"Where in the opinion of the Commission a building to which this Act applies

- (a) is derelict;
- (b) is unfit for human habitation;
- (c) creates a nuisance; or
- (d) is injurious or likely to be injurious to health,

the Commission may serve on the owner or occupier thereof notice in writing requiring him to demolish, secure, repair or rebuild the building to the satisfaction of the Commission."

Who is this Commission? The people of Barbados are accustomed to dealing with matters of building standards, dealing with the Town Planning Department. If you require to build a little home you get your drawings, you send them to the Town Planning Department, they send them to the Ministry of Lands and the Ministry of Health, they return them to the Town Planning Department with approval or non approval. You go back and get your plans back and you have on them stamped "approval" and you go ahead and build your house.

We are now creating another layer of humbuggery, that is what it is, because now we get a group of persons who will sit down daily and decide that Senator Welch, for instance, should not develop his property the way he likes and they put a new set of impediments in the way of Senator Welch, so we have to examine this. People are already at their wit's end in dealing with the Town Planning Department but having completed that process we are being asked to contemplate the actions of this Urban Development Commission.

The Democratic Labour Party, as a defender of the working-class people in Barbados, cannot stand idly by and allow this kind of action. We are not going to be silent on it. When you become clouded by your own ideas and sometimes it happens in your enthusiasms, you do not recognise maybe when all is said and done, in truth and in fact the need for this Commission is not there because clearly any serious perusal of the powers being

designated to this Commission will indicate that it is a complete and total duplication of responsibilities.

Even if we look at the position of developing an area in Bridgetown, we have already sat in here and the same Minister was at length to tell us how the building down by the Wharf which he was then begging us to support for the Minister in charge of the Tourism Development Corporation, he was at pains to indicate how the Tourism Development Corporation will go into it and that in truth and in fact it did not need much work. That is what he said. He had me amazed because it was not the same building. He said an essential structure was there. The stairs were still in place. Am I right? As the caller would say, Sir. The stairs were still in place. The verandahs were all there and the whole effect could be maintained.

SENATOR THE HON. R. R. FARLEY: Mr. President, I hate to interrupt the Honourable Member, however he is misleading the House and he is also, I submit, Sir, in breach of the Standing Orders.

First of all I did not indicate that a building which I indicated had a tree growing out of it could be in a condition where it did not need much work.

Secondly, if the Honourable Member wants to move a formal motion that we recommit that matter, then we would be in a position to debate it but the Honourable Member knows fully well that he cannot, by way of passing comments, misrepresent what was said during that debate without going the route of a formal motion to recommit that Bill which was passed earlier in this Senate.

SENATOR J. D. E. BOYCE: So, Sir, the public's contemplation then was that the Tourism Development Corporation would take the Wharf building, it would develop the Wharf building into a vendors' mall again, Sir, because that is the favourite word of the Barbados Labour Party. Whenever they do not know what they are going to do with something they say they are going to provide vendors' malls, so they are going to put vendors malls and then they would provide more opportunities for small business, but we dealt with small business already and I trust they will go ahead with that.

The point is that even then the Tourism Development Corporation was seen as the agency that would take the development up by the Boat Yard forward and many other properties which were being discussed publicly at the time. Now we have juxtaposed with them again the Urban Development Commission which will also do the same thing. Is not this a blatant case of providing jobs for the boys? I have already indicated that the man has already been to work so the Democratic Labour Party is not going

to be a part of that, Sir. We are not going to stand by and allow that to go without bringing it into the full discussion of the public of Barbados.

Assessment of Compensation, Sir. Again, this Bill in section 23(3), I have to be very careful because the Senate Leader by his own admission does not know much about this area and I do not want to mislead, section 23(3) says:

"In assessing the amount of compensation payable under the Land Acquisition Act to the owner of any land or building or any interest therein compulsorily acquired for the purposes of this Act, regard shall be had to the following":

They went on to list the criteria which would be used in assessing the valuation. This is in complete knowledge of the existence of the Land Acquisition Compensation Act which is Cap. 228. The point being that in subsection 3(a) "in the case of land with building thereon unfit for human habitation or dangerous or injurious or likely to be injurious to the health of inhabitants of the area, the compensation payable shall be the site value of the land as unimproved land without regard for any building existing thereon".

6.05 p.m.

Again, Sir, I have a difficulty because when one is contemplating compensation, you are compensated for the entire property involved. This Act now seems to want to separate the land from the area of land which the building actually stands on and that is where there needs to be clarification.

SENATOR T. E. BARKER: The Honourable Member is misleading the House because he did not read the whole section. He only read the last part and it is unfair to us to just pick out a phrase out of this and accuse Government of doing certain things without reading the whole section. Sir, I would like to read the whole section with your permission.

"In the case of land with building thereon that are unfit for human habitation or are dangerous or injurious or likely to be injurious to the health of the inhabitants of the area, the compensation payable shall be the site value of the land as unimproved land without regard to any building existing thereon".

Sir, all this is saying is that if you have a derelict house, all you are being paid for is the land.

Mr. PRESIDENT: You have made your point.

SENATOR J. D. E. BOYCE: Sir, the question of urban development takes in a very significant area

of Barbados and the greater urban Barbados as stated by the unavailable document, but which I have seen, defines urban Barbados as that stretch from Top Rock along Graeme Hall down ABC Highway and right back down through Holder's Hill. It is quite significant, it is almost half of Barbados that is described as this urban Barbados. It takes in an area in Dover called St. Lawrence Gap. I want to spend the next couple of minutes on this. I hope the time being taken away from me by Senator Barker is being carefully noted because I do not want him to steal my time.

Mr. PRESIDENT: You have eight minutes left.

SENATOR J. D. E. BOYCE: The area in Dover known as St. Lawrence Gap. Last week there was a meeting of residents of Dover who came to voice their opinions about the entire development of St. Lawrence as it affected their lives. I want to especially lean on the point made by the police representation there which I think was very well handled by Assistant Commissioner, John Sealy. He indicated a very important point to the gathering. He said that you have got to recognise that along with being developed as the entertainment beat of Barbados, St. Lawrence will of necessity become a haven for criminal activity, we are not talking about murders and that kind of thing but the stick up robberies and the bag snatching and that kind of thing and of course, the incident of vagrancy as is being determined.

In passing, Sir, it is a pity that we have not got back to the Vagrancy Bill but I trust that we will soon see that being dealt with in another discussion. We have heard reference to it privately but we hope that we will get back to it very soon – the Minor Offences Act, Sir.

St. Lawrence is going to be a challenge both in terms of policing and in terms of the responsibility of residence. I think that any Commission which purports to be urban or responsible for urban development must state specifically where their energies will be channeled in respect to the handling of this type of activity and this kind of crime. There is absolutely no mention in here of any attempt on the part of this Government to establish an adequate treatment centre for a number of the casualty referred to by those who ply their ware in the ambience of the St. Lawrence Gap. I want to make the point very clearly. These are victims of our society and they need to be treated, there are in the main, sick persons, Sir. We need to provide facilities for them to be adequately treated.

We cannot contemplate a fully developed urban Barbados that does not include a provision for the development of facilities to treat persons of this nature, the so-called vagrant, what is commonly referred to as the 'parros' in this country. It is a serious problem constantly being shoved under the carpet by one or another

organisation in this country and never being confronted in a proper manner to deal with it. I would not be so ambitious as to think that we can necessarily rid the country of this type of person but we need to get our energies channeled towards a programme which provides for those people too. I am not afraid to keep repeating in this Chamber that they are mainly from the poor sector of this community, the disadvantaged and they are mainly in a helpless condition.

At least one business person in that area, and I want to commend them for their position, has stated publicly at that meeting that they have been part of a programme which provides security at their own expense for the guests and are willing to take part in some sort of programme which would see a correctional facility being established specifically for that purpose. It was being done at St. Joseph Hospital, Sir.

Mr. PRESIDENT: St. Joseph Hospital is outside the scope of this. Could you please wind up?

SENATOR J. D. E. BOYCE: Sir, we need to include in our urban development programme the provision of some facility to deal with these problems. The Urban Development Commission Act reminded me of something they say in calypso. There is only one word that can sum it up. We need to abolish it. The word is "Abolish it, Abolish it, Abolish it".

Mr. PRESIDENT: I hope it is parliamentary.

SENATOR J. D. E. BOYCE: That is my contribution, I am grateful Sir.

SENATOR J. A. WORKMAN: Mr. President, I had not planned to speak on this Bill today but I think, Sir, that as I have said before, I really love the opportunity in the Chamber where each individual is able to give his or her own point of view. I think the time comes when we have to look at reality and allow reality to overshadow opinion. 6.15 p.m.

I would like, Sir, to make a few points. The first would be a point of delight, a point of disappointment, a point of surprise and a point of consideration. I am delighted, Sir, that the Government has seen it fit to bring this piece of legislation to Parliament where it seeks to provide the necessary infrastructure for enabling improvement of life and livelihood in urban areas. As I look at the proposed legislation I think it brings a holistic approach to the development of human beings who will reside in these urban areas and also work there and find their living. It certainly does make provision for mental

and spiritual economic and material improvement and therefore I am delighted with that.

My point of disappointment, Sir, is this. I think I made a note of the words of my namesake Senator, Senator Boyce as he spoke. He said, "if this Resolution is passed and I hope it is not" and it is at that stage that you, Mr. President, that you corrected him that it was not a Resolution that it was a Bill and he went on to say if this Bill is passed and I hope it is not, and that is my disappointment because, Sir, I am hoping that those are not the views of Senator Boyce and his party. If they are his views alone my disappointment will not be that great. I can overlook that. If it is the view of his party that he is expressing then I am very disappointed, because, Sir, it would mean, from his own words that his party is not eager to support the functions of this Commission which include,

(1) constructing, maintaining and repairing buildings of poor people,

(2) providing housing and improving social and recreational activities.

His party would be against the carrying on of any business undertaking. His party would be against making advance to persons to acquire houses and land, to construct houses, to refurbish buildings, to alter, enlarge or repair or improve houses or other buildings and include lands for slum clearance.

SENATOR J. D. E. BOYCE: Mr. President, Sir, on a point of order. Mr. President, I hate to interrupt the Honourable Senator but he is misleading the Chamber. My delivery was at pains to point out that I was not supporting the Bill and my party would not support the Bill in its present form given the already existence, and I went on to make careful mention of the already existence of institutions which can adequately provide all the things that the Honourable Senator has referred to and is about to continue referring to. That is the point of objection.

SENATOR J. A. WORKMAN: Mr. President, I will repeat the words the Senator said. He said he hoped this Bill would not be passed and this Bill makes provision for these very things so I do not think I need say anything more on that, Sir. The point is very clear. That is why I was disappointed and I said I hoped it was not the stand his party is taking. That was my disappointment, Mr. President.

I want, Mr. President, too, Sir, to go to the point of surprise. The Senator in speaking on section 15(1)

conveniently I presume because he stopped at section 15(1) and this is what I am talking about, bringing the reality of the matter before the Chamber...

SENATOR J. D. E. BOYCE: Mr. President, I hate to interrupt the independent Senator again but on a point of order, it is impossible in the time allotted, Sir, to contemplate every clause or item of a Bill of this magnitude. It is therefore with great respect, Sir, that I would like to have removed from the record any impression that I was conveniently speaking on one section rather than the other, Sir.

Mr. PRESIDENT: I do not think that is a point of order. Each Senator expresses his opinion and that is the Senator's interpretation of what you say. In terms of specifics, if there is any particular point in which you suggest that he might be misleading the House, please draw that to our attention.

SENATOR J. A. WORKMAN: Mr. President, even if the word "convenient" is withdrawn the words of the Senator, "it is not convenient to deal with every section of the Bill" so I am dealing with those sections that he has omitted to use, Sir, because whereas Section 15(1) does in fact give the Commission authority to deal with derelict buildings and repair those buildings, it also gives the owner who cannot comply, a position to appeal. Further in section 15(2) if the owner does not comply, the moneys spent are to be defrayed out of funds at the disposal of the commission and not at the burden of the owner of the property. So this is why I am talking about reality as a matter as opposed to opinion. So I was a little surprised about that.

He went on to ask who is this Commission. The Act, Sir, does say who the Commission is because he was concerned as to whether or not the Commission could override the powers of the Town Planner. But the Commission includes the Town Planner himself and that is the sense behind the legislation, to have those who are involved and those who can set the standard for housing and for the laying out of proper sites within the urban area to be present at first hand and to be able to give the pointers and the necessary professional instruction. So that we would not again have the kind of maze we have like if we were going to Lightfoot Lane and we had a fire there tonight, God help everyone in Lightfoot Lane. These kinds of things would not happen. It is in this way that we need to be able to interpret legislation to see behind the letter of the law and see the spirit of the law which goes to the amelioration of human beings in this country.

The point of consideration I would like to make, Sir, is to refer to section 13(2), Sir, where the Commission has the power to grant a lease for under 99 years. I am not

sure if this was the intention or if they were just merely following the usual legal jargon, grant a lease for a term of not more than 99 years, but a term of under 99 years, even a term of 60 years can be a long term and I feel, Sir, that some consideration could be given to that so that the Commission itself should not grant a lease for such a long period without the approval of the Minister.

In the schedule, Sir, with the composition, I believe, Sir, that the draughtsmen may have interpreted that where reference was made to the Chief Town Planner and then the Permanent Secretary or his nominee that that "or his nominee" straddles both. I think it is a little ambiguous and I think the Town Planner himself or herself, as a very busy individual, may not be able to attend each of these meetings and that should be amended to reflect the Chief Town Planner or his nominee. I am obliged to you, Mr. President.

6.25 p.m

Mr. PRESIDENT: Senator Gill.

SENATOR D. T. GILL: Mr. President, I rise to speak to this Bill with some degree of felicity and contentment. I am not surprised at all to see that the second last speaker has left. It is his style and it has been his style for years. He picks up bat and ball and runs away. Sir, I was privileged to be his junior at school and I know what I am speaking about.

Mr. PRESIDENT: I would suggest Senator that you leave the personal references out of the debate.

SENATOR D. T. GILL: Very well, Sir. His speech reminds me in great measure of an article appearing in this last quarterly edition of "The Parliamentarian" where the writer, A'Keefe, in his article on "Rules of Debate in the Australian Senate" had a double quotation at the top of his article. He quoted from George Elliott and the quotation was,

"Blessed was the man who had nothing to say abstained from giving us wordy evidence of the fact."

And the other quotation, was from Kahlil Gibran in which he says,

"In much of your talking, thinking is half murdered."

Asides.

SENATOR D. T. GILL: Sir, from the tone of his presentation I can see that Senator Boyce has a lot to fear. He thinks that one is striking at the Achilles heel of the Democratic Labour Party. By his works he has confounded himself.

This side is not responsible for the lack of foresight or vision of the Democratic Labour Party and its initiative. They have told us that they do not believe in Manifestos. They have said so, they have gone on record and it was thrown through the window and therefore, they are not social contracts.

He said, that they will benefit substantially by the Bill and that their support has come over the years strictly from urban areas where they had the greatest amount of votes. So, we are not responsible for that. One thing that is apparent in recent elections is that the young people are no longer following that beaten path of "if your mother or father was a "B" or "D" you in turn would be a "B" or "D". That is coming through quite clearly.

Sir, he speaks of two Ministers of Industry, but they had four Ministers of Agriculture in a short period of time and at one time two Ministers, simultaneously.

Mr. PRESIDENT: Senator Gill, I am waiting for you to begin your debate on the Urban Development Commission.

SENATOR D. T. GILL: I am just trying to put what he said wrong, right. We should not leave this Chamber to use his word "clouded" by those statements which he made. Sir, he spoke also about a company with which he worked. He had the opportunity to make wrong things, right.

Asides.

SENATOR D. T. GILL: He did not tell you if any analyses were done of the effluent to see how many parts per minute of acidic acid or caustic soda. So, if this is the type of presentation we will be treated to on a weekly basis then he could leave. Discharge of acidic acid? That is vinegar, it will react with the lime stone and give you a little carbon dioxide. That is all. Do not allow these things to happen. Carbon dioxide will help to counteract the other excess effluents in the air. So, it is going to be a turn over.

Mr. PRESIDENT: It will assist urban development. Is that what you are saying?

SENATOR D. T. GILL: He should not leave in here, and I am going to clear it up.

Sir, what has happened and if I may quote from the British Minister, who says that real politics are about offering your people a decent standard of living and not about flag waving. The days of just flag waving are gone. But you must offer a proper standard of living. So that brings me on to the meat of my discourse. I am very much obliged to your tolerance.

This White Paper on Housing which is inexplicably bound up with the Urban Renewal Commission and the Commission, *et cetera*, because he only quoted part of the objects and reasons. It says,

"This Bill will provide for the establishment of an Urban Development Commission, for slum clearance and the improvement of social amenities in urban areas"

and he stopped there. He did not go on to say,

"and for related matters".

So again, we were not treated to a full story.

This White Paper on Housing speaks to urban renewal, and it says that a comprehensive urban renewal plan has been prepared for implementation through the establishment of an Urban Development Commission and that is exactly what we are debating here today. In this respect Government will seek to realise the following goals.

Some of those goals, if one is to say that in creating an environment in which good help for all is fostered and maintained, and if you are saying that this is not to benefit the people in urban Barbados, then, what is?

Promoting sustainable environmental development of the physical environment, what else would be?

Improving the sale of tenancies in the urban area to qualified tenants, what else could be?

Declaring special development areas based on the existence of tenancies and on poor housing conditions within which specified incentive packages will be implemented.

Sir, it is a complete package. It is not a hodge podge measure. One operates in a tandem with the other. In making further reference to this White Paper, they speak about vacant lands in urban areas. They refer to areas which I know fairly well, for example, Brittons Hill, where there are 70 and Black Rock in St. Michael, 107. Lots of these vacant lands and derelict buildings have come about, and I have heard Senator Bolden speak to this already, because of people who have migrated and lots are locked up in legal battles, *et cetera*.

Sir, if these properties could be used for the benefit and to improve the standard of living of residents of St. Michael or on the fringes of St. James or Christ Church, then it would be most unkind of this administration not to do so.

Then, it goes on to say, this brings me onto a very topical issue, a few of the larger tenancies are Alleyne's Land, Bush Hall; Halls Village, Halls Road; Bannister Land, Martindales Road; Holders Land, Bush Hall; Bibby's Gap, Halls Road. Although I had alluded to these areas in an earlier debate, I would like to make the suggestions to the folks in these areas, and particularly in the Halls Road area, in that tenancy to get hold of the "Form I", the tenant's notice to the landlord of intention to purchase the freehold of his lot. Get hold of them. I have one of the letters which was sent out to the tenants. At a time where this administration is so bent and focussed upon improving the lifestyle of people in urban Barbados, I would impress upon them to get hold of what is referred commonly as this "Form I", fill it out and return it to the appropriate attorney and law firm.

Sir, the Ministry of Housing is, no doubt viewing the whole scenario.
6.35 p.m.

That area already has in it certain infrastructure, roads, street lights, water, all put in at some point in time by successive governments. Now is the time to get on board because it is my understanding that at the next session of Parliament after it recesses there will be legislation to amend the Tenancies Freehold Purchase Act...

Mr. PRESIDENT: Senator, I do not think you can anticipate that.

SENATOR D. T. GILL: I say it is my feeling, Sir. Now certainly what I can say quite boldly and not anticipate is now is the time. The mood is there. The operators are there and the time is ripe for those tenants to apply, fill out their "Form I" and apply to purchase their lots. That is our manifesto commitment.

Also in this document, Sir, people have been living on lands for consecutive generations, each 20 years cumulatively, 80 years per family and in this White Paper we see set out here under Access to Land, the adoption of appropriate legislation to ensure the provision of security of tenure to land tenants who have lived on their lots for more than 20 years, irrespective of the size of the tenancy and including single lot tenants.

This also speaks to the establishment of a statutory price and I think this is to come. The establishment of a statutory price with the purchase of lots by urban tenants. Sir, if you have read one without the other, then that is not our fault. The Senator who spoke before the last and fled certainly would have been equipped with this document.

Sir, I would like to urge the members of Cabinet who are with us here today that I would like to see a scheme whereby Government workers, folks who are working for \$250, \$300-\$400 a week, the maids, the MTW fellows, the gardeners, the labourers could apply for loans on very good terms to keep their houses in good condition and at the time make the necessary deductions weekly, because after they have been able to acquire houses in these areas after 5 years when lots of problems set in, termites, plumbing, problems due to the weather, the buildings become weather beaten.

Sir, Barbadians of a certain age and from urban Barbados at the end of this term of government would have had an opportunity to hold up both the promises and the performances of the Barbados Labour Party and the promises and the performances of the Democratic Labour Party. They would be able to conclude which one has deceived them and which one has looked after them and has been able to improve their standard of living.

During the period of 1986-94 one single housing unit! Sir, can you speak to that as being as socially acceptable or anything for upward mobility? One? And defend it, come in here to destroy and to make fun of this Bill?

At the end of it all, they will be able to see who has neglected and who has not neglected them. He has left the Chamber but he is within earshot and I would like to remind the Chamber because some of us do suffer from a little lapse in memory. All of the reporters may not be of that age or may not be so inclined to follow such matters but if we look at St. Michael and I am going to show him that this has nothing to do with winning the next election. You look at the constituency of St. Michael North East and you see work now going on. You look at the East in the Ivy just next door to the old St. Giles School which used to be the Atwell's property. That was acquired by an earlier Barbados Labour Party Administration and had been used for housing.

Go to the south-east as far back as in the days of Sir Grantley Adams, the Pine Estate. You go to the South - Bay Street, the Bay Estate. You go into the City. This Barbados Labour Party Administration left the Pondsides development intact in 1986 and came back 8 years after to see that nothing had been done. Is that progress, Sir? Sir, is that looking after the poor people?

I am not only speaking about just beyond the new Central Bank building. Go down to Kensington Lodge, Passage Road next door to the playing field. That is at the northern end. I went there a few weeks ago to see a final and the whole place was transformed. About 10 new buildings, all housing units. Is that about keeping the poor black man down? Is that not part of this urban

rejuvenation? Go to Christ Church West which falls into the southernmost end of that line running from Holders Hill to the Rendezvous Ridge. Bonnetts Development. Is that not foresight and progress and caring for the underprivileged? Sir, look at St. Michael North West for which he made mention. Ferniehurst, the Farm, Rosemont. Were we only thinking about capturing votes? If that were so, we would never have got it because if the Honourable Senator says for years these places have been his stronghold then this shows that this is a caring administration. Look at St. Michael South West and Central with Valarie where they started and left it intact. I am dealing with urban Barbados.

Mr. President, I started by saying that I was happy and contented to be associated with this Bill but when the history is written I will not be around as it reflects 50-60 years past. I know that I would have been part of this institution which had revolutionised. Sir, it is social revolution and you can talk what you like. It is social revolution and this - I do not like to refer to the millennium and the year 2000 because I see the whole thing as a continuum but this piece of legislation which we are here debating this evening which stands out as a revolutionary piece of legislation I am indeed proud and heartened to be able to be associated with.

Sir, with those words I am most obliged. I thank you.

SENATOR Miss J. C. ODLE: Mr. President I rise to give my support to this Bill before us. I would want to say a few words in response to some accusations. You told me earlier I could not elucidate because I had not spoken so I now take the opportunity to do so.
6.45 p.m.

Mr. President, the Senator who spoke earlier, and I refer to Senator Boyce, even though it is in his absence and I wish he were here, would want to stand here and have this Chamber and indeed the whole of Barbados believe that the Barbados Labour Party is the sort of organisation that will only give supporters benefits.

Senator Gill just aptly dealt with the way the Barbados Labour Party Administration deals with all people in Barbados irrespective of political persuasion. Indeed, the public relations of the Democratic Labour Party will have people believe they are the Bread of the Lamb and when they are in office they only do this and they do that.

Mr. President, I will tell you. Certainly, as we walk the highways and the byways of Barbados you will see full well, and I have certainly experienced scenarios where I know that supporters from the other side get all things done and we are accused in the Barbados Labour Party of

now even doing things for the Democratic Labour Party supporters. Well I say, hats off to us because the Barbados Labour Party is a caring Administration and we are not so narrow as to only want to give assistance to our supporters. I wish that we could but we do not operate in that kind of a way because we support always and practise always policies that uplift all Barbadians. As our motto rightly says "A better life for our people". I would wish that Senator Boyce would hear, so that he full well understands that those are not the sort of practices that he would have people believe that keeps a country on track.

He also made suggestions about us putting people in places or not putting people in places with respect to St. Michael East. I would want to let him know that if he would spend a little time down in that particular area he would realize the sad misrepresentation as it would appear to the residents now living in that part of Barbados, urban Barbados because, Mr. President, regardless of who put people where, a lot of those people are still living in less than satisfactory conditions and this Commission, as has been spoken about in this Bill today, is going to have the opportunity to alleviate a lot of the problems experienced by many of those residents, and I speak specifically of the residents in the Belle area which was mentioned in one of the documents already laid before this House. We talk about urban renewal and the Habitat II, the Barbados National Report, and we speak about people in Licorish Village and Flint Hall. I speak specifically about a village just below the Community College in the Two Mile Hill area where, with any amount of rain, those people cannot get in or out.

Mr. President, this particular constituency to which he alluded, St. Michael East, has for a very long time been a constituency whose affairs were managed by a representative from the Democratic Labour Party and yet after 8 years and before, a lot of things that should have been done have not been done and that administration, the Democratic Labour Party Administration, would believe that in 2½ years the Barbados Labour Party, as a Government, could seek to repair all the things they have omitted to do.

Mr. President, we are doing our best and trust me, there is an instance, particularly up in the St. Barnabas area, and I have spoken about it before in this Chamber, 8th Avenue, St. Barnabas, there is a road which had been dug more than 8 years ago and during the entire 8 years when this constituency was managed by a member from the Democratic Labour Party, has not even been looked at. It has a standpipe at the top so that when the old ladies have to go up to Church and it is raining or some are at the top of the gap using the standpipe, water rushes down and this lady cannot even get out of her house. Mr. President,

these are the sort of things that under this Commission we would have, at least have a body we could go directly to see about clearing and making representation to, if I would call it that, in order to repair some of those anomalies.

It was mentioned by the Leader of Government Business that we have about 1 800 house spots unoccupied in various communities across urban Barbados and I believe most of those would be in the St. Michael area. Clearly, as we pass we can see houses in states of disrepair while going in and out specifically in the Two Mile Hill area. As I passed down this morning and as I pass there nearly every day I can see two lots in particular and I have every intention of going to find out who owns these and how best we could transform these two places into something decent where people could live because the St. Michael area is an area where people really and truly are at their wit's end to try and find places to live.

This Administration, in the Haggatt Hall area, has ensured that many individuals have an opportunity to be moved from some of those places where flooding occurs, where there is a problem with endangerment of the water table, where they are squatting, where most of those houses cannot get water attachments. Mr. President, you know if you cannot have fresh clean running water within your home then your sanitation is going to be at risk. Your livelihood and that of your children, your neighbours and so on is certainly going to be in jeopardy and so this Commission, as it comes on as an umbrella with all the relevant persons from the Town & Country Planning *et cetera*, will have some input. It can only serve to help urban Barbados and even more specifically, the St. Michael areas.

The drainage, road conditions, housing, it is long past due that a Commission such as this be formed so that we can, and I say "we" because I really feel a real part of it as well because, believe me, I will have my input also because at the earliest opportunity I will be going along to have my say when the office is formally set up, to ensure that persons who ring on a daily basis, who I interact with as I pass through the highways and the byways, that I would be able to say to them: "Yes, indeed, the opportunity is here now where we can get your problem resolved."

Mr. President, the whole question of self-esteem and self-development is going through the door for many of these young people, for the middle-aged people, and some of the older people living in urban Barbados because some of them are living like dogs simply because there is no choice. The roof leaks, the siding is gone, and they are scrunting, in essence. I hope that is not unparliamentary but, Mr. President, "scrunting" is a word I think that is commonly used in Barbados which means you are

really not getting by. You are just barely managing to eke out a little partial living with the rats beside you and the dogs looking in your backdoor.

So, Mr. President, this Commission for Urban Development which really, as its opening line says, seeks to do the clearance of slums, the improvement of social amenities in the urban areas and for related matters, is well and timely placed and I do support its implementation and look forward to the realisation of it.

Thank you, Mr. President.

SENATOR T. E. BARKER: Mr. President, I just want to make a short intervention here because people are speculating why we need the Urban Development Commission and it is because we want to approach the whole concept of renewing the urban sector in a holistic fashion by marrying the housing concept with the enterprise concept because one of the important functions of the Bill as set out in paragraph 6(h) is to encourage, promote and provide assistance in the development of economic activity and enterprise.

Sir, that is within the urban area and that is very important because we want people to earn where they live and live where they earn. So we want to marry the two, the economic activity as well as the housing aspect.

Sir, it is not surprising that the Barbados Labour Party came up with this Commission because all of the major improvements that have been done in the housing sector in Barbados was done under the Barbados Labour Party.

Do not take my word for it, Sir. I refer to a well written book and I am sorry that Senator Boyce is not here because he would do good reading this. It is called "Housing Conditions in Barbados" where a Robert Potter wrote an excellent treatise on the whole aspect of housing in Barbados. I want to quote, Sir, with your permission from this book for the record. I am quoting, Sir:

"But real progress in attempting to improve the quality of Barbadian housing, and to employ the virtues of the vernacular housing system, did not come about until 1980. Under the Tenancies Freehold Purchase Act of that year, hailed by many as nothing short of a social revolution, landlords were given the right – indeed the obligation – to sell lots, in most cases to long-standing resident tenants who wished to buy them, irrespective of the overall layout of the tenantry area, unless lots were specifically certified as unsaleable."

6.55 p.m.

Sir, we are attempting to do in urban Barbados what Mr. Potter called revolutionary in rural Barbados in 1980. It is another attempt by the Barbados Labour Party to revolutionise the whole housing sector in Barbados. As some Senators referred to it, a lot of the urban sector is characterised by poorly designed houses where if there is a fire in certain parts of Barbados, God help us. Fire trucks cannot get in and out and so on. The slum clearing aspect of the legislation would enable the Commission to look at an area and designate it as a slum area to be cleared and as set out in Sections 17 and 18 of the Bill which apparently Senator Boyce did not read, can go in there and set about to re-order the whole area and to make sure that the physical planning in terms of roads and so are taken into account and cause houses to be re-sited in such a way that the residents of that area can live as we would want them to live in amenable circumstances.

Sir, we are attempting again to be as revolutionary as in the 1980 Act which revolutionised housing in the rural sector and we are about to do the same in the urban sector.

Sir, I can only speculate that the DLP Opposition do not want it to succeed because they consider urban Barbados to be their stomping ground. I almost said stamping ground, because they 'stamped' on the urban sector. With all the support that they get in the urban sector, there is nothing to show that they are thinking about improving the lot of the people in the urban sector. If they talk about victimisation, we as a rule do not get too much support in urban Barbados as the Senator said but yet we know that we cannot afford to have two Barbadoses. There is one Barbados and it pains me that in spite of the impressive rates of growth in the G.D.P. and so there are still a lot of Barbadians who are not benefitting from what is going on in this economy.

By this Commission and by the provision of this Act we are making sure that the people who live in deprived areas get a chance to improve their lot with the assistance of Government because it is a known fact that without Government coming in and doing things the lot of the people in these areas will never be improved because they are not able of their own volition to lift themselves out of the circumstances in which they are now.

We, Sir, are cognisant of our responsibility as a Government, not only to build impressive highways and so on but to make sure that the Government go to the people and that they can share in whatever is going on in Barbados. I am sure the whole of Barbados except the die-hard Dems would want this Commission to succeed. The die-hard DEMS and those who support them on the radio programmes and foul up the air would want it to fail because they know that it is a slap in their face,

a repudiation of the Democratic Labour Party because they cannot conceptualise and put forward revolutionary schemes to improve the lot of the people. Every five years they come with the corn beef and biscuit mentality or as the new leader would say they come with the bus fare and lunch mentality, they want our people to remain poor so that they can manipulate them. We want our people to be uplifted because we know that when they are uplifted, the whole thinking and psyche improves and as a result, we get a better nation. That is all we are trying to do in this Bill. I am sure that all right thinking Barbadians will see this Bill for what it is, a serious attempt by a serious Government to tackle a very serious problem and I commend it to this Chamber and by extension to the people of this country.

Sir, we heard of the St. John Development Plan which came about in 1987 and nobody ever heard one aspect of it yet. Ten years and a month has passed and it is still lost somewhere between Four Roads and Massiah Street. The people of St. John never benefitted from the so-called St. John Development Plan. Sir, but we have an urban plan and I am sure that as we speak some aspects of the plan are on the drawing board and people are already starting to benefit from the provisions of this Bill.

Sir, our records are clear. Look at the Rural Development, the much maligned Development, but who maligned it, the same DEMS maligned it. Now Barbadians are seeing the benefits because the Rural Enterprise Fund is now making life a little bit better for some enterprising people in the rural districts and helping them to develop a little bit more independence. That is all it is. We want people to be independent. In the Urban Enterprise Fund the counterpart in the urban sector is going to do the same.

You know something that galls me, Sir, the DLP and David Thompson criticised the Rural Fund so much and yet he is prepared to say how many schemes he is applying for under the same Rural Development Plan that he was so vociferous in condemning and he is one of the head ones to see the benefits of it and applying to the same fund that he castigated. As much as the Dems are talking about repealing this Act, they are going to be sending their people and writing letters because they see the benefits of such a scheme.

Sir, I warned them because the 1980 Act was watered down in 1990 because the DLP Leader was talking in 1980 about how he took away from the plantation owners and that sort of thing and when they came into power in 1990 they repealed certain provisions under the Act and changed them and the result was that they left a thousand people of Barbados, not the plantation owners, a thousand small people defenceless against the landlords. The Government

had to look for 1 000 lots for people who had been displaced as a result of the 1990 amendment by the DLP to the Freehold Tenancies Purchase Act which we brought in.

I hope that the people of Barbados will sit up and take note that when the Dems are saying that they are going to repeal it, they are going to repeal it not to the benefit of the working people but to the detriment of the working people as they have done to the 1980 Act.

A word to the wise is enough and the people of Barbados are by no means fools. They know that if the DLP gets back in they are going to water it down. The people have taken note of what they did to the 1980 Act.

Sir, with those few words, I wholeheartedly endorse every provision of this Act and commend it to this Honourable Chamber.

SENATOR THE HON. Miss O. P. SYMMONDS:
Mr. President, I could not possibly let this debate pass without saying that I am very, very pleased to support this Bill.

Mr. President, all countries over the world since the IMF intervention have been looking at improving the poverty level in their respective countries. In increasing the level of poverty you are raising the standard of living and any caring – and however many times we use that word it does not detract from the truth – any caring, sensitive Government would want to ensure that all their citizens have a reasonable standard of living or improve their quality of life. For instance we are the first country in the Eastern Caribbean to set aside money for poverty alleviation programmes.

7.05 p.m.

This Bill seeks to create a better quality of life for all and provide amenities. I do not want to replicate but I must emphasise housing because the situation is critical and the housing is inadequate and we know that poor shelter in any country is a blot on all its citizens. This Bill seeks to provide amenities, not only housing, but recreational activities and social activities.

I want to mention indoor water toilets because again I think that is important. So that, Mr. President, pockets of poverty in the urban areas have to be addressed. If the Government did not have specific policies, if it did not target those areas they would remain in the same stage of neglect to the shame and detriment of us all. In order for the urban renewal commission to be effective, and I am sure that it will be, they might consider working with other agencies who are doing work at the community level.

We do not want visible extremes. Senator Barker stressed that it is precisely because we do not want two Barbadoses that we are introducing this urban renewal programme. Through precise planning and focussed development we can get rid of urban blight and create a wholesome and aesthetic environment. We can develop, as the Leader of the Senate said at the beginning, a community spirit where children can be raised in pleasant and safe environments. With those few words, again I wish to repeat that I totally support this Bill. Thank you, Mr. President.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I just want to add to the contribution of my colleague by noting a significant point in the presentation of this legislation which emerged out of the guts and bowels and the heart and the mind of the Barbados Labour Party.

Sir, the presentation of this piece of legislation coincides with the sixtieth anniversary of the 1937 riots and if one remembers, the Moyne Commission which investigated Barbados after those riots condemned the poor living conditions in the urban areas of Barbados. I feel that one of the lasting tributes to the memory and the contribution and the sacrifices of those fallen heroes in the interest of developing Barbados, would be to seek to eradicate some of the conditions against which they strove and which unfortunately still obtain in some aspects of Barbados even today. Therefore, Sir, I think that in the same way that the Government is to be commended for seeking to elevate the celebration of Emancipation Day to new heights and to also give long needed recognition to the July 26, 1937 revolution in Barbados, that in the same way that that has won the hearts and minds of Barbadians, Barbadians also have to see this legislation and the thoughts and the plans and progress that are all inherent in it as part of the same philosophy and the same caring by a Government that seeks to make all Barbadians better off whenever they can. I thank you.

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

The question was put to the Senate and agreed to.

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

COMMITTEE

Madam CHAIRMAN: The Senate is now in Committee.

Clause 1 was called and passed.

Clauses 2 to 10 were called and passed.

Clauses 11 to 20 were called and passed.

Clauses 21 to 30 were called and passed.

Clauses 31 to 36 were called and passed.

The Schedule was called.

SENATOR J. A. WORKMAN: Madam Chairman, I would just like to move an amendment to Clause 1 of the Schedule to insert after the words "Chief Town Planner" and before the comma the words, "or his nominee".

The question that the Schedule becomes the Schedule to the Bill was put to the Senate and agreed to.

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

On the separate motions of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed and cited as the Urban Development Commission Act, 1997. 7.15 p.m.

ADJOURNMENT

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that the Honourable Senate do now adjourn *sine die*. Just to indicate to Members however, that the Honourable House of Assembly meets on Friday next week and we will most likely convene a meeting for the Wednesday after that, but Members will be given adequate and proper notice.

The question that the Senate do now adjourn was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly. 7.20 p.m.

CONTENTS

EXCUSE FOR ABSENCE 1

Senator J. D. E. Boyce re absence of Senator
Mrs. A. P. Thompson.

PAPERS

SENATOR THE HON. R. R. FARLEY 1

1. Report of the National Task Force on Crime Prevention.
2. The Barbados Water Authority (Water and Sewerage Rates) (Amendment) Regulations, 1997.
3. White Paper on Housing.
4. Financial Administration and Audit (Amendment) Rules, 1997.
5. The Duties, Taxes and Other Payments (Exemption) (No. 9) Order, 1997.
6. The Duties, Taxes and Other Payments (Exemption) (No. 12) Order, 1997.
7. The Barbados Port Authority (Tariff Book of Dues and Charges) (Amendment) Order, 1997.
8. Habitat II – The Barbados National Report and Plan of Action.
9. The Caribbean/United States Summit – Bridgetown Declaration of Principles and Plans of Action.
10. Memorandum of Understanding between the Government of Barbados and the Government of the United States of America for Cooperation in Preventing and Combating Criminal Activities, including the Illicit Traffic in Narcotic Drugs and Psychotropic Substances.
11. Agreement between the Government of the United States of America and the Government of Barbados concerning Cooperation in Suppressing Illicit Maritime Drug Trafficking.

12. The Customs Duties (Dumping and Subsidies) (Amendment) Order, 1997.

MOTIONS RELATING TO THE BUSINESS OF THE SENATE

SENATOR THE HON. R. R. FARLEY 2

Suspension of Standing Order 45(2) for the remainder of the Sitting.

INTRODUCTION OF BILLS

FIRST READING OF BILLS

SENATOR THE HON. R. R. FARLEY 2

1. The Public Documents (Exemption from Diplomatic or Consular Legislation) (Amendment) Bill, 1997.
2. The Paramedical Professions (Amendment) Bill, 1997.
3. The Limitation of Actions Bill, 1997.
4. The Urban Development Commission Bill, 1997.

PUBLIC BUSINESS

ORDER NO. 1 – THE PUBLIC DOCUMENTS (EXEMPTION FROM DIPLOMATIC OR CONSULAR LEGISLATION) (AMENDMENT) BILL, 1997 2

Senator the Hon. R. R. Farley, 2; Senator J. D. E. Boyce, 3.

ORDER NO. 2 – PARAMEDICAL PROFESSIONS (AMENDMENT) BILL, 1997 4

Senator the Hon. R. R. Farley, 4, 16; Senator the Venerable Archdeacon J. L. Springer, 6; Senator Miss J. C. Odle, 6; Senator Mrs. P. E. Rickinson, 8; Senator the Hon. Miss O. P. Symmonds, 11; Senator the Hon. G. S. H. Murray, 11; Senator J. D. E. Boyce, 12, 17.

ORDER NO. 3 – THE LIMITATION OF ACTIONS BILL, 1997 19

Senator the Hon. R. R. Farley, 19; Senator J. D. E. Boyce, 20; Senator the Hon. Miss O. P. Symmonds, 21; Senator J. A. Workman, 21.

**ORDER NO. 4 – THE URBAN DEVELOPMENT
COMMISSION BILL, 1997 21**

Senator the Hon. R. R. Farley, 21, 28; Senator
J. D. E. Boyce, 27; Senator J. A. Workman, 34;
Senator D. T. Gill, 36; Senator Miss J. C. Odle,
38; Senator T. E. Barker, 40; Senator the Hon.
Miss O. P. Symmonds, 41; Senator the Hon.
G. S. H. Murray, 42.

SUSPENSIONS 1, 10, 27

ADJOURNMENT 42

Senator the Hon. R. R. Farley, 42.

SPEAKERS IN THIS ISSUE

BARKER, Senator T. E.

BOYCE, Senator J. D. E.

FARLEY, Senator the Hon. R. R.

GILL, Senator D. T.

MURRAY, Senator the Hon. G. S. H.

ODLE, Senator Miss. J. C.

RICKINSON, Senator Mrs. P. E.

SPRINGER, Senator the Venerable Archdeacon J. L.

SYMMONDS, Senator the Hon. Miss O. P.

WORKMAN, Senator J. A.