THE

SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1999 – 2004

THE SENATE

Wednesday, December 13, 2000

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, December 13, 2000, at 11.00 a.m.

PRESENT

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

His Honour Senator C. L. BOLDEN, C.B.E., LL.B. (Hons.) (Deputy President)

Senator the Hon. G. S. H. MURRAY, B.A. (Hons.), J.P. (Minister of State, Prime Minister's Office and the Civil Service)

Senator T. E. BARKER, B.A. (Hons.), M.A. (Econ.) (Parliamentary Secretary, Ministry of the Environment, Energy and Natural Resources)

Senator the Hon. DAME PATRICIA SYMMONDS, G.C.M., B.A. (Hons.), P.G.C.E., J.P.

Senator Miss J. C. ODLE, J.P.

Senator J. E. D. WILLIAMS, B.Sc., M.B.A., J.P.

Senator G. E. N. BROME

Senator Mrs. J. P. ALLEYNE, Dip. Man. (Hons.), J.P.

Senator D. D. MARSHALL, LL.B. (Hons.) L.E.C.

Senator C. A. MASCOLL, B.Sc. (Econ.) (Hons.), M.A. (Public Finance)

Senator LeR. H. McCLEAN, B.Sc. (Hons.)

Senator C. LeR. TROTMAN

Senator Mrs. P. E. RICKINSON, B.A. (Hons.), M.P.H. (Harvard), S.R.N.

Senator C. K. LAURIE, D.I.C.T.A. (S.T.), FBSTA

Senator Sir John Stanley GODDARD, K.A., B.Com., C.A., Hon. LL.D. (U.W.I.)

Senator B. R. COLLYMORE, C.M.G.

Senator the Rev. L.W. B. ROCK, M. Div.

Senator Mrs. V. E. NEWTON, S.C.M., B.A. (Spec. Hons.), M.A., LL.B. (Hons.) (U.W.I.), F.L.A. (Gt. Brit.) L.E.C.

Prayers were led by Rev. Father Errington Massiah.

Mr. PRESIDENT: The Senate is in session.

PRESENTATION OF PAPERS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I have the honour to lay the following documents:

1. Financial Statements of the Needham's Point Development Inc. for the year ended December 31, 1998.

2. Duties, Taxes and Other Payments (Exemption) (Southern Golf and Country Club Ltd.) Order, 2000.

3. Customs Tariff (Amendment) (No. 3) Order, 2000.

4. Value Added Tax (Refund) (W.I.C.O. Limited) Order, 2000.

5. Annual Reports of the Transport Board for the Years 1996 to 1997 and 1997 to 1998.

REPORTS FROM SELECT COMMITTEES

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I have the honour to lay the Report of the Joint Select Committee of the Fair Trading Commission Bill, 2000 and the Utilities Regulation Bill, 2000.

SUSPENSION OF STANDING ORDERS

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I crave the indulgence of the Senate that Standing Order No. 45(2) be suspended for the remainder of this day's Sitting.

INTRODUCTION OF BILLS

SENATOR THE HON. G. S. H. MURRAY: I beg to move the First Reading of the Fair Trading Commission Bill, 2000, the Utilities Regulation Bill, 2000, the Post Office (Amendment) Bill, 2000, the Centennial Honour (Amendment) Bill, 2000 and the Port St. Charles (Validation) Bill, 2000.

The question was put to the Senate and agreed to.

NOTICE OF RESOLUTIONS

SENATOR THE HON. G. S. H. MURRAY: I beg to move the following Resolutions:

1. Approval of the compulsory acquisition by the Crown of land at Bridge Cot, St. George for road improvement.

2. Approval of the lease of land to the Nation Corporation at Prescod Boulevard, St. Michael for the erection of a bond and for the provision of a car parking facility.

3. Approval of the lease of land at Henry's Lane, St. Michael to the Trustees of the Barbados Cancer Society for the provision of screening clinics, welfare services and administrative offices.

4. Approval of the vesting in the National Housing Corporation of land at Hamlet's Tenantry, Hindsbury Road, St. Michael for disposal by the National Housing Corporation.

ORDER NO. 2 – SECOND READING OF THE PORT ST. CHARLES (VALIDATION) BILL, 2000

SENATOR THE HON. G. S. H. MURRAY: Mr. President, in dealing with this matter, I think it is important for the whole issue to be placed in its proper historical and administrative context. This matter relates to the fact that in 1996 both Houses of Parliament gave assent to the Port St. Charles Development Act, 1996 – 18. The Act, Sir, provided for a number of things such as the vesting of the same land in Port St. Charles Development Limited, the maintenance of the walk, jetty, slip, dock, bridge, breakwater, works and ancillary facilities constructed by Port St. Charles Development Limited, the construction of a public access to the beach by Port St. Charles Limited and related matters.

For the record, Sir, the question of works when the Bill speaks of the matter of works, it included "any wharf, jetty, slip, dock, pier, quay, bridge, breakwater, shed, workshop, warehouse and any building, plant, machinery and other property appertaining thereto, ancillary facilities or excavation whether complete or incomplete on or near the shore or in the sea."

All of this was to take place pursuant to the permission granted to the company under the Town and Country Planning Act. It was meant that the developers would construct a marina at Heywoods in the parish of St. Peter and it involved driving piles in the sea and constructing opposite the company's land at the said Heywoods, the works and ancillary facilities and it gave the company authorisation to do the same.

This Bill, Sir, was assented to and gazetted in September, 1996. Construction of the facilities started in 1997. However, Sir, due to an administrative oversight and a slip-up in proceeding, the 1996 Bill was not actually proclaimed and therefore the Bill before the House is seeking to regularise that whole situation and put that whole matter in order.

As we know, Sir, Government is a very complex undertaking and from time to time slip-ups of this nature are known to occur. This Bill is seeking to validate activities that were undertaken by the developers as a result of the passage of the original Bill in 1996. We are seeking therefore to validate such activities as the dredging of the sea around the breakwater and the fact that having made use of the works the breakwater and facilities that were constructed around the jetty and things of that nature, in addition, the developers would have made reference to the Act in their conveyancing of properties and their marketing, and we are seeking therefore to ensure that all the activities that would have been undertaken in the construction of the Port St. Charles Marina, are hereby validated.

The record indicates that everything that was done by the developers was done in accordance with the stipulations laid down by the Chief Town Planner in accordance with the planning permission that was given the developers. So we are not seeking to pave over, cover up or make over any acts of omission or commission that the developers would have undertaken, but really and truly what this validation is seeking to do is no fault of the developers, but really has to do with the machinery of Government as I indicated earlier.

Sir, I think it is important to make it plain that in addition to the fact that these activities at Port St. Charles Marina were undertaken in accordance with the permission granted by the Chief Town Planner, I think it is important to note that every step of the way, the developers had to meet some very stringent stipulations and conditions, and they did so faithfully. Therefore, we are seeking to put this matter

in order. We are seeking to do so because from the very beginning we realised that it was important for the question of transparency, given the scope and nature of the works that we had undertaken there, that this whole matter be treated with the utmost transparency and that there be no semblance or hint of secrecy or subterfuge or sleight of hand or whatever.

From the very beginning, this Government sought to put this matter into the public domain, hold it out for public comment and bring it to the Houses of Parliament so that the people's representative could deal with it in a transparent and above-board manner. Hence, the Port St. Charles Development Act of 1996.

This was no isolated incident. As a matter of fact, it is in keeping with Government's policy because we undertook the very same approach when we had been dealing with the Pierhead Development Project because we feel that important matters like these have to be treated with the greatest circumspection and that nothing should be done, given the times in which we operate, for persons to throw unnecessary mud on projects which are in themselves beneficial in developmental ways to society, both socially and economically.

I know that our political opponents have tried to make very heavy weather of what is essentially a very simple and straightforward measure.
11.30 a.m.

The Government was advised that there was no need for it to bring special legislation to validate that action but we felt that out of an abundance of caution, in order to keep everything above-board, that we should take this route. We did not want to become susceptible to the charges that had been attached, quite justifiably, to our opponents when they undertook major projects like the Royal Westmoreland project and the Bushy Park project. They did not seek to take the public into its confidence, to bring these measures, through legislation, to Parliament for scrutiny and justification. We felt that we should not fall into the same error but that we should proceed along a road which was above reproach in this matter.

Sir, it is quite astounding that given the simple straightforward nature of the issues contained in this measure that persons would want to attach negative associations to this measure to the extent that the issue was treated in a scurrilous manner with the issuance of a Press Release from the Democratic Labour Party who sought to attribute all sorts of unsavoury motives and intent on the part of Government because of this very straightforward and simple measure.

Sir, what was amazing about the Press Release is that it even made reference to pardons that were granted by the United States Government to persons in a totally different political context. I was wondering how they could import something from an alien political culture into a situation like this but then I remembered that reference to the American situation when they said that it smacks of arrogance, reminded many citizens of the presidential pardon which was used in the United States on many occasions to validate wrong and illegal actions. Sir, this is in keeping with philosophy and techniques of the Jennifer Glasgows of this world and it seems to me that the approach is coming straight out of that textbook.

Sir, this Press Release reminds me of the pre-1986 days when all sorts of anonymous defences appeared on the streets of Barbados distributed by well-known acolytes of our opponents accusing Members of the Barbados Labour Party, particularly Cabinet Members, of involving themselves, their wives and families in drug dealing and things of that nature.

Sir, in an attempt to justify negative approach to the measure, the Democratic Labour Party has even sought to compare this measure, which is as a result of an administrative slip, to the notorious and horrendous HARP. One of the most astounding things about HARP, under the aegis of the Democratic Labour Party, apart from the projectiles produced and which were being used in South Africa, HARP also prohibited any Barbadian from suing HARP for any damage caused by their activity. Sir, this Bill has nothing to do with that and I do not understand how the comparison could be made.

Sir, this is not the first time that acts of validations have been done by Parliament of Barbados. The records will show that between the period 1989 and 1998 some twelve such acts were undertaken over a wide range of issue under both Administrations. In truth and in fact, the record also indicates that most were undertaken under the Democratic Labour Party's Administration including the Financial Administration Audit Act which was amended to validate what is properly known as the bursting of the Central Bank's overdraft facility which we all know had enormous consequences to the well being of Barbados, economically, socially and otherwise, Sir.

The Barbados Labour Party, in moving some of these acts of validation have done its time of tidying up some of the slip-ups that have occurred under our predecessors, all as part of the continuity of Government. If we discover an activity which our predecessor did – I imagine they would have done the same thing for us from time to time it is our responsibility to the public to seek to tidy it up by bringing the necessary legislation to Parliament.

Sir, we did this in 1997 involving the National Insurance and Social Security legislation which was passed in 1991 but which was proven to be in need of tidying up. When we did that we did not seek to accuse our opponents of any nefarious acts like robbing the Treasury or stealing money from the National Insurance.

Sir, this Port St. Charles (Validation) Bill is in that vein and there is no more to it than that.

Sir, we realised that because of the unique nature of its activity, that Port St. Charles would attract much comments both negative and positive. I think the record will show that Port St. Charles has been an outstanding success and has brought attention and development to St. Peter which had not been imagined before a development of that nature was placed there. As a matter of fact, it has made the whole area so attractive to live in that even one Member of the Senate has now moved to that area to enjoy the benefit of the spin-offs of the development of Port St. Charles.

Therefore, I am very glad to see that one of our political opponents had the good sense to recognise the benefits of moving to that area.

As a matter of fact, Sir, I think that Port St. Charles has begun to do for the north of Barbados what Sandy Lane has done for the west coast of Barbados, that is the important point. When we were breaking new ground with Sandy Lane and we virtually converted a sugar estate into Sandy Lane, it also evoked the ire of some persons who did not quite appreciate what the potential for development was in the development of Sandy Lane as a tourism activity. Therefore, we are very optimistic. As a matter of fact, persons have already begun to see the evidence that Port St. Charles Marina has been a good thing for St. Peter and for Barbados. 11.35 a.m.

From all accounts, the operators of the Port St. Charles Marina have so far been operating as model corporate citizens. They have been operating by the book. They have not only been meeting their end of the bargain but they have extended their hand into the wider community to assist the wider community, whether it be fishermen, *et cetera.* As a matter of fact as a result of the flood control techniques and systems that the developers have pioneered in that area, Government has been copying some of these techniques upstream and the areas surrounding Port St. Charles. The records will show that it is believed that the adoption of some of these techniques have contributed to a lessening of threats flood prone areas surrounding Speightstown and Port St. Charles in general. Therefore, we think that we have a lot to learn from that development.

We were very scrupulous in how we approached this Bill. The original Bill has reserved the rights of the Crown to go on the property. Since as a Port it will have to facilitate the construction and operations of Customs and Immigration facilities in particular.

The developers have built these facilities for Customs, Immigration and the Police at a cost of one million dollars. I think that they will officially be opened next Wednesday, December 20, 2000 by the Prime Minister to come into operation and a lot more will be said about it then.

Let me say that at every stage the developers have played their part of the bargain. We have seen benefits accruing not only to real estate agents or employment opportunities, but generally, that whole area has been enhanced.

It has been said that this Government has been paying a lot of attention to the so-called big developers and big persons to the detriment of the small operators. We have been improving conditions for fisher persons in the fishing industry. As a matter of fact the much talked about fishing facilities that will come at St. Skeete's Bay, St. Philip and Consett Bay, St. John are now some 90%-95% complete with only minor works being undertaken for completion of the site. Staff is in the process of being selected to manned these facilities.

If everything goes according to plan, we think they should be operational between January and February 2001. This will usher in a whole new era for the persons who use the facilities but also add further dimension of the fishing industry in that part of Barbados to bring improved conditions that have been long awaited and long sought for. Persons who are familiar with those facilities in those areas will appreciate the substandard nature with which the operators and the fishing industry have had to cope for too long.

We are very confident that when these facilities come into operation hopefully between January and February, 2001, will open a new day and avenue, and give a new image to the whole question of the fishing industry and should redown to the benefit of the persons concerned.

Therefore, I have no doubt that the Senate will be very appreciative of Government's intent over the Port St. Charles (Validation) Bill, 2000. I am urging them to give their support and I have great pleasure in moving that it be read a second time.

SENATOR LeR. H. McCLEAN: Mr. President, I am not particularly concerned with the matter of validation in the contents of whether one Government has validated similar Bills before Parliament or not. What I am particularly concerned about is the impact of the project itself.

First, the impact on the environment. I know that it is believed by some persons that environmental impact studies are not important when you are looking at economic development. There are some people who feel that the end justifies the means.

Where you have such enviromental impact studies, you find that very often there is not the follow through to ensure that the practices that should be followed are actually followed.

During the initial phase of this project we heard of a coral reef being damaged by one of the barges. I am led to understand that some $25 000 has been paid in compensation for the damage to the coral reef. I think, Sir, that is bordering on being scandalous.

Only yesterday, significantly, there was a report which stated that the world's coral reefs are in danger of being destroyed over the next 30 years. Barbados being a coral island has to pay particular attention to this kind of situation and we certainly cannot afford a situation where our coral reefs would be damaged or destroyed because of our very fragile ecosystem that exist around this island.

We have been so concerned with the importance of the coral reefs that legislation has already been passed in the Parliament of Barbados which prohibits persons from removing coral from the sea. I am not sure what the penalites are but I am sure that there are fairly substantive. If we are saying that we consider the coral reefs to be so important that an individual who breaks off a coral would be fined. I believe that sum could be in excess of $1 000. If an individual could be fined for removing a piece of coral from the sea how could you therefore justify a major business enterprise like Port St. Charles or the company which was responsible for doing the work paying a measly sum of $25 000 for significant damage to our coral reefs?

I would think that before any settlement was arrived at that there would have been a proper assessement, an expert assessment of the damage, caused to the coral reef. Also, some kind of estimation as to the potential dangers which such damage would pose. Having determined that, we know that money cannot necessarily repair the damage because damages take hundreds of years to repair, but at least the persons responsible for the damage to the reefs would have paid a more significant sum of money. In addition, we have a situation where the company excavated an area for the purpose of a lagoon.
11.45 a.m.

Now, before I go any further, I would like to say that, it is my belief, that the Port St. Charles Project, you will notice significantly, that it is seldom referred to the marina, except, by the average Barbadian. But, by the developers and the official persons it is referred to as Port St. Charles.

I believe, Sir, that that project started with deception. In that, there is a leading businessman, when the Atlantic Race Boat Cruisers left Barbados and went to St. Lucia, there was a leading businessman who was relentless in his efforts to get government to offer some form of concessions for the construction of a marina.

I remember that businessman calling from as far as St. Lucia, at times, to speak, to a moderator, Reverend Hatch, on the radio, to tell him about the virtues of having a marina in Barbados, so that we can get back the Atlantic Race Boat Cruisers, and, therefore, regain the revenue that would be lost, since the yachts were now going to St. Lucia.

Barbadians, therefore, were led to believe that if Government gives the concession, then we would have a marina, and all the benefits that would flow from having a marina in Barbados.

What we have got, instead, Sir, is a housing development, that you can bring your boat, straight up. That is all it is; it is now a housing development, with the facility that you can bring your yacht up to your doorstep.

It is not a marina, in the sense, that Barbadians expected, that when yachtsmen from around the world, came into these parts, that they could come to Barbados, and that Barbadians could enjoy the benefits accrued from having a marina on this island.

Sir, in executing the project, this lagoon was excavated, and, was filled with sea water.

I, really, do not know how much thinking went into the thinking of the lagoon, because, I went back there, only yesterday, to verify this. Because, I remembered, in the early stages, the developers were using a pump to pump air into the lagoon, because it was beginning to stagnate.

What I discovered yesterday, was that they no longer used the pump to put in air, but, from time to time, they have to pump sea water from the other side into the lagoon.

When you look at what is happening, when you examine the lagoon, and see the colour of it – and, I speak, Sir, against a background of studying Ecology, Chemistry Biology; having studied Ecology and the environment, at a time, when it was not fashionable for Barbadians to talk about Ecology or the environment.

What struck me was that there was no sign, whatsoever, of any kind of seaweed around the rocks, at that lagoon.

None whatsoever. That is what struck me. All that you saw was a black stain, which was about five to six inches in height, or, which ended up about five to six inches, above the water level at times, which means that the fluctuations in the level of the water was probably only about five to six inches.

The reason why, is that there was no tidal action, whatsoever, within the lagoon, and, therefore, the water was not being refreshed.

In addition, since we had the heavy rainfalls, and anytime that you have heavy rains, the drainage from The Whim, St. Peter, comes into the lagoon, so you now have large amounts of fresh water coming into the lagoon.

The result, Sir, is that you will have brackish water coming into the lagoon, and, not seawater.

This has implications for the type of marine life that could exist in that lagoon, as a whole, because we know at points where there is the contact between salt water and fresh water, that there are certain types of animal and plant life that would exist in those areas, and that are adapted for those areas.

If you have a situation of animal life that are adapted for marine environment only, now, coming into that lagoon, and, then you have this large amount of fresh water coming in, and the water not being able to circulate, the salinity drops and, therefore, affects the animal and plant life, and, perhaps, this would explain why you do not have any signs of any seaweed in the area around the lagoon.

I, therefore, believe that the Port St. Charles project, in spite of the beauty and the high cost of the villas, is an environmental disaster, waiting to happen.

Maybe it might not happen in five, ten or fifteen years, but, as the developers move out, and only when that project comes to an end, obviously, there would not be the kind of continuous maintenance taking place at the project that you are having now, because, the developers are still on site carrying out construction. Therefore, they can remedy any situation as is needed.

What happens, now, when it is purely residential, and you only have a management company taking care of the rentals? Would they provide the kind of monitoring, and the kind of remedial work that would be necessary to ensure that that project does not become an environment disaster?

In addition, Sir, I noticed that there are some boulders placed in the sea, which run parallel to the beach. I understand that these are put there in order to allow the users of the beach – mainly those persons who are residents at Port St. Charles, to provide them with some protection from incoming waves.

I do not know how much protection you need on that coast, under the normal circumstances, but, in essence, what you have created is an area of very placid waters behind the boulders to allow persons to bathe there.

Again, Sir, this is why I asked to what extent, when they do carry out these environmental impact studies, if they are, in fact, carried out, to what extent do we monitor what is happening to ensure that we do not have things happening down the road that were not catered for earlier.

In addition, Sir, we have a canal to the south of the project, which, again, is being blocked up by sand. Those of us who know anything about wave actions, and, I do not think that you have to be any expert in anything to understand this, you only have to look around at Brandon's Beach and see how that has grown, as a result of the construction of the Deepwater Harbour.

You only have to look down Trevors' Way, and see where there was once only boulders, there is now a beach.

You only have to look, as we come down from Oistins and see in that area, the beach is growing in Welches.

So, whenever you put something in the sea, you are going to cause something to happen somewhere else.

When you go north of the marina there is a building called "Aqua Haven", that the fence of that building is now being undermined by wave actions.

I have heard one of the developers in the media, recently, speak of the amount of sand that they put into that area to increase the beach area.

When you put sand, and push it further out into the sea, all that you are basically doing is pushing further out into the sea, the highwater mark, because, now being rather a gradual change into an area, you now drop off into a deeper area. The waves, when there is high tide, therefore, will pull the sand back out.

What is happening now, is that the fence of that property is now being undermined. I want to say, as I said, I saw it yesterday, and because I made it my business to go and see what was happening, what was the latest position with that project.

So, we have the problem of the possibility of sea erosion. Not necessarily at Port St. Charles, but, possibly, at other points, along the coast, which you must continually monitor.

There must be some provision in any concessions given to the developers; there must be provisions for the continuing monitoring of the effect of the environmental impact of that project with a view of the developers having to remedy any adverse situations that may arise.

I have also noticed, Mr. President, the old road which was there before, that whereas, the other property, the Almond Beach property, to the south of Port St. Charles, they have left that old road opened, and persons can still access the beach from the old road. They have incorporated it into their property, yes, because, it is no longer a tar road, it is sandy, and it is much nicer for the users of the beach. 11.55 a.m.

What you have found at Port St. Charles is that not only the road but also the sea grape trees which were there before Port St. Charles was constructed, are now fenced in by the Port St. Charles developers. I am wondering if the area which was once the road has now been acquired by Port St. Charles and in fact, what is the rule with respect to the high water mark that permits them now to go and fence in, not only the road but even the grape trees that Barbadian children, when they go on the beach, would be able to pick from time to time.

Mr. President, whenever there is any criticism of or any attempt to evaluate a project in Barbados, we have found traditionally that persons get so sensitive politically that sometimes we can either defend the indefensible or, if we are on the other side that we can launch attacks merely for the sake of attacking. I would hope, Sir, that when we examine this project that we would examine it as Barbadians living on a small rock that has a very fragile ecosystem and we must be constantly aware that very slight changes in our environment can cause untold damage.

We do not want to leave for our children and our children's children an environment that we have totally destroyed. In fact, those of us who have paid attention to some of the things in our scriptures will know that it is not by mere coincidence that man was the last of God's creations. Having created man last, he then gave him strict responsibility to care for the environment because he said to him, "I give you dominion over the birds of the air, the beasts of the field and the fish of the sea and all that go through the waters of the sea." Therefore, we have a responsibility to protect the environment and not just to, for the sake of economic development, allow people to do whatever they choose to do.

Mr. President, I also discovered in talking to some of the workers on the project a very worrying situation and our Trade Union colleagues might want to investigate this further. Recently, one of the developers said that the value of the units at Port St. Charles has increased by almost 100 percent because of the demand for them. They are now about to build the units that are going to cost about $10 million on the seaside but the construction workers at Port St. Charles are working for lower wages than many other construction workers in Barbados.

Any of us who have engaged the services of a carpenter or a mason in recent times would know that you are talking about $80, $90 or even sometimes $100 a day for these artisans. The carpenters and masons at Port St. Charles are still working for between $6.00 and $8.00 an hour. The machine operators are working for $66.00 a day, when there are other places where labourers are making $60.00. My understanding is that they have had an increase of 2 per cent in one year and 2½ per cent in the second year in a context where the developer can say that the value of the properties have gone up by 100 per cent but the workers could get these measly increases and apparently, are still working for less than their counterparts who are working on less lucrative projects.

In addition, there seems to be some very strange industrial relation practises going on at that project. You will recall that a few months ago, the workers went on strike and were demanding the removal of a particular supervisor. He is still there but a lot of the workers have gone. I have heard complaints from workers like, you agree to do a job for x dollars and when the job is completed the supervisor says, "How do you work for by the day?" He then puts on $10.00 more on what you were getting per day's work, disregarding the price that they had verbally agreed to for the project.

These are things which, Sir, I do not think that workers should be made to endure by people whether they are Barbadians or whether they are from anywhere else. They are members of the Union, probably not all of them, but maybe our Trade Union colleagues are not fully appraised of all the situations that are taking place down there. I can say that from talking to many of the workers yesterday, many of them are extremely restless and concerned about what is happening on that project.

Then, Sir, there is the matter of the Port itself, the Port facilities that are provided. You have customs, immigration, the Police, everybody at Port St. Charles. I am a little concerned, I know that it is necessary to have adequate security but when that project started, I asked someone, is

this going to be a port of entry? He said, yes. He asked, can you walk into the Bridgetown Harbour when you chose to? Obviously, no because it is a secured area. Obviously that would explain accessibility to Port St. Charles.

In fact, if you are an off-duty policeman and you work at Port St. Charles and you forgot something in there, you have to get permission from somebody to go back in because you have to enter a private property, in order to get to a Government office.

Mr. President, the facilities are located inside of the Port St. Charles complex. How else could you access it other than Port St. Charles security?
12.05 p.m.

I challenge any member of this Chamber to go down to Port St. Charles when they leave here and walk through that gate because I know that they will not be able to do so unless they are one of the ones who owns one of the properties there or is allowed access to the property from time to time. The truth is, if you are an off-duty officer, whether you be a customs officer, immigration officer or policeman, you cannot go into the government office there unless you are cleared by Port St. Charles security. That is a fact of life.

I am also wondering, if the people in Dover, who are concerned about crime in that area and its impact on the tourist industry, if they can also build a police station and ask government to use it, because if Port St. Charles can have a police station, then if I am concerned about crime in my neighbourhood, I should be able to put up a building and tell the police to come and use it too.

The next thing is this, if the owners of one of the units down there comes into Barbados on their yacht to spend two weeks and one day they decide they want to go on a cruise around the island, having not left Barbados' territorial waters, will that yacht undergo the same inspection on its return as it did when it first came.

These are all little questions that would come and would probably seem foolish to persons who are not enlightened enough to know what is happening in this country and who believes that they can sit down in the comfort of their drawing-rooms and shut out the rest of the world and only emerge when they think it is necessary. Only persons who do not understand what is happening in this country and are insulated will believe that this is foolishness.

We only understand that there is a problem when something happens to us directly or to one of our children or to somebody close to us and then we say the whole world is coming to an end. But like the man said, when they came for my neighbour, I was not concerned because I was not the type that they wanted, it is only when they knock at my door that I realised that there was a problem.

We do not believe any longer in this so-called Christian society that there is any regard or need to be concerned about our neighbours and that we should be our neighbours keeper, because as I said, we are isolated and insulated from what is happening in the real world around us so we believe that every time somebody raises a problem in this society that they are talking foolishness.

The Democratic Labour Party was talking foolishness about crime in Barbados, now the leading lights in the tourist industry are saying that if we do not do something about crime, it is going to destroy the tourist industry. Do you remember the crime and violence advertisements on the television? As I said before, I would hope that persons would see the comments made about Port St. Charles in the context of Barbadians and not as a Barbados Labour Party, Democratic Labour Party, Independent, middle class, upper class or lower class because we are all Barbadians and anything that impact on this country will eventually impact on us because we are a small society and everything touches us so we have got to get that clear.

I would advise you, Sir, that before we are unnecessarily critical of anything that anybody says that we should spend a little time and read what is happening in the world and what are the concerns about the environment because the environment is not only about garbage and saying that we got to keep the place clean for tourist. That is not all there is to the environment. The environment is about the erosion that is taking place right now as a result of work that has been done on the Port St. Charles Project. The environment is about creating what will apparently be a cesspool that is now a lagoon, because wherever water stagnates, a scent emanates, and if there is no circulation of that water, then we have a problem.

Sir, permit me to digress slightly, Sir. A few years ago as a university student, I did a paper and I wanted to develop it further and felt it was necessary to have a mathematical model. Not being versed in that area, I spoke to one Tyrone Barker who is now a Senator. I suggested the idea to him and he indicated that a mathematical model would be good to enhance the Paper but he never got around to doing it. The point I am making, Sir, is that I believe in calling on the expertise that people possessed and I would not endeavour to speak in areas where I have no expertise. Sir, I would humbly suggest that other persons should do likewise. If a person does not know what they are speaking of, they should reserve the comments.

There is another situation that is of some concern to me as far as the Port St. Charles Project is concerned and that is the highway that is presently being used. It is my

understanding, Sir, that the developers are interested in diverting traffic so that the area in front of Port St. Charles would no longer be a highway and that the proposed road would now come under the hill under the cliff by the Coleridge and Parry School. It is my understanding that the developers are examining the feasibility of asking Government to close off that road so that they would have exclusive right to the road and that persons would not be able to pass along there.

I have also heard of persons offering to purchase the property that is now occupied by the Coleridge and Parry School because obviously that is a beautiful view overlooking the same marina. I do not know if somebody might have security reasons to feel that somebody might descend on them from on top the hill so they need to have the property that is overlooking them, like how the Israelis want the Golden Heights for security reasons, probably they see that as a Golden Height that they need to have secured.

I understand Port St. Charles wants to acquire these things, Sir. We have heard many times that this cannot happen and that cannot happen but then we wake up one day and we hear that 'oh the project is going on and we now need to bring this Bill here to validate what is happening so that there would be no illegality in respect to any of the practices carried out on the project before.'

The fact that this Bill is coming at this time is very interesting, Sir, because this project was deemed to be of such great economic significance that they forgot the Bill. If the project was so important, how come that persons were not aware that the legislation was not properly in place to permit the work to go on?
12.15 p.m.

Mr. President, there are many concerns about what is happening at the Port St. Charles project. I would like to recommend to Government that the necessary provisions are put in place to make sure that continuous monitoring of that project to ensure that our environment is not adversely affected. The coconut trees that we pass in travelling the old Heywoods Road are now stumps because the sea water has now destroyed them. So when people are taking a casual approach to this matter, it concerns me because in future when our children look around and see what has happened to our country, what will they think of us? How could I tell my children now that I want you to show respect for this and that and you need to do this and that when I would turn a blind eye to something that is causing damage to our environment? What kind of double standards are we going to practise in the name of development? Are we only concerned with the dollar line? In the end, we will end up being worse off. There are other countries that are enjoying great economic prosperity but they have restrictions on what you can do in their country to make sure that their environment is not damaged. Why is it that we in Barbados cannot pay the same attention that we can only get concerned about things when somebody from over and away comes and tells you that you have a problem? That is the way we have been proceeding in this country for too long, Sir. It is about time that we sit up and examine what is happening. Tell the developers, investors or whoever, these are the rules that you must follow and have mechanisms in place that we can monitor and ensure that they are in fact following the rules. If we do not do this soon, Sir, this country will be the worse off for it. We will have to account to our children as to why we sat back and allowed persons because they had money to come and do as they like.

Finally, Sir, there is no difficulty when things get bad that those persons get on their yacht and sail on to another destination because they see when things are going wrong long before we do. They will off-load those properties as soon as they believe that there is a problem and sail on and leave somebody else with the problem. The sooner we understand that persons who do not have any commitment or allegiance to this country that we cannot allow them to come and do as they like, the better it will be for our country.

I thank you, Sir.

SENATOR C. A. MASCOLL: Mr. President, the Leader of Government spoke to the issue of validation of this Bill and he varied wide and included all forms of validation of previous legislation in the Upper and Lower House. Senator Murray spoke about the validation of the Financial and Audit Act. He spoke about the validation of this Act. He introduced heart into this debate. It was a speech that one would expect to hear on the street. Indeed, I did not plan to speak to validate his speech but I am very proud of Senator McClean who spoke with depth and clarity and who educated us this morning on the affairs of the environment in Barbados.

There is not much to say in this debate having listened to Senator McClean, but like him I am interested in the consequences of the Port St. Charles Development. There is a major consequence that has afflicted the land owners and house owners on the other side in the Heywoods Development project. That is the appreciation of land and property values in the immediate area of Port St. Charles has served to be a burden to owners of property and land in the immediate vicinity of both Heywoods and Port St. Charles to the extent that it would only serve the interest of those land owners and property owners if they sell their properties. Once they retain those properties they will have to incur substantially increased taxes. They have done that over the last couple of years and it continues to be the case for them such that a dramatic increase in property value in that area has in fact considerably increased the overall tax liability of these land owners.

Of course, there are other areas that were mentioned of the treatment being meted out to the workers in the area. I am very privy now because of my change of address and to the plight of some of the workers of that project having hired one or two to do some refurbishing work. There is no doubt that workers have not benefitted from the substantial increase in value of property both at Port St. Charles and such areas as Westmoreland and Sandy Lane where they are very well aware that the initial price that properties would have been offered to the public or to would be potential owners substantially increased over the last two or three years. Therefore, the investors who would have already factored in enormous levels of profit would have gained as a result of the overall appreciation of land and property values on the West Coast in Barbados such that above and beyond the expected returns of that which would have been obtained in their initial studies there has been even more a substantial increase in the profitability and greater returns from the investments which they made four or five years ago.
12.25 p.m.

In short, there has been a windfall as a result of happenings in the real estate market in Barbados so that if you have to evaluate the Port St. Charles investment at this stage you would find that they have gone way beyond expectations in terms of the greater return on the investment. At the time that they would have conducted the initial studies to determine the kind of investment they should engage in, they would have underestimated the market.

It is the same thing that happened at the adjacent property at Heywoods and the beach property that the Government of Barbados sold to Barbados Shipping and Trading. It would not have been anticipated that property values would have moved in the way in which they did within the two to three years following the sale of the property to the extent that one adjustment in land valuation improved the asset of that property by $40 million and therefore made the shares that were being offered to the public exceedingly attractive just as a result of the land valuation adjustment that was made by the valuers, two years after which completely translated into a healthy looking balance sheet for the Almond Beach, BS&T owners.

This validation here while it has been done before and while one can sympathise with the public sector administration for the vast oversight, it is fair to say that the validation of the Bill is not the crucial or critical thing, that what we have to be assessing is the present state of the project now that we are in the position where we have hindsight to look back at that project. Can we evaluate the project from its financial and environmental component? Can we evaluate that project in a total way at this point?

In fact, perhaps, this Bill gives us the opportunity that we might never have had to look back to see whether or not the process of development that we have embarked upon as a country is sustainable and whether it is truly in the interest of our long-term objective as a country. That is for me the beauty of this Bill. It has little to do with validation but more to do with our opportunities as a Senate to evaluate the project.

That is why I was so impressed with the speech delivered by Senator McClean. I must confess that I learned quite a lot this morning having listened to his speech because it was delivered in an educational fashion. It was delivered with clarity and, unlike the presentation from the Other Side, it did not wobble and waffle, meander all over the place. It was solid, informative, deliberate debating on the part of Senator McClean and that is why I can probably sit down at this stage and feel good as a member of the Opposition side having witnessed the performance of Senator McClean.

Mr. President, I thank you.

SENATOR T. E. BARKER: Mr. President, I rise to support this Bill. Sir, I am supporting a Bill which this Honourable Chamber discussed and debated four years ago. The Port St. Charles Bill was passed by this Honourable Chamber four years ago and all of us who were here then had the opportunity to speak on this point. I am sure that Senator Mascoll was here at that time so that he had his say on this piece of legislation and the record will not show that he voted against it.

The point is that this is unfortunate that this Bill had to come due to an administrative slip-up. These things will happen from time to time but the fact is that this Bill had wide currency at that time when it was discussed. It passed both Houses and got the assent of His Excellency. It is just the fact that it was not proclaimed and hence gazetted and hence not legal. All of us were under the impression that all of the stages would have been gone through but it is just that not enough checking to ensure that the final phase was done. I am not saying it was unnecessary as it is very much a necessary phase because then the whole of Barbados and the world will know that there is an Act called the St. Port St. Charles Act.

The last two speakers took the opportunity to discuss not so much the Validation but the Bill itself and a lot of accusations were made, most of them baseless. The point remains that no other project in Barbados has had to undergo the environmental scrutiny that this Port St. Charles Project has undergone.

I was part of the process when I was in the Ministry of Finance and Economic Affairs and countless studies were done regarding the Port St. Charles area. The question of the sand was taken and what the Honourable Member did not say is that as a result of the work that has been done at

Port St. Charles, last week, the last time there was a lot of rain at St. Peter, there was significantly less flooding in Speightstown.

Port St. Charles had to do a lot of work up the hill which impacted positively on what happened further down on the coast. That is a fact. I remember very well that the whole question of the run-offs was addressed in the environmental study for Port St. Charles. Even in the gullies and further up we ensured that the developers did things further upland in order to mitigate the effects of the run-off water by the coast.

Sir, this project has a lot of engineering impact studies and EIS were done but what happened is that there was an incident there where one of the developers damaged some coral which was a very big thing because we all know that the coral serves as an important protective measure because the coral stops some of the wave action from having its full effect on the beach.
12.35 p.m.

This Government has done more to protect our marine resources than any other Government in the history of Barbados. Our marine scientists are well known all over the world. We can call names in here of these scientists who have been very proactive in ensuring that activities, both inland and in the seas, do not impact negatively on our coral reef. The Coastal Zone Management Unit has good scientists who are always out there monitoring illegal construction on the beach and so on. This unit is very proactive in maintaining the integrity of our beaches and marine resources.

Sir, all this speculation that is going on is saying that the Coastal Zone Management Unit is not doing its job, that the good scientists are not doing their job. I want to stand up, Sir, in their defence. They are doing a very good job in protecting our beaches and our coral reef. They get the full co-operation of this Government because we have always ensured that the advice tended by this unit is always accepted and acted on.

Sir, when I hear people talk about stagnant water, this is carrying things to the ridiculous. To say that people are going to build $5 million homes that have stagnant water, defies all sorts of logic. Sir, the Democratic Labour Party have a problem with Port St. Charles. I do not know what the problem is but they are the ones who gave permission to foreign investors to build Royal Westmoreland but when locals built Port St. Charles, it is a problem but it is alright to give foreign investors the whole pie at Royal Westmoreland. I spoke to some of them and said to them that they had received very good concessions and they told me that the Government told them to apply for what they wanted and they applied and received it. Sir, now that the Democratic Labour Party have set the trend, every time they get up to speak, they speak about Port St. Charles.

Sir, we are an attractive island, we are almost the premier tourism destination in the world, we are almost number one in terms of the visitors we attract.

Asides.

SENATOR T. E. BARKER: This is no boast, it is a fact. I am not saying that all is perfect. The activities in the tourist sector will always have some impact on the local population and that is known. The challenge to us is to manage it because our standard of living, in a large sense, is derived from the fact that people find this a good place to come, to settle and to live. We have to manage and make sure that the local interests are always protected. We have to make sure that whatever we do in the name of progress, that the local population always feel that they have a stake because a person is not going to feel good unless he has a stake. He must not only have a stake but he must feel as though he has a stake. It is a question of the reality and the perception. They are both important.

Sir, it is a challenge to us. The Democratic Labour Party had the same problems in marrying the two concerns, the concern for development and the concern to ensure that development is to the benefit of everybody. It is a challenge that any Government will face in the future.

I do not understand why the Dems are constantly beating Port St. Charles. Is it because it is locally owned? I thought that they would be the ones who are proud of it because Barbadians own it. It should be a source of pride because they take pride in Royal Westmoreland, which is their project, and I do not take it from them because Royal Westmoreland is probably a good project so I have no problem with Royal Westmoreland. It has so far brought benefits to Barbados. Why can they not accept that Port St. Charles has also brought and will continue to bring significant benefits to this country? Why must they be constantly berating the project? I do not understand it. Yes, there are going to be environmental concerns and we are going to ensure that nothing is done....

SENATOR LeR. H. McCLEAN: Mr. President, on a point of order. I really do not want the Honourable Member to give the impression that I am berating any project. I am not berating Port St. Charles. I am just saying that we should examine all the circumstances surrounding the project. It is not a case of berating, Sir.

SENATOR T. E. BARKER: Sir, they are constantly berating the project and it sounds stupid, when the Opposition gave permission to put four or five sugar estates

in Christ Church. They were prepared to have a big project at Bushy Park but if it is to the benefit of the country, it is to the benefit of the country and I do not have a problem with that. The point is that Government has to make these decisions. I do not have to agree with everything they do but I accept that they took some good advice and they felt in their heart of hearts that it was good for the country.

Sir, we are following a developmental path that is not recent because from the 50s we saw that tourism was one way to take full advantage of all of our physical and human resources. It is a path that both parties, when they are in Government, will follow.

Sir, I hear about people wanting a road. Sir, anybody can want anything but this Government or whichever Government is in power has to make the final decision because roads cannot be closed in Barbados without Cabinet's approval. No developer can say that he is going to divert a road. He does not have that authority because roads can only be closed and opened with the permission of the Cabinet. All this talk about people wanting roads diverted is not true. People can want anything but in the final analysis, the Cabinet of Barbados makes the decisions. I do not understand why a Validation Bill, a Bill to validate what this Chamber passed four years ago, with wild and baseless speculation, which is more suitable for under the street light than in this Honourable Chamber...
12.45 p.m.

Asides.

SENATOR T. E. BARKER: Sir, this Honourable Chamber can feel satisfied in passing this validation. Sir, we can do so sending a signal to the Administration that probably this is not a good way of doing business. When we pass a measure in this Place, we expect it to go through the channels until it is finally gazetted. We can send that sort of meassage but in the final analysis, the Bill is necessary. Everybody who acted, acted under the assumption that legal process was in place.

The issue is not about whether Port St. Charles should have been built. That is not the issue because that issue was debated in this Honourable Chamber and in the Other Place and was passed. This Honourable Chamber debated that Bill four years ago and it was passed without a division which means that the Opposition gave its assent to it too. You cannot give it and now take it back. What you could be critising now, and what you have not criticised, is the need for validation but you cannot be criticising a Bill that you have assented to 4 years ago.

With those words I want to commend this Validation to this Honourable Chamber and hope that it is passed in the spirit noting that this Honourable Chamber would have given its statement on the whole Port St. Charles Project.

I thank you.

SENATOR C. LeR. TROTMAN: Mr. President, I promise you that I shall not be very long. I believe that it is necessary for me to make a few comments. The first of which is to say that I rise to support the submission to have validation of the previous legislation.

I think, however, that it is necessary for us to reflect on precisely what it is that we did then and are doing now. We are not reflecting on a previous decision of this Honourable Chamber but what we are doing as a people. At the same time, I think it is necessary for us to recognise one or two of the issues which seem to be a paradox in this exercise.

First of all I would like to commend one of the young people that I taught at school, Senator McClean, for being able to present the position of his Side in a way that lends itself to commendations which he has just received.

Asides.

SENATOR C. LeR. TROTMAN: I say commendations because if he strays from time to time, it is only because of what he has been given to respond to was so generous that it could only compare itself with some of the fast bowling that the West Indian bowlers give to the Australians. Therefore he had an excellent field from which to respond when he was replying. When Senator Barker responded to him, I thought in reflecting on the distinction between those persons who are punished for stealing coral and commenting further on the punishment to those who had damaged the coral that he might have been able just to make sure that he kept the level where this Honourable Chamber would want it to be. That he would make a distinction between punishment for stealing and symbolic punishment for accidental damage.

It seems to me that there are fundamental differences which one has to address and that we might very well have been able to deal with those things without having to go to St. Philip to make a comparison with St. Peter, that is only in passing. You cannot say that it is ready for the street light if you have taken it there.

Mr. President, I merely got up to say that I have concerns, as everybody else does, regarding some of the issues related to the establishment of Port St. Charles. Not because I object to the establishment or the validation which we did before. One has got to be able to ask oneself the question, if we do not do the validation what then? Once that question is asked and it is answered it may, in fact, put to rest the essential issue that surrounds it while at the same

time the overall issue of what is Port St. Charles? What it has to do with the people in the area? What it has to do with overall national development strategies? Those questions still remain very much in the minds of our people.

One of those questions, Mr. President, would relate quite naturally to the matter of beach access. One has got the impression that the suggestion has been that there cannot be better public beach access and that we have to recognise that it is part of what we have to pay for the price of development because of the numbers of who will be employed by this project.

I will accept that the development would lead from time to time to there being changes when Sandy Lane, which is next door, was put down, as the Leader of the Senate said earlier, there was a changing in the road and if that could be shown as to be the overall interest of the country, then that change would be examined by the authorities and discussed within that framework.

In the matter of the public access, I think what we would have to recognise is that where we are making changes we ought, wherever we can, to endeavour to give alternative comparable benefits to those users or beneficiaries that were there before.

I would think that the access which there now is to the beach, beside the facility, is access which leaves very much to be desired. I am of the view that it could be revisited to make for better access. It could be revisited to make for better parking and it must be revisited to allow for a better public utilisation of what is one of the better beaches or used to be one of the better beaches in the country. Mr. President, I said used to be because I am pursuaded by the argument that says that the sand is being lost in the area and that as a direct consequence of that, the users in that region are under a particular problem.

We gather from what we read that there have been attempts made to re-sand that area. One of the concerns that I would have is whether the dredging and the re-sanding is being done in a way that would give us the level and quality that we have had in the past.

The second thing that I would be concerned about, Mr. President, is not so much that we have had to have the project but whether with the discussion which there has been regarding the project and the amount of work which is being done in this particular area. Whether we have got in place the facility to continue, not the original impact study which was done and the original plans which were made, but for following them through to ensure that we are properly in a position to have remedial action taken in the event that the combination of the dredging and the putting down of the groynes and those other actions that were taken are likely to cause further impact either to the north or south of the project. There is enough evidence that we have, all around Barbados, to show that where there has been some action in one area, as long as we are dealing with the tides and the waves, that the same movements of tides and movements of the waves will have some effect in other areas.
12.55 p.m.

We have to make sure that we monitor it, and, to the extent that we can, to contain that action, and to ensure that it is in the overall benefit of the people.

We would hardly want, for example, to find that as a direct consequence of this development, that there is an adverse implication for the neighbouring Almond Beach Resort, or for bathers in the area of Speightstown, or for those people who we understand, want to develop further to the north, somewhere in the region of Half Moon Fort.

It is important for us to be able to have an understanding, but to have more than an understanding of the present, to be aware that there are facilities in place for continued monitoring, and I have been impressed and pleased to hear from Senator Barker that the Government does have such an arrangement in mind.

If we are going to have these things in mind, one of the questions that would have to stand out, or one of the things that we would have, as a nation, seriously to consider, Mr. President, is the extent to which the developers should have a responsibility for assisting, in any remedial work, which might become necessary as a result of the initial work that was done at the particular point in time.

This is with specific relevance to Port St. Charles, but, it would also have to be relevant to any other similar development, either coastal or inland.

If we have to have follow-up of work because, people as a whole, are likely to be adversely impacted by what we are doing, and the Government has to be responsible for that, to what extent must the Government, and hence, the people be fully responsible for paying for it? And to what extent are we going to be saying to the developers, who are the end-beneficiaries – "you have a residual responsibility, and you have for that responsibility to put out some money, so that we are able to take care of the society in which we exist."

It would seem to me, Mr. President, that we are going to have to hold this particular company – the developers, here, and in any other area – hold them partly responsible, and that there must be some kind of security that the Government can draw from them, in terms of money, and in terms of their actions if there has to be further work done.

That is one of the things that I thought was necessary that I should introduce into this particular discussion, because, even if we cannot do it here – and I hope there is still time – we are continuing this business of development, and we have to be sure that those of us, who are going to develop areas, that whatever it is we do, we do not put our money into developments, without the understanding that we have a responsibility, in the final analysis, to this land that is our land.

I will make one other brief comment, Mr. President, because I recognise that I have gone past a certain hour.

There has been some discussion in all of this about the wages that the workers receive, or do not receive, in efforts of this sort.

I am always pleased when I see that there are a number of persons who will recognise the value of the workers, in the debates that are political.

What we would want to do is to have that level of support, not only on the political debates, but on the ground on an ongoing basis in support of the workers. We do not want the workers to be used as political footballs in any argument, by any political party.

I am not suggesting that any pupil of mine would do that, but I still have to make the point that it does not serve any useful purpose to seek to get political mileage by seeking to make out to the workers of this country, or any other country, that, in a particular issue, there are benefits that might be derived, when in fact, we say that knowing that those matters might not be possible in a given set of circumstances.

I think, Mr. President, that there have been, in those developments, efforts made to negotiate wages and in many of the instances, the negotiation of wages is the result of reaching what is the possible, in a given set of circumstances.

Now, in this particular debate, it might have been much more helpful to say that one of the problems which the Labour Movement found in being able to get a better resolution, is the absence of appropriate legislation to ensure that when workers are unionised in a work area where there are multi-employers, there is no longer any difficulty in being able to determine who is the employer, to whom you have to address the claim for recognition.

In this particular case when we have made claims for recognition, the employer has said that they do not employ the particular people.

In those circumstances, it is necessary for us, to establish, as a matter of urgency, not all that there is in the Employment Rights Bill. Certainly, not the resolution part of it for the arbitration tribunal, and the way that it is set out, but that part of it which makes it very clear that when you go to work you should receive a letter from your employer, indicating who he, that employer, is and the conditions under which you work.

That would have helped this debate, and the country, much better than the suggestion than the workers are unionised, but, that the Union is not doing what it should to represent them.

That is far from being correct, but there are many people who are working there, who have not had the benefit of being able to have that representation, for the reasons that I have given.

Beyond my making these comments, Mr. President, I would just wish to say that I do not recognise that we have any choice but to bring the validation.

I do not object to anyone wanting to take the occasion to look at the broader issue of this particular project. It is a major project, and any major project like this is going to attract public discussion.

There have been parts to it, and approaches to it, that we have had concerns about, and anybody who looks at the matter of land ownership in Barbados, especially, the land ownership on our beaches, is going to have very much to say about it.

I believe that we will again, come back to that, and we will again, have to speak to the importance of ensuring our land owning policy is such that the masses of Barbadians do not find that they do not have any opportunity to own land, or any access to our beaches, but I do not believe the time for making that observation is now.

I thank you, Sir.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I beg to move that this Honourable Senate be now suspended until 2.05 p.m.

SUSPENSION OF SITTING

The question that the Senate be now suspended until 2.05 p.m. was put to the Senate and agreed to and Mr. PRESIDENT suspended the Senate accordingly.

1.05 p.m.

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed. Senator Collymore.

SENATOR B. R. COLLYMORE: Thank you, Mr. President. I do not think there can be much quarrel with this validation pertaining to the legislation. My fear about it is that it is the sort of slip-up which can occur any time and therefore there should be a built-in mechanism within the respective Ministries to ensure that it does not happen to the embarrassment of the Government and the country.

Indeed, the Minister referred to an administrative failure. I do hope that this failure has not been glossed over and in fact, that the necessary investigation has been carried out to locate blame and to deal with it suitably. Many of us might recall the circumstances of a man called Mr. Biggs who was allegedly found within the Barbados waters and brought before the court but because the Extradition Treaty entered into between Barbados and Britain had not been gazetted, there was no law under which Biggs could be held and so Biggs went scot-free.

It happened again, as far as I can recall, in the circumstances of the Anglican Church Regulations which were not published in the Gazette. The Church found itself in any amount of litigation and costs from one of its own priests. In simple terms, administrative blunders can be very costly for the Government and the people of Barbados. Indeed, it shows that within our system, people who operate those desks responsible for ensuring that these things are done correctly, either are woefully ignorant of the requirements of the law or are remiss in carrying out those requirements.

Sir, the public administration, as I have said repeatedly in here, has a very important function in the order of things and I have also said that anything that impairs the confidence of the public administration to do its work properly, can have long-lasting harmful effect. I refer from time to time to the 1974 amendment to the Constitution which changed in many respects the method of recruiting and promoting certain types of staff. I have said that same staff recruited in a different way as it were, ultimately become permanent and in many respects, reach the top. Some of them might be quite academically well qualified but not trained or experienced enough for the job.

The job of management in the Public Service requires more than just a passing association of the various procedures that are necessary to carry out the business of the Government. One such procedure is the way of passing and ensuring that legislation is correctly dealt with. There is an Act called the Interpretation Act which sets out in detail, the sort of information which every public administrator should know and used to know. It was a requirement for office juniors who deal with these things at the Registry level to be fully seized of all these procedures and these juniors sometimes became seniors. And systems used to be developed to ensure that all legislation belonging to a particular Ministry would be treated in the way it should be treated by that Ministry. Every month you had a system of bringing up, in a special file called "Legislation", the steps that had been taken to ensure that legislation was properly processed.

Within Ministries too, there used to be kept a copy of all draft legislation, draft meaning before it was gazetted, the Bills and Statutory Instruments as they have been processed through the two Houses of Parliament and the Governor-General. The Officer responsible would try to ensure by bringing up that file at specific times, that the other process, which was the gazetting, was always carried out. I do not know if these things are done anymore but I fear that there may be other instances, not now known, where legislation that should have been gazetted, has not been gazetted, with all the consequential implications for the Government.

In this particular case, it would have been quite easy to Gazette this legislation retrospectively and none of the Government Ministers might have even known that it had not been gazetted. It would be gazetted and the notice would say that this Act shall be deemed to have come into effect from a date in 1996. I think that the fact that you had to validate it, springs not only from the fact that people might have used reference to that legislation in legal documents but actual transfers of ownership might have occurred with reference thereto. Such a transition could be invalidated, if it was seen by some smart aleck later on that the legislation had not been Gazetted. I therefore, think that it is very much in order to validate it in the way now proposed.

I beg that the whole question of the training of public officers, the whole question of preparation of public officers for accelerated or other promotion in the public service be dealt with in a very serious way and that the basics, just like the West Indian Team do not know the basics, be applied at all levels of training. Otherwise, severe costs and embarrassment can accrue to the Government.

I have another fear, if I may call it so, not about the validation but because it is the first time that I would have had the opportunity to speak about Port St. Charles. My fear is not about Port St. Charles only, it is for what I call the logical expansion of the west coast. I congratulate, as I heard today, Senator Mascoll for having the foresight to get in on that area.

Asides.

SENATOR B. R. COLLYMORE: He joins a developer of Port St. Charles who I understand has recently taken up residence at Broomefield in St. Lucy so that both of them had foresight in that respect.

Asides.

SENATOR B. R. COLLYMORE: The thing is more serious than that. It is the social impact of the development that has been taking place on that side of the island. Sometime ago I read somewhere that Mr. Ronald Tree was considered a fool to have bought land in St. James at £300 an acre. That same land, it is said, is now being sold at a value of £3 million an acre. Now, that is the kind of value that has accrued to development in that area.

Indeed, the same reference speaks of houses on that coast that are only owned by British millionaires largely and that you start bidding for them at £2 million or £3 million and it is possible to exceed £30 million to own one of those houses there. Now, it may sound good and great that Barbados has perhaps the most valuable real estate in the world but it indicates very serious social problems.

Indeed in that same reference, there was a note to the effect that included among the owners of this high-valued property are people like Mark Thatcher, Lady Thatcher's son, and a Lord Lucan. Lord Lucan, as some of you might recall was perhaps the first member of the British aristocracy who was charged for murder and has remained incognito ever since then as a fugitive from justice. Now the point that I am trying to make is that because the one criterion for ownership there is being a multimillionaire, you could attract unsavoury characters among the people residing there.

I think it is much more serious especially where most of the owners of the properties do not understand that they should try to develop an accommodation with the locals in terms of access to the beach and in terms of general social intercourse.

It is said that in that environment a hamburger and chips cost £21 and a beer £5. Locals seeing that can get the wrong impression. If something is not done in terms of the control, how you do it. Whether it is too late or not, I do not know, but we could be developing a country where there are two 'Barbadoses'. That is not something we would like to bequeath to our offsprings who would not be as tolerant as we are of these happenings.
2.20 p.m.

To hear that the Port St. Charles properties have appreciated 100 per cent already – I think that the Minister said that some of those properties have appreciated by that much already – is an indication of what is happening in that area. The fact is that what used to be the west coast is now becoming the west north coast of Barbados, I, therefore, feel that whilst I have no problem with supporting the legislation, that I need to say something about how the world sees us because the world is seeing us as a country where real estate is of the highest value in the whole world. If ever you get a chance to see that document that I saw, I cannot make it a document of the House, I think it will bring home to you the impact...

Asides.

SENATOR B. R. COLLYMORE: Yes, I could do that, but we must not treat these matters lightly because they have serious implications not only for the environment but also for our capacity to service not only the tourist industry but the concerns of our own people, as the article said, where the millionaire owners never bend to accommodate anybody in pursuing what they want. We could be heading for serious trouble in the not too distant future.

Thank you.

SENATOR C. K. LAURIE: The question of the Environmental Impact Assessment Study is something very close to my heart because I have participated as a small player in one which was of an agricultural nature.

I remember not so long ago there was somebody putting up a project which was less than half of a million dollars and I said to this guy, 'have you done an environmental assessment study because this could have some negative effects?' He said; 'but this is a small project, I am not required by law to do it, I asked the Ministry of the Environment and they said no, that there was no law which says that you have to do it.' I said, I will still suggest that you do it. He said; 'but that is going to be extra cost.' I said; 'but do it.' He had it done and he called me and said, 'you know not only am I happy that I did it but I have learnt something from the consultants who did it for me, I never would have foreseen that and I am now taking steps before I even start to build to correct those things so that I will never have the problem.' He also said that he went back to the consultant afterwards and told her, 'here is an extra $1 500 on top of your fee because you did such a great job and you have saved me money down the line.'

I am convinced that we must stop and think. I think the Manifesto of the Barbados Labour Party said that all large projects must have Environmental Impact Assessment studies (EIA's) so I know that the EIA's actually was done on the Port St. Charles Project because I was associated with that site because of its archeological significance. I do not know if people here are even aware that the history books of Barbados have been rewritten since that project because it was discovered that the site's occupation goes back

to 1600 BC. That was a quantum leap backwards in time which I have never seen before. I must say that the developers there, when they realised the significance of this, held up the development work for nearly two months to allow the Barbados Museum to do the various excavations that had to be done in salvage archeology. So I have been associated with this and I know this.

Now, the truth of the matter is that more than one EIA's was done on this project. One was done by an overseas consultant, I think it was a Canadian consultant, and was deemed by the Chief Town Planner as being inadequate. It was a major problem – they talked about it in here – associated with it but then they hired a combination of some outside and local consultants. I think there was a Dr. Hendry from the UWI, Dr. Smith, a marine biologist from Canada, Mr. Arthur Archer who was with the Ministry of Health for many years, Mr. Andrew Hutchinson, a local civil engineer who had done a lot of specialist work in drainage and there were other members of the team both local and overseas and they took nearly 18 months producing this study and it is considered by the Chief Town Planner and Dr. Nurse at the Coastal Zone Management Authority, that this is an example of one of the best EIA's and the best example of cooperation between regulatory agencies and the private sector.

I do not think it is fair really to suggest that this project went ahead without proper environmental thinking. The question also was raised about access to the beach. To me, public access to the beach in the Heywoods area is the best of all the public accesses that I have seen in Barbados because it has a parking lot. It has a big paved road going in. There is a very big prominent sign outside saying public access. There is a parking lot which will hold 30 cars and this gives you access onto the beach, this is the one on the south side between Heywoods Hotel. On the north side there is a problem and I think Port St. Charles is working on that.

Again, let us talk about these grape trees. The fence that is there is a temporary fence which was put up because they are going to do the construction of that side now. For a construction site, you have to have a fence. As we all know if you do not have a fence everything will walk so this is a temporary fence which was put up there.

Now, with reference to the EIA, they have also planted grape trees all along that beach because the EIA had very strict concerns about the problem with turtles. Turtles are nesting on that beach and the lights from developments can disorient turtles entirely and it can cause real problems. They brought in specialists on turtle management and they suggested the planting of grape trees all along the beach just above the high water mark so as to block the lights from the site there to protect the turtles. So these people are doing things that have been laid down in the EIA that was done.

Now, the loss of sand on the west coast can hardly be blamed on this particular project because the loss of sand along the whole of the west coast was really caused by Hurricane Lenny some years back and this is referred to by the Coastal Zone Management as the Hurricane Lenny effect which has affected the whole of the west coast and therefore that particular loss of sand in this area is not due to the project. In fact, the immediate effect has been to build up the beach at Six Men's so that more boating and fishing work can be done now on the beach than it was before this project was done.

There was a brief reference just now in connection with real estate. We keep thinking about west coast properties and their phenomenal cost. I would not live on the west coast if somebody paid me to. I think that people are jumping to go and live on the West Coast but it is the hottest part of Barbados to live in but I would much rather live on the East Coast than on the West Coast.

What about the rest of this Island. I know Senator Bolden is going to leap to his feet, when I talk about land owned by overseas Barbadians who own land in Barbados and who for a large part do not pay land taxes. You go in there and the Land Tax Department officers will tell you about lands where people owe hundreds and thousands of dollars in land taxes and they have not sold them. For some reason many people seem not to be subject to their land being sold for ten times over, but there is a lot of land owned by overseas people sitting around Barbados that is idle. I know adjoining my lot there is a guy who has a four-acre lot and he never did anything with it. I got his address from Town Planning and wrote to him. I said to him that if I could lease the land to graze my sheep. The next thing he got a little nervous and he came down and started to build a house. I do not know if he ran out of money but he is three quarters through and nothing else has happened for the last two years. What has happened as a result of his building is that an old lady right next to him who has two acres of agricultural land the price of it went up in value from $2,000 to $35,000 an acre. She now pays land tax at $35,000 an acre because this man built one house next door. I told her that she should appeal. I think that she has a very strong case to go to Land Tax Department. My land is in agriculture and it has never been in housing and I do not know that it ever will because it has a little gully going through it and so on. So this is the effect of time on real estate.

2.30 p.m.

Sir, we have to address this real estate problem. There is the other area of the BAMC that was supposed to dispose of some of the heavily indebted estates. If that had been put on the market, that would have depressed land prices or certainly controlled this phenomenal rise in the price of land.

Sir, what are we doing about our Physical Development Plan that was laid in Parliament three years ago? It has not been debated and it is not law. We do not have a Physical Development Plan. We are so concerned about this real estate problem and this Plan addresses that.

Mr. PRESIDENT: Senator Williams.

SENATOR J. E. D. WILLIAMS: Thank you, Mr. President. I shall not be too long in my presentation but I feel persuaded to speak after having sat and listened first to Senator McClean and then Senator Mascoll. One would have felt like Senator Mascoll said that it had nothing to do with validation. It had everything else to do with creating an impression. I guess he is correct.

When this Bill was discussed in the Other Place, there was much talk at that time and even before the Bill was discussed the Opposition sought by way of what can only be referred to as a scandal sheet which they disassociated themselves thereafter to suggest that it was everything to do with something that only happened for the very first time. When that scandal sheet was held up to scrutiny and it was recognized that all what Government was doing in terms of good governance was to make sure that the Bill validates the action that was already taken by both houses of Parliament and indeed there were instances where this Administration had to validate things that had started as far back as 1991. Therefore, it could not hold water that Government was doing anything different than what was happening. It was therefore necessary for the Opposition to reposition itself and simply say, how else can we seek to gain some kind of mileage out of this action of validation?

Sir, to my mind the approach that they took is a bit sad because if the Democratic Labour Party was coming into this Honourable Chamber through their representatives and saying that Government allowed a project of the nature and magnitude of the Port St. Charles to go ahead without a proper environmental study being done, I think we all would agree with them that they did have a point and indeed it would have been irresponsible on the part of the Government to allow a project of that nature to go ahead without making sure that there were the kinds of checks and balances and guidelines set for the developers which indeed was not the case. At the end of it, Sir, they come in here and suggest that what has happened has done immeasurable damage to the place. Senator McClean was very careful. He said that you may not see the damage in five years, ten years or you may not see it in fifteen years. Indeed, there may not be any damage at all. The fact of the matter is that you come and give the people of the country the impression that those kinds of things are happening.

Sir, we have to be more responsible when we are dealing with matters. We have to do it void of the politics recognizing the harm that can be done when we make those kinds of statements. Both Senators McClean and Mascoll spoke about the whole question of wages. I sat here in amazement that we would have workers, who are unionized, because I am made to understand this by Senator McClean, are getting less than what the Government would be paying and what the normal people in the private sector would be paying and indeed what the people at Port St. Charles, to artisans like carpenters.

Mr. President, I am Chairman of the Barbados Vocational Training Board and I can say to you, Sir, that we have trainees. There was a point in time even before they went through their full training they were so much in demand and indeed the kind of wages they were attracting in a sense encouraged them from completing their full training which sometimes is a bit unfortunate. Nobody was working for any salaries to which Senator McClean alluded. I was happy to speak to Senator Trotman because the fact of the matter is that at one point in time at the same Port St. Charles particularly those workers who are unionized their salaries were even above the salaries in the public sector. The reason why he alluded to the 2½ per cent that was applied was because after Government gave the 4 percent or 4.5 percent it meant that their salaries were behind by that much and the 2 percent was a way to bring them back to where their salaries were within the Public Service.

Sir, to come in here and simply say that the Barbados Workers' Union – I am not here to defend the Barbados Workers' Union – have workers who are unionized and a representative who would allow a company to pay those kinds of wages, I think it is wrong. Quite frankly, I think that Senator Trotman really should have been making the point for himself. I think he too was a little bit sad to hear that kind of impression being given because at the end of the day those are the same workers who will simply be saying to themselves that we are being done in by our representatives when in truth and in fact nothing can be further from the truth.

Mr. President, Senator McClean also alluded to the encirclement of trees and so on. Senator Laurie, we are obliged to him. He was able to say to us, look a place is under construction. If Senator McClean does not understand, I can say to him that when you have construction sites even from a point of view of health and safety, you would have to fence in certain areas when you are carrying out excavation work, construction and so on. We would have sat in this Honourable Chamber and would have believed that this was some sinister motive on the part of the developers to exclude people from proper access to the beach.

2.40 p.m.

The only point I want to make is that we have, as parliamentarians and Barbadians, to be responsible in the things we do and say because it sends a statement one way or the other when we do those things. For developers to have respected all the requirements with regard to the Project and for those kinds of outlandish statements to be made – they are not here to defend themselves – I have no doubt that in the fullness of time the facts will be known. To give that kind of impression to this country is wrong.

I am obliged to you, Sir.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I have a few words to say about this Bill. I do support the Validation Act and I do support Senator Collymore's call for training and education and systems and what I would like to add to that is that I would like to see the equivalent of a civil service college where civil servants in general could be trained and certified as professionals. I am aware that mistakes happen and, as Senator Collymore said, they could be costly. It is not only this mistake but there are many other mistakes and attitudes that we need to correct, change or develop in the way we would like to have them developed if we are going to be prepared for the world of globalization.

It takes too long to get things done. If we have a college where people have to train and be certified and then an Act like the Nurses Registration Act, the Civil Servants Registration Act, then they will have to be accountable and they could register and then you can try to keep tabs on them.

Another concern that I have. I know that we need development so that our people can find work and I would like to see it being balanced a bit more because Port St. Charles is beautiful for those who like that type of beauty. It is true that you can arrange to have a tour around Port St. Charles but there are also other developments that seem to be like Port St. Charles of an exclusive nature and not involving the communities as much as they should. I know that some of them are trying to teach the children golf and such exotic sports but golf is an expensive game. You can teach them golf, but can they afford to play? No problem with that. At Rockley Golf Course it takes $2 000 per year to be a member.

I would like to see these developments that I am talking about – Mr. President, I am going to stray a bit – I am talking about the exclusiveness of the development and I can use Port St. Charles as an ideal like Westmoreland and Sandy Lane. They are all very exclusive.

Aside.

SENATOR Mrs. P. E. RICKINSON: Mr. President, the whole of Barbados picnics at Batts Rock on Saturdays and Sundays and that is a sort of community involvement that we have that I would like to see in all the other areas.

Aside.

SENATOR Mrs. P. E. RICKINSON: The moonlight was shining and they had a band and they were partying and enjoying the beach. These are Barbadians enjoying the beach but they cannot go to those areas and do the same thing. That is the sort of community involvement.

I am fortunate to live on Batts Rock Beach and just as we entertain people there that is what I would like to see in all of those developments, including persons. If not, there is going to be quite a lot of unrest and you will hear that we are going back to the 1930s where there were certain areas you can go and cannot go. I think we need to look at it very closely and see what we can do about these developments.

With this, I support this Bill.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, in seeking to bring this discussion to a close there are a number of issues which I would like to touch on briefly. First of all, I would like to commend Senators Collymore and Laurie for bringing some rationality and reasonableness back to the debate. I was particularly grateful to Senator Laurie because some of the disclosures he made I had intended myself to allude to in this part of my presentation.

Sir, I must single out Senator McClean's partial-acclaim speech and try to treat it for what it is worth. I know that it has been deemed as learned and scholarly and educational, but I was trained in the social sciences and sociology and I could have gotten up and spoken about things like alienation in relation to Port St. Charles, anomie and dysfunctionalism and spouted a lot of jargon and speculated as to whether these things happened, what would happen in the case of Port St. Charles, if there was alienation, dysfunctionalism or various other things. That would have made my presentation seem learned but in truth and in fact I would not have been dealing with the crux of the matter and all it would have been is really a whole bunch of speculation. To trot out a concept and then speculate across-the-board does not necessarily mean that it is learned. I thought I would put that in the record for what it is worth.

The thing is that Senator McClean particularly took great pains to speculate about the management of the environment after the Project has come into being and made it seem to have been done in an uncharitable fashion and in quite a great slur on the Coastal Zone Management Unit as

though there was no ongoing marginal assessment and evaluation of the situation, as though he was saying "Hercules, I have just discovered the thing and from henceforth this should be it."

The truth is that there is ongoing evaluation and assessment by the Coastal Zone Management Unit. As a matter of fact, the Coastal Zone Management Unit is so assiduous in its task, that it is often called upon to help persons around the region in these same matters. Dr. Nurse himself is an internationally regarded authority in this field. Therefore I think that it is unfair to these public servants who are doing their duty to be subjected...

SENATOR LeR. H. McCLEAN: On a point of order, Mr. President. I really do not think that it is fair or reasonable for the impression to be given that I have attacked any public servants or anything. It is not true.

SENATOR THE HON. G. S. H. MURRAY: Sir, in my opinion, Senator McClean in his presentation made reference to the nature of his scientific studies when he was at the University as a scientist and I would have hoped that he would have seen it as his intellectual duty to produce, not anecdotal evidence, not speculation, but facts in printed data to support what he is saying. Otherwise, he is just speculating.

The Coastal Zone Management Unit has been assiduous in its task. It has played its role according to law and it has kept our developers much in line.
2.50 p.m.

Senator McClean also spoke about the developers wanting to divert the road. Developers, prospective developers and potential investors every day in Barbados come up with schemes of what they would like to do. Some of these schemes are reasonable and some are not but because they speculate, it does not mean they will get what they hope for. It does not mean that because they have a wish that it is necessarily granted. Mr. President, they are trying to create some kind of anxiety that the usage of the road is going to be taken away from the public because a developer expresses a wish or some hope of it. We have to go beyond that as we have to go beyond the rumour that the developers at Port St. Charles are disadvantaging workers who are represented by the union. Sir, I was amazed at the kind of logic that the Honourable Senator brought with the whole question of wages.

Sir, I thought that wages paid generally reflected the going rate in the society. It is well known that there is a national construction boom in Barbados and that people are hard-pressed to get artisans to work and they are asking top dollar for even the most simple task. One of the reasons why construction costs in Barbados are so high is because the wage factor is higher than any other factor but to give the impression that persons are imprisoned in a camp or that they are slaves and are being made to work for these wages when the market out there is demanding their services and will pay much better, Sir, to me, is creating an unnecessary attitude among persons that can only reflect very negatively on the society in general.

Sir, the damage to the reef by the barge. The facts are that the barge was not owned by the developers. The barge was contracted by the developers and the persons operating the barge did not follow instructions to the letter. Therefore, there was carelessness and there was damage done. Sir, there was no law at that time to impose a punishment on the developers. The barge operators, through the developers sought to compensate by providing US$40 000 in equipment as well as a great deal of technical assistance. In addition, the Coastal Zone Management Unit insisted that two pumps were put in and the facts, Sir, do not bear out in anyway what Senator McClean and Senator Mascoll are trying to say.

I appreciated Senator Collymore's call for steps to be taken to avoid this kind of slip-up occurring again in the future. I want to assure him that what has happened in this instance will not be glossed over and that already, discussions are taking place as to how steps can be taken to prevent the same thing happening again.

There were some legitimate concerns raised particularly by Senators Collymore and Laurie. I regret the fact that an Act as innocent but as necessary as this, had to be taken down a route that was totally necessary, unfortunate and almost unsavoury.

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. G. S. H. MURRAY, 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 and 2 were called and passed.

On the motion of SENATOR THE HON. G. S. H. MURRAY, Mr. 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. G. S. H. MURRAY, the Bill was read a third time and passed.

ORDER NO. 7 – THE CENTENNIAL HONOUR (AMENDMENT) BILL, 2000

SENATOR THE HON. G. S. H. MURRAY: Mr. President, this is really a minor matter. Earlier this year Government would have taken steps to establish a twentieth century Centennial Award Programme. The awards were unique, natural honours that would be awarded, by the very nature of its name, once in a century. Parliament has agreed to its establishment and it was agreed that holders be allowed to use the designation, C.H., meaning Centennial Honour after their names. It is now felt that the Act should be amended to reflect that a person be entitled to have B.C.H. which is Barbados Centennial Honour used after his or her name which is customary.

Sir, that is the extent of this measure.

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

The question was put to the Senate and agreed to.

3.00 p.m.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clause 1 was called and passed.

On the motion of SENATOR THE HON. G. S. H. MURRAY, Mr. 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. G. S. H. MURRAY, the Bill was read a third time and passed and cited as the Centennial Honour (Amendment) Bill, 2000.

ORDER NO. 6 – TO MOVE THE FIRST READING OF A BILL TO AMEND THE POST OFFICE ACT, CAP. 27A

SENATOR THE HON. G. S. H. MURRAY: Mr. President, the Senate is being asked to consider a measure that would in effect amend the Post Office Act and introduce specific legislation which would serve to punish persons who wilfully obstruct, assault, molest or invites another person to do so, assault or molest an employee of the post office and to punish similarly persons who while on the premises of the post office, the business of the post office. This action by Government, Sir, arises out of a number of activities and incidents which we feel reflect in a negative way some of the unfortunate social changes that have been occurring in our society.

There was a time, Sir, when a postman was almost regarded in the say venerable way as a priest or a teacher. Highly looked up to, trusted and respected because of the role which the post persons, especially the postmen and women who go out to persons' houses and interact with members of the society in a very intimate manner. They go into their houses and deliver pieces of mail that are crucial to their lives and livelihood and also carry out very important social functions especially where the elderly and incapacitated are concerned by cashing their cheques and looking after the payment of bills.

In recent times many persons who are employed by the post office, particularly the postal workers who work out in the field, have become victims of various attacks on them, where there are either physically assaulted and their property in the form of their motor cycles which they use to carry out their duties, are taken away from them by persons in certain acts of criminal behaviour.

This has caused a great deal of consternation among the postal workers, their representatives and the general society and, indeed, where the Government is concerned. Government has been seeking to pay particular attention to the post office and has taken a number of steps to upgrade the post office, its services to make it more competitive and responsive to the needs of the society where the traditional services now compete against those provided by the private sector in the form of various courier services where you have to compete against the use of computers, the internet *et cetera.*

Government has been responsive and sensitive to the needs of the postal workers and Government has taken steps to improve the terms and conditions to provide them with duty-free motor cycles for them to carry out their duties and also to make aspects of their operation more comfortable wherever possible. We, therefore, feel that we have a duty to protect these workers and that there should be certain penalties which, in the future, be imposed on persons who carry out these acts to the post office workers.

The Bill, Sir, will impose a penalty of $10 000 or five years in imprisoned or both for an offence committed contrary to the provisions of the Bill.

I think that these measures have come at a very timely occasion, particularly at this Christmas time when people are depending on postal workers for the delivery of mail, be it postcards or overseas remittances. We therefore are even more supportive of the need for this measure.

Government, at this time of the year, employs other security measures because there is a great deal more cash that is found in post offices because of the upsurge in the

transaction of businesses. We have been taking steps to provide, wherever possible, greater security at this time of the year. Therefore, when one combines that kind of activity along with what is being provided for in this Bill, I think it is a very worthwhile step and needs the support of all concerned.

There have been some fears expressed, Sir, about the future of the post office. There have been rumours that the post office was going to be privatised as has happened in certain other Caribbean countries. There is no plan afoot to privatise the Barbados post office. What we are seeking to do is to modernise its operations and to make it more commercially viable and competitive, but certainly not to privatise it as it has become popularly known.

We do not intend that there should be any loss of jobs in our moves to upgrade the services of the post office, which by and large are still highly regarded, but which we think we need to make some more improvements.

There have been a number of studies done which have shown that with the increase of mail in the post office that we could vastly increase the speed and efficiency with which the mail is delivered. For example, when one hears criticism of the lack of alacrity with which the mail is being delivered these days compared with the past, very often the critics fail to take into consideration the fact that because of housing development – housing developments have sprung up in certain traditional areas where sometimes hundreds of houses go up. The number of houses to be serviced by that same postman has tripled or quadrupled and therefore it places a greater demand on that person to do that many more deliveries in the same time as was previously done.

We are placing great emphasis on seeking to upgrade the post office. Meetings have been held on these matters involving the Barbados Workers' Union and wherever possible we are seeking respect and to take into consideration the concerns and requirements of the workers' representatives to make sure that we provide a better deal for Barbados' postal workers.

Sir, in that context and against that backdrop, I beg to move that this Bill be read a second time.
3.10 p.m.

SENATOR LeR. H. McCLEAN: Mr. President, I would like to start where the Honourable Senator ended, and he ended on the point that this Parliament would certainly support persons in the postal service.

First, let me say that I have special interest in this matter. My wife, having worked in the postal service for over 28 years, now. I certainly hope that nothing would be interpreted, as if she is saying it. I take full responsibility for what I say. Please do not hold anything I said, against her.

I would like to say, Sir, that this is another example of throwing legislation around.

Is the Government saying that postal system that was in existence for over 100 years, now, that you now have to bring in legislation to protect those people in the postal service? What are we now saying about ourselves, as a country? Do we now have to find it necessary to bring in this kind of legislation to punish people who steal motor cycles from post men? Is there no law to deal with that yet? Are you saying that if somebody went down there, today, before this becomes law, and robs a postman of his motor cycle, there is no recourse in law?

This legislation is a strange piece of legislation, because, I think it is unnecessary, and it is just another public relation stunt, that the Government wants to give the postal workers the impression that they are doing something for them, when, in actual fact, there is nothing in reality being done.

The root of the problem is not persons robbing postmen. The root of the problem is that there is a climate of too much crime in this country. It is not only the postmen who are exposed to this, Mr. President. Every time that there is a particular group of persons that are affected by something, are you doing to find a piece of legislation to deal specifically with that group? You have a piece of legislation to deal with people in sports, you have a piece of legislation to deal with the postmen, you have a piece of legislation – everywhere that there is a problem you find a piece of legislation to address that.

That, in my view, is clear evidence that you are not dealing with the root cause of the problem.

When will we get legislation to deal with when somebody robs a taxi driver, or when will we get legislation when somebody robs a vendor.

It is, in my view, Sir, just a public relations stunt, and Government needs to address what is happening in this country, with regards to crime.

We have heard calls coming from all sectors, including people in the main economic sector, now, they are saying that crime is a problem.

You cannot solve the problem, simply, by throwing legislation at everything as it comes up.

I would like to say, Sir, with few words, that I believe that this is another piece of unnecessary legislation. I thank you, Sir.

SENATOR THE HON. DAME PATRICIA SYMMONDS: Thank you, Mr. President. I do not think that the remarks of the previous Speaker merit any reply, and, therefore, I am going to brush those aside. They certainly will not get the accommodation of the Honourable Senator's speech. I think it is regrettable that he should have been one – I felt sweet, I almost say, I do not if that is exactly a pun – eradicating any of the good points that he might have made in a previous debate.

I have spoken about the Post Office in this August Chamber, before and have spoken highly of postmen; they deserve it. I think their affability, the dangers that they still face, whether it comes from fierce dogs, or other dangers, really invite our sympathy.

The fact that people like to receive mail, people long for news, and at this time of the year, they welcome the postman's ring, or the postman's knock, and I find, not only here in Barbados, but any part of the world that I have visited, that postmen have that reputation of geniality. Through snow, sleigh, shine, or whatever sort of weather, they have to brave the elements to see that their post is delivered.

It is true that the quality of service has been somewhat erratic in the previous years. Although personally, I have noticed an improvement. Of course, with Christmas coming up, and the fact that there are additional postmen now, on routes make the service quicker.

I noticed that the Acting Leader mentioned the study which recommends additional postmen – 24 to be exact – and he has cited reasons why there have been difficulties in getting the post on time. It is hoped that with plans to restructure, that the service will improve.

What I wanted to look at, specifically was the question of the philatelic bureau, because most Post Offices, throughout the world, pay attention to their philatelic services – the sales of stamps, which are sold by the Post Offices for three purposes, as everybody knows – payment of postage on mail, collection by philatelists, and payment of stamp duty on various documents.

When these stamps are sold for postage, not only are the overhead costs up to the point of sale incurred, but there are the additional costs – handling, transportation and delivery of local mail.

In the case of mail for other countries, there are payments for air, sea conveyance to destinations, payments to those Post Offices for handling and delivering.

Yet, I think it is significant that net revenue from these services may hardly exceed 25 percent of these sales.

In the case of stamps sold to stamp collectors, the cost ends at the point of sale, so that the revenue that may be gained from these sometimes exceed 60 percent of sales. I am saying this ...

Mr. PRESIDENT: Senator, I am very reluctant to interrupt you, but I would wish that you bring us back to the specifics of this matter which is before us.

SENATOR THE HON. DAME PATRICIA SYMMONDS: Yes, Mr. President. The point I am making is that it is a very lucrative undertaking which the postal office administration is aggressively pursuing, as evidenced by the attendance of officers at two international stamp exhibitions recently.

The fact that looking at express mail, especially, this service which was started in 1984, which was booming at first, has started to decline, and if we are to maintain competition with other methods of modern communication, that service will have to be speeded up.

I want to stress too that there is still a demand for the transport of original documents which cannot be faxed, and must be transmitted to the addresses rapidly and safely, and that the Post Office, with its island-wide network of branches, and its world-wide contact with other members of the Universal Postal Union, is ideally placed to satisfy this demand, and earn substantial revenue.

That was in connection with the points made by the Leader of plans to upgrade the postal service.

I do think that the additional postal workers would help the post office provide a fast and reliable express mail delivery which is, after all, a premium service. I think that it is very important that greater promotional opportunities for postal workers are provided.

I think that is one of the flaws in the present system that the opportunities for promotion are really very few, and that the postmen and women, on the whole deserve greater consideration in this regard.
3.15 p.m.

I think it is important that they, because of their special jobs, have some protection from the assaults and thieves of what is a necessary part of the equipment for carrying out

their duties. Therefore, I think this Bill important. It is certainly by no means a public relations gimmick. I am appalled that anybody could even think of such thing and therefore I am very pleased to support the Bill.

Thank you, Mr. President.

Mr. PRESIDENT: Senator Rickinson.

SENATOR Mrs. P. E. RICKINSON: Thank you, Mr. President. I rise to support this Bill, wholeheartedly. I really do not think it is just throwing legislation at a problem as such because I strongly feel that anybody who tampers with mail or the person carrying mail must face a heavy penalty. People must learn that they are not to touch people's mail and anywhere else in the world, in the United States of America for example, there is a very stiff fine for people stealing someone's mail or doing something to someone's mail. We have to get through to everybody that it is a no-no. You do not touch anyone's mail, if it is personal or business. I sincerely hope that we will start some educational programmes and let it get through to them and I hope that they do not and if people are caught tampering with mail or interfering with any officer carrying mail that they do not get cautioned or something like that.

I am not a judge and I understand I cannot talk about them but I would like very severe penalties. They might not have the $10 000 but if they are in prison, they must be in prison with hard labour. They must understand that this is one thing that they must not touch and I very strongly support this Bill and I hope that no one will look at it as throwing legislation at a problem. It is long overdue and these stiff penalties should have been enforced a long time ago.

Mr. PRESIDENT: Senator Bolden.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, I rise to support the Bill before the Chamber but more particularly, to try to bring home to Senator McClean that life goes on in this planet until it comes to an end and that from day-to-day, matters change and that is why we always refer to the law, as a living subject.

This is the second time I have heard Senator McClean use the statement of throwing legislation behind a problem. I think he has forgotten that as we progress in society, new problems will arise and the only way to deal with those problems is by legislation.

I am one person who says openly from day-to-day that I am against civil service law, I am against decisions taken by persons from a position where there is no basis and the only way we can deal with the problems in our society is by the judicial method, the method of making law, otherwise we go back to the state of anarchy.

Now, when I was a little boy growing up, we looked forward to seeing a policeman and the postman and you rarely saw anybody interfering with a policeman or a postman. Today we have a new brand of persons in our communities and unless we keep amending the laws and amending the laws to suit situations, then we certainly end up in a state of anarchy, every man defending himself and his territory or his turf.

Sir, Senator McClean must understand that it is a forward thinking Government and a Government that understands the nature of society that looks to see what is happening and brings remedies to suit and you bring those remedies in the place that they become law so that they can be applied. Without these sorts of laws, then we remain in an archaic state and the public will then cry out that the Government is doing nothing to protect its citizens.

I remember a few years ago, there was a case before the Supreme Court of a man charged with molesting or interfering with a very young child and the sentence, as was set out in the law books, provided what the public at large thought was a very lenient sentence. The newspapers had all over the place that a man who interfered with a grown woman could be subject to 15 to 20 years in jail but for a young child, only two years in jail. The Government had to come to Parliament and amend the laws to suit and if we have not had any provisions in the Post Office Act to deal with what now is a rising situation of persons interfering with postmen or postal workers, it is absolutely necessary that this sort of legislation must be passed. From time to time, any Government whether it is the Government of the Barbados Labour Party, the Government of the Democratic Labour Party, will find that it will have to come to amend legislation to deal with current problems in our society.

Therefore, I cannot go along with Senator McClean constantly talking about throwing legislation behind problems. That is the only way you deal with situations of this nature.

Mr. President, I beg to support this Bill.

SENATOR THE HON. G. S. H. MURRAY: Mr. President, I must thank Members for their support on this measure and again on the question of throwing legislation behind a problem, I would just like to remind Senator McClean, even in his absence, that maybe when he reads these debates, he will learn from them that Barbados remains a society of laws and not a society of cowboys.

Therefore, like Senator Bolden quite rightly said, we have to tackle certain social problems by the use of legislation. I am disappointed that Senator McClean who earlier has shown some sensitivity for protecting the physical environment of Barbados did not demonstrate a similar sensitivity for protecting postal workers in Barbados.
3.30 p.m.

Sir, before this amendment, the penalties for infringement against postal workers were minimal and what our legislation is seeking to do is to offer better protection to these persons. For example, the maximum fine of not exceeding $100 is being raised to $10 000. Before, the maximum length of imprisonment would have been two months, now that is being raised to three years. We are seeking to respond to a situation where the postal workers' representatives are calling for better protection against an increasingly hostile environment. Therefore, to see this as throwing legislation after a problem is really quite simplistic and shallow and is not the correct way to see it in its true perspective.

Barbados has changed and, therefore, one of the things that we are seeking to do is to include the word 'assault' in the original legislation. Section 45(1) (a) of Cap. 27 of the Post Office Act says:

"Any person who –

1. wilfully obstructs or molests, or incites anyone to obstruct or molest, an officer of the Post Office in the execution of his duty; ..."

We are now saying not only 'obstructs or molests or incites' but we are basically including 'assaults'. Assault is a very real activity as persons would know.

We are broadening the scope whereby postal workers can be better protected from those persons who would want to attack them and in doing so, the society itself would be protected. Society has a right to protect itself through legislation, not through means of anarchy or by primitive methods. A rational society like Barbados is based on law and, therefore, we will use all legal means possible to protect our citizens. It is unfair, uncharitable, inaccurate and untrue to seek to charge this Government with using this legislation to attack the whole question of crime.

Senator Mascoll, in trying to look in, pressed a button where legislation is concerned, particularly, if it involves matters of crime, where that stereotyped cliché recording on crime and violence comes on but the point is, this Government has done more than pass legislation. Government has provided the Police with an increase in vehicles and equipment of various kinds. Some weeks ago some 45 new vehicles were handed over to the Royal Barbados Police Force and the society is very familiar with the improved conditions at the police stations. Almost all of the police stations in Barbados, including Police Headquarters, has been either completely or partially enhanced, improved or refurbished. We are not insensitive either to the question of crime or to those persons whose responsibility it is to fight crime.

With those words, 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. G. S. H. MURRAY, 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 – 2 inclusive, were called and passed.

On the motion of SENATOR THE HON. G. S. H. MURRAY, Mr. 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. G. S. H. MURRAY, the Bill was read a third time and passed and cited as the Post Office (Amendment) Bill, 2000.

Mr. PRESIDENT left the Chair and Mr. DEPUTY PRESIDENT assumed the Chair.

ORDER NO. 8 – RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION BY THE CROWN OF THE PARCELS OF LAND SITUATE AT BRIDGE COT IN THE PARISH OF ST. GEORGE FOR THE PURPOSE OF ROAD IMPROVEMENT

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, this is another step in the legislative process which is necessary for Government to acquire certain parcels of land totalling some 315.9 square metres of land at Bridge Cot, St. George for improving roads in that area. It is part of Government's overall programme of improving roads all across Barbados. In the area concerned, there are some four parcels which all together when totalled come to 315.9 square metres.

There is a copy of the plan attached if Honourable Senators want to see the plan, but generally speaking they have been given the okay and they are seeking the Senate's approval for this measure to acquire these parcels of land for the necessary improvement of roads at Bridge Cot, St. George.

I beg to move that this Resolution do now pass.

SENATOR Mrs. P. E. RICKINSON: Mr. Deputy President, I just want to make a short statement about this. I do support the Resolution for the road improvement but I would like to urge Government that when they are building roads, they should build the proper drainage as well and when they are finished building the drainage, they should try to keep them clear. We have been having some heavy rains recently and the water has been overflowing because the wells or whatever they are called for the road improvement are not either good enough or they are not being cleared particularly down in the Batts Rock area.

Also when you are driving down near to Batts Rock there are two heavy coral stone pillars there that if two of those big trucks are passing at the same time, you are dead. We need to cut out some of that as well because pedestrians cannot walk there at certain times of the day. Therefore, I do support what Government is doing at Bridge Cot, St. George but I would like to see them come down to Batts Rock and get that work done.

The question was put to the Senate and agreed to.

ORDER NO. 9 – RESOLUTION TO APPROVE THE LEASE TO THE NATION CORPORATION OF A PARCEL OF LAND SITUATE AT PRESCOD BOULEVARD IN THE PARISH OF ST. MICHAEL FOR THE PURPOSE OF ERECTING A BOND AND FOR THE PROVISION OF CAR PARK FACILITIES

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, in this instance, this Resolution seeks to lease to the Nation Corporation a total of 1 403 square metres of land at Prescod Boulevard for certain purposes and under certain conditions.
3.40 p.m.

The property is adjacent to the Nation Corporation and lies between that company and Prescod Boulevard. The Nation is a very popular location so I am sure people will be familiar with the site. The terms of the lease are that the lease should be granted for the unexpired portion of the existing 25-year lease of the 1 894 square metres of land, which lease commenced on May 27, 1981. Rent should be at the current rate of $18 000.00 per year and subject to review on May 26, 2001 and the site should be used for the purpose of a car park and the construction of a bond to store newsprint.

Those are the terms and conditions of the lease, Sir. I am sure that we will be very supportive of this measure to provide further accommodation for the clients and staff of the Nation Corporation where parking is concerned, as well as to provide facilities for the storing of the very necessary newsprint for the *Nation* to produce its publications. There is no doubt that the *Nation* has proven itself to be an organisation of substance in a very short period of time and I am sure that the lease will be put to very good uses to the betterment of democracy and to the maintenance of the freedom of the Press in this country, the freedom of the Press which this Government respects and supports and is committed to assist in any legal way possible.

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

The question was put and agreed to.

ORDER NO. 10 – RESOLUTION TO APPROVE LEASE TO TRUSTEES OF THE BARBADOS CANCER SOCIETY OF LAND AT HENRY'S LANE, ST. MICHAEL

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, this Resolution seeks to give effect to an Act which can only inure to the long-term benefit of Barbados' health sector and the general health of the society, namely in the leasing of a property known as "Dungift" to the Barbados Cancer Society, located at Henry's Lane in St. Michael.

The property Dungift consists of 1 548.2 square metres of land and contains a building thereon. It is owned by the Government of Barbados and was for some time used by personnel of the Queen Elizabeth Hospital. The same property had been rented to the Barbados Diocesan Trustees between October 1998 and May 1999 on a monthly basis so as to provide accommodation for the Diocesan Office while renovations were being made to Mandeville House at Henry's Lane.

Prior to the start of this rental in October 1998 the property had been unoccupied. The Barbados Cancer Society in a letter dated June 3, 1999 expressed an interest in obtaining a lease on "Dungift". As you know, the Barbados Cancer Society is a charitable trust founded in 1980 and is dedicated to the prevention and alleviation of pain and suffering from cancer through public education.

The Society promotes early detection and treatment of cancer and also provides patient care, support and counselling services. Currently, the Society had been located at a place called Lefferts Place on River Road, St. Michael,

premises which had been rented for almost 20 years. That property was for sale, but the Society could not afford to purchase it and therefore it had to look for alternative accommodation so as to continue its very necessary operation and contribution to Barbadian society.

One of the very laudable objectives of the Barbados Cancer Society which, despite its admirable record of service to the community, is not resting on its laurels but is seeking to further and broaden its services and is planning to provide a mammography service at very low cost to some 4 000 women in Barbados annually. As a result, the Society had expressed a wish to have a location in close proximity to the Queen Elizabeth Hospital so as to set up the radiology service where consultants and radiologists and surgeons could have convenient access to the premises, and several members of the medical profession have agreed to assist in the project on a voluntary basis.

I think that we should commend the medical profession for this. Very often, especially the consultants and people of that ilk are castigated for being largely concerned about making money. Therefore, it is pleasing to see that they are preparing to put something back into society on a voluntary basis for which the society will benefit considerably.

It is to be noted that the clientele being targeted by this venture uses the public transport system and needs to walk between the QEH and the Society for services. It is therefore considered that "Dungift" is an ideal location to house the Society's X-ray and ultrasound equipment and would greatly facilitate the interaction between the consultants in the medical community nearby.

The renting out of the property has been assessed by the Commissioner of Land Tax at approximately $2 500 a month in its present condition. However, Government's position is that in view of the fact that the Society is making a significant contribution to the development of primary health care in Barbados, it is considered that the policy of charging a nominal rent on these kinds of occasions should be maintained.

The lease is being proposed for 25 years in the first instance with an option to renew for a further period and the Society will pay a nominal rent of $100 per annum being responsible for the repair and maintenance of the property as well as the payment of utilities and insurance.

With those words, Sir, I crave the Senate's support and beg to move that this Resolution do now pass.

SENATOR Mrs. P. E. RICKINSON: Mr. Deputy President...

Mr. DEPUTY PRESIDENT: Senator Mascoll, you made an indication that you wanted to speak first.

SENATOR C. A. MASCOLL: Mr. Deputy President, I was just making an observation that it is protocol to allow the Opposition to speak but I have taken note that a certain Senator is not permitting such to obtain.

Mr. DEPUTY PRESIDENT: That is why I asked Senator Rickinson to give way and why I asked whether you wanted to speak first.

Senator McClean, you have the Floor.

SENATOR LeR. H. McCLEAN: Mr. Deputy President, Senator Mascoll did not indicate that he wanted to speak. I have no difficulty in supporting this piece of legislation because we are all aware of the work that the Barbados Cancer Society has been doing for many years in this country. In fact, they have been providing a service for persons who have been afflicted with cancer in one form or the other that if they had to rely on the Hospital to assist them their demise would have been much more rapid.
3.50 p.m.

The Barbados Cancer Society has been providing an excellent service for the people of Barbados and I am aware that Dr. Dorothy Cooke-Johnson and Dr. Gale have been working tirelessly, not only in terms of dealing with persons who have been suffering with cancer but making efforts to educate Barbadians in terms of preventing the disease. I know that Dr. Gale has been doing a lot about smoking. Mr. Deputy President, the same emphasis that has been put on lifting the awareness of cancer in women, unfortunately, the same level of education is not being done with regards to men. We have seen an upsurge of prostate cancer in Barbados in recent years and I hope that greater effort would be made to educate the Barbadian male about this disease and wherever possible show that early intervention could possibly save a lot of lives in this country.

Mr. Deputy President, there is also another group, the Cancer Support Services, which also does an excellent job in terms of assisting the relatives of persons who have cancer. They too have been doing an excellent job providing after-care treatment for families outside and inside of the hospital. Recently too, the Barbados Cancer Society has been providing much needed assistance in terms of equipment and I understand they have even done work on hospital wards in order to make it possible for relatives to spend time in the hospital with persons who are being treated. These are all laudable things and we must continue to give both organisations our support.

Unfortunately we do not see the level of support coming to the Cancer Support Services because they do not seem to be as prominent in society as the Barbados Cancer Society. Certainly, both are doing work and one complements the other and I hope that when Government sees fit that it will try to assist these persons in whatever way that it is possible.

Sir, the matter of cancer continues to be a serious problem in our society. It is unfortunate that we have one of the highest rates of certain types of cancer in this hemisphere. Some people believe that it is because of the quality of life and the excesses that we are able to consume which probably contribute to the incidences of cancer.

We have heard health professionals calling on persons to pay closer attention to their diet in terms of fast foods consumed, the high quantity of fat used in the diet and the whole problem of obesity which is contributing to all forms of ailments.

It is time for us as a society to be more conscious of many of the health concerns which are afflicting the developed world which we seem to be inheriting at this time. It is nothing to be proud of when you have the diseases of the developed world. We need to pay closer attention to diet and probably return to some of the traditional foods that our parents and grandparents were eating because they had a lower incident of cancer, diabetes and these diseases which are related to diet.

Mr. Deputy President, again I would like to say that I support the legislation. I wish the Barbados Cancer Society well in their effort and I would like to commend the nurses and doctors who have given their time to the association and ordinary lay persons who have been contributing to the development of this organisation. We hope that they will go from strength to strength and continue to provide this excellent service.

Sir, I thank you.

SENATOR Mrs. P. E. RICKINSON: Mr. Deputy President, I rise to wholeheartedly support this Resolution for the Barbados Cancer Society and join with Senator McClean in commending the work of the Cancer Support Services because they do person-to-person work but we do not hear about it. It is the Cancer Support Services that redecorated the cancer ward in the Queen Elizabeth Hospital to make it look much better for persons who are suffering from cancer and are at the terminal stage of life.

Mr. Deputy President, it is essential that we provide screening. I do agree that the men have been neglected. Unfortunately, I will have to take the blame for that because in the 1970's I was the Health Education Officer who started cancer education in Barbados and helped Mrs. Cooke-Johnson form the Barbados Cancer Society. I chaired the Seventh Day Adventist Committee and the Cancer Society in order to get cancer education off the ground.

At that time we did not have backup services if a woman found a lump in her breast, therefore, what I had to do was to make sure that the Queen Elizabeth Hospital, if a woman discovered a lump, Mr. Bobby Clarke, who is very ill, would agree to see the woman and do a biopsy if it was necessary and needed. I also had to get the laboratory services going with Dr. White to make sure that he got the test that the woman got back the results of the test within the minimum amount of time because it is a very traumatic waiting period for someone who suspects that they have cancer. At that time I did not do it for the men and I now regret it.

4.00 p.m.

The screening and education of the men are available. The education has to be done in the schools as well and it has to be done in conjunction with churches and other youth groups. The important thing about screening is that one must have back-up services. There is no point telling a man that he has cancer of the prostate but he cannot get the treatment that he needs immediately. It is very destructive. Therefore, one would have to set up the testing at the QEH and make it available that they will have their examinations done and get back the results of the blood test or whatever test that is needed.

If one looks at cancer, it is one of the leading causes of death. I notice in the Annual Report of the Chief Medical Officer 1997-1999, they have broken down cancer into different types. The cancer of the digestive system is listed as the fifth leading cause of death. Cancer of the prostate is not listed because of the massive education efforts that have been done.

This Resolution will go a long way in assisting the Barbados Cancer Society with the building that they need to house the various services. I would also like to see a larger subvention given to the Barbados Cancer Society and the Barbados Support Services because in the long run the Government benefits. Prevention is better than cure. It is cheaper to give a subvention to these organisations and other interested organisations to prevent cancer than wait until the first person has cancer and having the treatment done at the hospital is more expensive.

Mr. Deputy President, what is urgently needed in Barbados is a hospice. A hospice is a place where if you in the end stages of cancer – and it is not possible for you to be nursed at home because it is a 24-hour job to nurse someone who has cancer and is in the terminal stage. They can go to

the hospice where there is music, nice curtains, people who want to do that type of nursing and want to be with people and who know how to treat persons in the terminal stage of any type of cancer. I sincerely hope that Government could allocate a building where the Barbados Cancer Society or the Barbados Support Services could take over and develop a hospice.

In the beginning it was one of the aims of the Barbados Cancer Society but I have a feeling that it was too expensive a project for them to complete but it is really needed. When you are in your terminal stages of cancer, you do not need to be in the Queen Elizabeth Hospital. You need to be among your relatives who can go to the hospice and stay with you or you to be with nurses who have the time and the patience and understanding. Not the rat race that goes on at the QEH because you have one nurse to 30 patients. That is not how we want to give care to our persons who are suffering from cancer of any form.

This is a caution to the Barbados Cancer Society. I hope that they do not take on more than they can chew. They must make sure that the people who are screened can get prompt treatment. That there have doctors who will be available to give the biopsies immediately and that the laboratory will take time to test them and the secretary will post off the results to the doctors so that the results of these biopsies can be given to the patients in a gentle manner.

With this, I support this Resolution.

SENATOR T. E. BARKER: Mr. Deputy President, I wish to give my whole-hearted support to this Resolution which is to approve the lease of land and building for the Barbados Cancer Society.

The Leader of Government Business outlined the terms and conditions for the proposed lease. I want to forward this example where an NGO and Government can come together to do things for the benefit of the community at large. Only a few weeks ago, I had the pleasure of breaking the soil for the construction of an extension to their building for the Heart Foundation at Jemmotts Lane.

I am sure that all of these associations can work with Government and Government has shown, not only by word, but by including this Resolution that they are willing to assist these organisations to provide services for the benefit of the community. We should note those medical tests, x-rays, mammograms and Cat Scans are very expensive and a lot of our people are unable to pay for these services, so they have to go to, either to the Queen Elizabeth Hospital, or a Polyclinic, because, the private medicine has become very expensive. For obvious reasons because the equipment is expensive, and so on.

4.10 p.m.

These societies can help in taking off some of the pressure in the Queen Elizabeth Hospital, and in the Polyclinics, so that the average citizen can get the same quality of diagnostic services, at an affordable price.

The work of the Cancer Society, Cancer support groups, the work of the Heart Foundation, the work of the Kidney Association are vital, as we try to ensure that more and more of our people, especially those who are less able to use the private medical facilities, get these sorts of services.

I was particularly impressed to note, Sir, that as a result of the work done, and education, the Cancer Society has reduced the incidences of cervical cancer and breast cancer, because of early detection, and so on.

It is now left for us to expand these forms of services to the more prevalent forms of cancer – and I am thinking of things like cancer of the prostate, and the other common types of cancer, which can be better treated, if early detection was practised.

I know, Sir, that us men, for cultural reasons, do not like the DRE test for cancer of the prostate.

Of course, the alternative PSA test is a pretty expensive test, and really, you should have the very first test, the DRE, which might indicate something, and then you move onto that other stage. It might not be so feasible to have everybody doing the PSA test.

So I think us men are going to have to get over this cultural phobia against the DRE test and see it as something that could help preserve their lives, their very livelihood, and, in the long run, to help preserve some of the important functioning of the system.

Sir, these groups, we must intensify their work. I think that Barbadians are coming to the realisation that their very lifestyle is causing certain health problems – lack of exercise, excessive smoking, and drinking, and so on. We have come to realise that they are responsible for a lot of the ills that manifest themselves, and so a massive educational campaign must be continued.

At this time we have a lot of educational information on these issues, and we need to intensify that activity to ensure that everybody is aware of the dangers that certain lifestyle behaviour presents.

Sir, the Cancer Society is to be commended. Government is also to be commended for working with the Cancer Society in assisting in this sort of way.

When Government does something, the Opposition is quick to castigate – and quite rightly so, because, it is part of their job, it is their *raison d'tete*. When anything happens like this, and even if the words stick in their throats, they could at least try to give Government a little bit of commendation.

To support the legislation is probably not enough. They need to commend Government once in a while. Fairness demands it. This is a very important partnership, and I am sure all of us in this Chamber support it. The partnership between Government, and the Non-Governmental Organisations.

We know there are other areas – the Kidney Association are doing a lot of work, and they can intensify their efforts to alert Barbadians as to the difficulties that can be presented, and what measures can be taken, if any, to stem it in the bud, so to speak. So there is a need for continuous education.

Sir, with those few words, I would want to urge this Honourable Chamber to pass this Resolution, and in doing so, we are taking another step towards providing a better health care to our deserving population. I thank you, Sir.

SENATOR THE HON. DAME PATRICIA SYMMONDS: Thank you, Mr. Deputy President.

Sir, I have assisted the Cancer Society, from time to time, in their fundraising efforts, especially, with their Telethon, and I have great admiration for Doctor Cooke-Johnson, and for those other members and helpers of the Cancer Society.

I have heard a doctor say that cancer is a dreadful disease. The name, alone sometimes makes people shudder. Sometimes it is fear, and the unwillingness to hear what they consider bad news, which prevents people from going for tests.

I have known to have from my experience through having nurses in the family, especially one who worked for a long time, at one of the recognised cancer hospitals in the United States, to impress on people the importance of early screening.

I was interested to hear Senator Mc Clean talk about prevention, because that is so very important. I hope that the time is soon coming, when smoking will be banned in public places. Second-hand smoking has been proven to be more injurious, sometimes, than the actual smoking itself. Sometimes those who smoke are not as always as thoughtful of others as they might be. People who are asthmatic, or who have other respiratory problems, and perhaps again we are talking about legislation. Perhaps sometimes, we have to protect people from others, who are not as considerate. I think that that is something which we need to look at.

I was also interested in what Senator Rickinson said, because, having taught for many years, I know how much has been done to improve the health of children in schools, especially, Primary Schools, with preventative measures – vaccinations, injections, and so on.

But I think there is more necessity to let children know, and to have tests done for cancer, because again, there is the feeling that young people cannot develop this disease. It used to be thought of largely as a disease for adults. I do not know if Senator Rickinson would support me on that, but that was a feeling in Barbados. Of course, we know that that is wrong but that at any age it can develop.

Therefore, I support what has been said by others, that there is the need for continuous education. We have a habit in Barbados – there is a week of something, so there is a great deal of advertisements, and talk about it, and then people forget all about it and life goes on as usual.

But in order really to break the back of things like this, in order really to reduce the incidence of diseases like this there needs to be continuous education in schools and in the pulpit.

I will not object at all if I hear my clergyman – recalcitrant, as I am speak about it in the pulpit; youth groups, wherever but it is one of the subjects which needs to be far more publicised and people educated.

The Press has done quite a good job, from time to time, in writing articles , but there again I think that more can be done. Therefore, it is with the greatest of pleasure that I support this resolution.

Thank you, Mr. Deputy President.

SENATOR C. K. LAURIE: I would like to put my full support behind this resolution, and to say what a great job the Cancer Society is doing.

It was really fantastic to hear a leading member on the Government' Side say that the Non-Governmental Organisations are now going to be fully supported by Government. That is very, very good news. It is something that I have been wishing to hear for a long time.
4.20 p.m.

I would like to remind Senators that this Saturday is a way for them to show their support for the Cancer Society on the lighted parade that goes through Bridgetown right up to Top Rock.

I hope I will see you all there and I will be there with my flag.

SENATOR Miss J. C. ODLE: Sir, I too would want to be associated with accommodations of this nature for the Barbados Cancer Society and their works. At the moment where they are housed is directly across the road from where I work and that area particularly where they work is very cramp and not in the safest of places, if I can say that.

I believe in looking at expanding the opportunity for persons to be screened for early detection and hopefully ultimately, prevention. It is useful that it is so housed in a place where people can have better access. Now where the Barbados Cancer Society administration and clinics are currently housed, is on River Road where, after a certain time in the evening, most people do not want to come. It is also an area which is unfortunately very prone to flooding and so aptly named as River Road and so I think it is useful and laudable that the Government of the day has seen to make provision for them by way of leasing this parcel of land in Henry's Land to the Barbados Cancer Society. This location is just a little way up from River Road but in a better place to give them the sort of space that they need in order to carry out their works.

I too would want to laud the Barbados Cancer Society and all of those persons, many of them without public acclaim, do what they must to ensure that they give of their best efforts to assist this organisation, as have been mentioned already, the support services and others.

I know the area of haematology is one which is associated with the detection and treatment of cancers. I think this is an area where in Barbados we do not have many specialists who work in this area. I believe that with the incidences as high as they are that this programme will go a long way. I think we also would want to make provision for an increased number of haematologists attached to institutions which would offer this sort of care so that particularly instances of cancers in children can be more speedily dealt with.

I know that with the number of cases that are diagnosed in recent times, sometimes patients have a long time to wait before treatments are administered. I have had the sad situation where a number of members of my family have walked this road. They are no longer with us today but at that time of course, they would have received the best care that would have been possible.

I think it is laudable that the Barbados Cancer Society is there to offer services to those who may not be able to afford and so to reserve and to have a better quality of life through this early detection.

Sir, I wish to support this and look forward to other instances where we will make provision for other organisations which can ably support the Cancer Society towards better and more healthy lifestyles. Again, I commend all of those who assist with the education, particularly of these sorts of things to ensure that we do better in all that we do so that our society as a whole is healthier.

Thank you, Sir.

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, I want to say that I welcome the great enthusiasm, the strong support and the very focussed support that this measure has elicited from the Chamber. To me, that in itself is an indication as to how far we have come in Barbados where the treatment and even the discussion of cancer is concerned.

There was a time, not very long ago, when the subject was whispered or talked about in very hushed tones and it was something that persons felt they had to be ashamed of, as something probably just beneath the ranking of a venereal disease or something like that. We have come a long way and now people are more open and broad minded about this matter and that in itself has also contributed to the kinds of support that we have seen where the rest of the society, and not only in the case of the Barbados Cancer Society, but other non-governmental organisations are springing up to add their very necessary effort to this overall national exercise.

I would not want anybody in this Senate to go away with the impression that might have been left by Senator McClean's comments about the cancer support services that the Government in anyway might have been discriminating against them. I checked and I am not aware that any requests were made that might have been turned down.

The Barbados Cancer Society has been around for a long time; 20 years now and the Barbados Cancer Support Services is only of recent origin, so therefore it takes a time for us to build up a track record to attract membership and to have a certain prestige and status that in itself would attract support. I am sure that given the job that is being done by the Cancer Support Services that too will come for them in time and therefore, for any reasonable request that was made to Government in this very necessary effort, as has been made by other NGO's...

Sir, not very long ago, the Government provided premises for the Barbados Heart Foundation. Therefore, we are adopting a broad-based approach to the measure and I again want to commend Members for their support and I beg that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 11 – RESOLUTION TO APPROVE THE VESTING IN THE NATIONAL HOUSING CORPORATION OF LAND SITUATED AT HAMLETS TENANTRY, HINDSBURY ROAD IN THE PARISH OF ST. MICHAEL FOR THE PURPOSE OF DISPOSAL BY THE NATIONAL HOUSING CORPORATION

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy Speaker, this measure seeks to vest in the National Housing Corporation a total of 14 982.3 square metres of land which includes some 655.1 square metres of road at Hamlets Tenantry, Hindsbury Road. St. Michael in the National Housing Corporation for disposal to the tenants who presently occupy the area.

Sir, the parcel of land is part of a larger area and was required for the extension of the Hindsbury Girls' School which, as we know is an educational institution and therefore would have been used for educational purposes. However, at the time of the acquisition of land for the extension of the Hindsbury Girls' School, part of the land was tenanted and the tenantry was subdivided into some 33 lots, ranging from 237.0 square metres to 336.7 square metres.

Parliament is now proposing to seek the approval to vest this land in the National Housing Corporation for disposal by sale to the tenants. The proceeds from the sale of these lots will be used to assist the National Housing Corporation in carrying out its capital works programme in providing housing for other segments of the society across Barbados.

Sir, this step by the Government through the National Housing Corporation in this regard is part of the Government's effort to fulfill a pledge to sell lots to tenants wherever possible and to give tenants, persons who occupy tenantries, particularly those have been occupying them for extended periods of time and sometimes for generations, ownership of the land.

We are all familiar with the revolutionary job that this Government did in providing land to the rural tenantries at ten cents per square foot. That in itself has helped to create a new class of homeowners and property owners in Barbados and has taken us one more step further along the road to the creation of the genuine property-owning democracy that is this Government's intention and determination to help create.

Those persons who bought land in the rural tenantries have invariably taken great steps to improve their circumstances by improving their houses, either refurbishing wooden houses and converting wooden to wall houses. Many rural territories across Barbados have now been transformed into quite substantial and respectable areas for living and has helped to erase the distinction between the rural Barbados and the urban Barbados – town and country. The quality of life in these rural areas has improved tremendously because we know that if you give a Barbadian a start where a house or a piece of land is concerned, he will invariably do the rest to enhance his circumstances and his future.

4.30 p.m.

We are seeking, therefore, to do the same thing in urban tenantries. Government has a policy where urban tenants will have to pay no more than $3.50 per square foot for land in urban tenantries with Government paying the difference between that and a fair market price as determined by the tenant and the landowner. We are convinced that this too will help to transform life for persons in the urban tenantries all over Barbados.

When people speak of tenantries in Barbados they normally speak of rural tenantries, but there are tremendous amounts of urban tenantries all across Barbados which are in need of improvements. Government has already begun to do very great work in improving the conditions, the circumstances and the lives of persons in urban tenantries in Barbados through the very good work of the Urban Development Commission (UDC).

Therefore, one has to see this as part of the comprehensive effort of Government where we are not singling out any one segment of urban Barbados but all of urban Barbados will be treated with equal attention, as indeed we have sought to do with all of rural Barbados.

Therefore, it gives me great pleasure to request and seek the Senate's support for this measure which would help to empower many more Barbadians by giving them a sense of ownership and a greater sense of a stake in their country. I am sure that society will be better off for it and it will help to minimize and delay whatever possibilities they might be of any social dislocation or dissatisfaction that might arise because of the true persons not being able to own their own property.

We know that there is an element that is deeply imbedded in the Barbadian psyche, the wish, the desire and the determination at some time to own a 14 x 9, on a piece of

the rock, somewhere in Barbados including urban Barbados. Therefore, it gives me great pleasure in helping to help Government fulfil its mandate and its promise towards those tenants by moving that this Resolution do now pass.

SENATOR C. A. MASCOLL: Mr. Deputy President, it gives me great pleasure to rise in support of this Resolution but I also want to look at this Resolution in its broader historical context.

The Barbados Labour Party Administration has for years given the impression that the Tenantries Freehold Act is their baby. As far back as 1965, the Democratic Labour Party under the late Right Excellent Errol Walton Barrow brought a piece of revolutionary legislation to Parliament to empower rural tenantries to ensure that tenants living in the rural Barbados would have been given the privilege to live and to purchase those tenantries. We have had subsequent amendments and we had the sale of tenantries land at $0.10 per square foot.

Asides.

SENATOR C. A. MASCOLL: It was called the Tenantries Control and Development Act, 1965.

Asides.

SENATOR C. A. MASCOLL: It did.

SENATOR T. E. BARKER: On a point of order. The Honourable Member is misleading this Chamber. That piece of legislation did not empower people to purchase land. It gave us security of tenure but it did not empower tenants to purchase the land.

SENATOR C. A. MASCOLL: Mr. Deputy President, it is true that it did give them security but it is also true that if we recall Barbados – I would have been quite a young boy then – we would see on weekends a whole set of wooden structures being transported from one part of Barbados to the other and people were being given notices. The Tenantries Control and Development Act, 1965 did in fact, serve to ensure that Barbadians at that time could feel a sense of security and that was the basis of the Tenantries Freehold Act that came later.

Asides.

SENATOR C. A. MASCOLL: No, No. I am not talking about the selling part, it is the security of tenure. I never actually went and spoke to the question of purchasing land. It was in its context. In fact, if we look further at that legislation we would have recognised that as far back as 1965 notices were given to several tenants across Barbados and in this same Hinds Road area there were 24 houses that were given notice to move, this was 12 years prior to 1965. In fact, the legislation that came in 1965 was the safeguard and the beginning of the enfranchisement that came a little later.

Asides.

SENATOR C. A. MASCOLL: Of course, I am correct on that issue Mr. Deputy President. It created that sense of security. Of course, the Barbados Labour Party Administration took that further and went the route of allowing the purchase of land at $0.10 per square foot. Now, that in itself cannot be faulted, that is laudable but the reality of it is that it has also created some difficulties for owners of land in urban Barbados.

Whereas we understand the basis of the initial legislation to ensure that tenants are not put off the land by the sugar plantation owners, the application of that principle in urban Barbados did not respect the fact that several average Barbadians would have purchased land in urban Barbados with the intention of passing it on to their offspring and would have been trapped by the same legislation that came later.

So that we had a situation in which, yes, there is a lot of self-aggrandizement and self-praise by the Barbados Labour Party Administration but I am suggesting that the basis of that came as far back as 1965 in the Tenantries Control and Development Act.

Asides.

SENATOR C. A. MASCOLL: Of course, it did come but that is not my major concern. I have lots of concerns as it relates now to this particular piece of legislation. For one, the Government is seeking to vest land in the National Housing Corporation and is then hoping to sell to the tenants.

3.40 p.m.

According to recent legislation in both the Upper and Lower House, the Government intends to sell or to pay that portion per square foot that exceeds $2.50 per square foot. We have heard about the expectation to pass on those lands to the tenants but we have not heard of any price being offered and in this case it is a case of $2.50 per square foot because all the persons in Hamlets Tenantry should only be called upon to pay $2.50 per square foot since it is Government that owns the land in this particular area. It is understood that the tenants would only be asked in this particular arrangement to pay $2.50 per square foot.

I know of some persons in Hindsbury, in this same tenantry, who would have purchased land years ago and are

now seeking to pass that land onto their daughter or son. There are several problems that arise as a result. For one, you are asking that individual who is now having the land titled to his daughter to pay excess taxation for the simple transfer of an asset. That is hard because you are asking the father in this transaction to pay excess taxation in passing on an asset in the form of land to his daughter. He now has to have the land valued at market value and then has to pay a property transfer tax of 10 per cent, then a one per cent stamp duty, then he has to pay the lawyer and then pay 15 per cent VAT on the fee of the lawyer. I am suggesting that that is unfair. Why should an average Barbadian in these difficult times be asked to pay excess taxation to transfer the title for a piece of land to his or her daughter? Why should he be asked to do it when it is a gift?

In order to do so, you have to have it valued by the Registrar at market value and that cannot be fair because I am saying that the same question of empowerment and enfranchising of the average Barbadian, the law is now seeking to make that exceedingly difficult for the average poor Barbadian to pass on to his or her daughter. That constitutes a major problem and there is need to look critically at that area because that cannot be the preferred position of Government.

Mr. Deputy President, we also have a situation in which there will be amendments and there is apparently going to be a hurried amendment to part of the legislation and thereafter certain rights will be lost and then you have to go through the other Registrar because there are two Registrars involved in land transactions. There is one in the Court and then there is the Registrar for Land.

What is exceedingly difficult about that is that when once that person is denied or does not satisfy the term that is being stipulated then they have to seek recourse. In one instance, Government is asking for tenants and would-be landowners to pay as little as possible under the principal which the $2.50 per square foot provides, that is it is a principle of allowing those tenants who have occupied the land to become owners for as little as possible on the one hand. Government would then pay the residual. If they had to pay the land owner $5 per square foot, Government pays $2.50 and the individual pays $2.50.

However, if you so amend an Act, and I am speaking hypothetically, then if you have to go through the Registrar then the Registrar is going to make sure that he values that land at market value.

HIS HONOUR SENATOR C. L. BOLDEN: On a point of order. The Honourable Member cannot put up these as an argument. That is anticipating Parliament and you cannot use that as an argument in this case. I think that you are trying to mislead this Chamber, certainly.

SENATOR C. A. MASCOLL: Mr. Deputy President, I am in ignorance as to whether there is any amendment. I am suggesting that there can be certain varied amendments to this legislation which I am discussing and I am looking at a hypothetical case. I have stated in any sense that there is any such amendment made anywhere either it he Upper or the Lower House. I am simply hypothesizing and therefore I cannot see how I cannot be allowed to put forward the hypothetical.

There are several other problems associated with that so that on the one hand and no one can fault Government's intention to empower tenants but also you have a situation in which land owners who are not plantation owners but land owners who are not rich are being squeezed in this instance. The initial intent was to empower rural Barbados and now it has drifted to urban Barbados. As I said, they would have made investments a long time ago over time to make sure that their property is effectively passed on to their offspring and now they are being caught in a trap. You can only be entitled to that land after death so to go the route of the will is not to ensure immediately that your son or your daughter who wants to build has titles for the land. Therefore the method of going the route of the will delays and there is no opportunity for delay in Barbados as we speak in terms of land ownership because we know what is happening on the West Coast. We know what is happening in middle Barbados. We know what is happening around Barbados that it is going to be exceedingly difficult to own land any part of Barbados at a reasonable price in this new environment. Land values have simply gone out of sight and they are not going to adjust downwards at all and as we so skilfully heard this morning in this Chamber that there should have been the intervention of Government by way of utilising the lands owned by BAMC so as to ensure some limited pressure on the price of lands in Barbados.

That is quite an innovative suggestion coming from Senator Laurie this morning where he suggested that BAMC's lands could have been used for entry into the market in order to put some downward pressure on the price of land in Barbados. It is a reasonable and useful suggestion.

I certainly do have difficulties and I was glad to hear it because for a long time I was making the suggestion that Government could have entered the land market in order to put downward pressure on prices but in all fairness I have not even considered that there was that availability of land to permit such to occur.
4.50 p.m.

The same in which Governments enter an exchange rate market in order to put downward pressure on the exchange rate so that they can buy and sell securities, we could have done that in Barbados over the last three years.

It is an excellent suggestion and something that needs to be explored and considered more fully.

Sir, I am saying that this particular Resolution does offer me an opportunity to look at some of the problems that are being encountered in the land market in Barbados. It is good to vest land but we also know that the National Housing Corporation is not meeting the commitment as proposed in this new arrangement where Government will contribute in excess of $2.50 per square foot. We know that while people have been asked to go to lawyers and get their work done with the assurance that the Government is going to pay the residual, that many persons who have approached lawyers have not been able to finalise the legal work because no funds have come from National Housing Corporation yet. Despite the talk by Government, the National Housing Corporation has not been able to honour that commitment as yet.

It creates a major problem because several would-be land owners when they were told that Government was intervening to assist, took their financial resources and used them in other areas of their lives. Therefore, they were expecting by now to be landowners. Government has been unable, because of the incompetence at National Housing Corporation, to meet any such commitment that was espoused some two or three years ago.

Mr. Deputy President, I can understand the debate that is going on as I speak. I can understand the pressure that is being applied in this Senate and the consultation that is apparent between the lawyers and others but it does not in anyway negate what I am saying because there is substantial evidence to support what I am saying.

I will reiterate and say that Government needs definitely to look at amending the law to ensure that parents are able to pass on land to offspring without having to pay excessive taxation and to carry such a heavy burden by way of property transfer tax and by way of stamp duty, by way of VAT.

In the same way in which privilege has been granted to certain individuals to remove the property transfer tax when you are dealing with shares, there is no reason why such an amendment could not be made to ensure that individuals are able to make such a transfer of property without the excess burden of taxation that is involved.

I am also saying that so far the National Housing Corporation has not been able to commit to the policy of paying the additional charge per square foot beyond $2.50 in the urban tenantry. I am also saying that persons have been committing their funds to other uses, having had the assurance of Government that they were, in fact, going to finalise such deals in purchase of land in urban Barbados, which have not yet occurred.

I am saying that there are some other problems relating to the ability of Government to step in through the Registrar and value lands at market value when it suits them and then in other instances, able to hardly value the land at market value, when it also suits them, because the process is determined by which Registrar is given the transaction that you have to go through at the point in time.

The whole question of which legislation, as you well know, Mr. Deputy President, is irrelevant, even though I am very privy to be right next to a lawyer on a full-time basis to have the privilege of certain knowledge being rubbed off and being well advised on these issues. It is not for me to know each and every part of the law to determine what particular legislation has to be fully amended.

In fact, even the lawyers in some instances are confused as to how to exactly approach some of this legislation. It explains in large measure why there have been several revisits to the Tenantries Freehold Act. It is not by accident that this year it is amended, that next year it is suggested and then when you discover that something needs to be done you then amend it. It is not by accident because, as we have discovered in recent times, the same way in which my profession has been accused of making assumptions and that it is not a science, I have seen in the United States all kinds of toing and froing on legal matters pertaining to the elections in the United States.

Mr. DEPUTY PRESIDENT: I would like to find out from the Honourable Member how the American elections have worked itself into the Senate of Barbados dealing with lands in Hindsbury Road.

SENATOR C. A. MASCOLL: Mr. Deputy President, I have just said that because of the lack of clarity and the lack of science in these legal proceedings, that we have had substantial amendments to the Tenantries Freehold Act, similar to what we have seen in the legal affairs pertaining to elections in the United States. Sir, it is just by way of comparison.

Therefore, I will not in this instant, even by lawyers that intend to come after me in this debate, be disputed because what I am speaking to may not necessarily be scholarly points of law but I am speaking the fact. Therefore, those who seek to dispute after would have to speak to the fact, would have to speak to whether or not what I am saying is true as it relates to the treatment in urban Barbados, whether or not it is true as it relates to the transfer of property in Barbados, whether or not it true to the fact that the National Housing Corporation has not been able to honour its commitment in several of the transactions in urban

Barbados so far and whether or not it is true that there will be some other amendments to the Tenantries Freehold Act in the near future.

Thank you, Mr. Deputy President.

SENATOR D. D. MARSHALL: Mr. Deputy President, my colleagues in this Honourable Chamber will forgive me if I do not seem to know where to start but I would want to be polite and describe the contribution of my colleague as rambling. It is certainly difficult for anybody to speak on fact when the learned Senator said that he was speaking on hypothetical matters.

Mr. Deputy President, let me begin by supporting wholeheartedly this Resolution to acquire these lands for the National Housing Corporation. The National Housing Corporation continues, in the facing of spiraling land cost, in the face of spiraling cost of construction, to provide a yeoman service to the people of this community who are most disadvantaged and who most desperately need the intervention and the help of Government in acquiring housing. I have spoken on many occasions on the many incentives and programmes that the National Housing Corporation has put in place since 1984 and I think that it is unnecessary to reiterate those things.

I would want to say that the urban tenantries are the ones that are particularly difficult to settle. In many cases it is difficult to find the owners of these tenantries. Some of the owners of the tenantries, if found, are most reluctant to comply with the provisions of the law. In many cases, lands would have been in probate for many years and it would be impossible to find anybody that could actually execute a conveyance. It is therefore important that Government steps in where there is an apparent lapse in direction and try to bring finality and some permanence to the situation in relation to the tenants.
5.00 p.m.

In relation to the Tenantries Control Act, it seems as though the original ascertain that this Act, also dealt with the selling of land. It seems that my friend has resiled from that position. It was never the case that the Tenantries Control Act or the Tenantries Development Act had anything to do at all with the selling of land. It did not compel, in anyway, any landlord to sell land.

It is interesting that the Honourable Senator would say that the Democratic Labour Party Administration brought this novel piece of legislation to do wondrous things for tenants in the 1960s and alleged, at the same time, that the Tenantries Freehold Purchase Act was a fairly hideous piece of legislation that caused all kinds of hardship.

I would think it obvious that any situation where you are empowering a tenant over a landlord must have brought some kind of hardship. I was not privileged to have lived in England but I know from studying, that in England they have security of tenure provisions and you cannot get rid of the tenants. If you have a tenant you cannot raise the rent. Those are the kinds of things that our Tenantries Control Development legislation try to get at.

We have to give and take and we cannot approbate and reprobate. Where you are empowering tenants, the landlord will necessarily have to suffer some detriment. It is a balancing act that any Government or administration has to pay careful attention to. Our Government has consistently moved in favour of the tenant to try to protect their interest.

The Tenantries Control Act, if you really want to talk about the hardships, that was where some of the hardships began. Any landlord found it virtually impossible to evict a tenant off his land as a result of that piece of legislation. You may think well that is exactly the point. It also has to be the point that if this hypothetical landowner that was spoken about earlier, wants to give his land to his daughter, he still cannot give it to her. He cannot give it to her because he cannot get the tenants off the land. The Tenantries Control Act was quite clear that no court in Barbados can make an order ejecting an individual off land except in certain very limited circumstances.

If we are operating on the basis that a landowner has to have full rights to his property and to be able to dispose of it whenever he sees fit, that is all well and good, but we will find ourselves in a situation where we are entirely unable to provide opportunities for tenants. Certainly, this Government has always preferred to lean towards empowering tenants rather than assisting landlords.

There seems to be suggestion that it is hard and an unjust thing for a hypothetical father giving land to a hypothetical daughter to pay property transfer tax. It is an interesting provision in the Tenantries Freehold Purchase Act which says that a person who buys land under that Act cannot sell it within five years. As an Attorney, I have had many people coming to me saying that they want to give a piece of land, which they bought under the Tenantries Freehold Purchase Act, to so and so and it puts you in a very difficult position. You are not sure that any money has passed hands, you are not sure if you are being used to achieve an aim. The Act says that you cannot sell it but it certainly allows you to give it.

The intention, of course, would have been that if you wanted to give property to your relatives which you acquired in that way, that you could.

The point is that whenever you try to make an exception for a deed of gift, people will try to use an exception as an engine of fraud. It would be an easy thing, therefore, for this hypothetical father to say to some lawyer, well I am giving my piece of land to John Browne. Therefore, I am giving my piece of land to John Browne and therefore I should not pay any transfer tax. There is really no basis for an exemption of it. The basic position is that on a transfer of property, property transfer tax is payable. The position has to be that on a transfer of property, whether it is by way of gift or sale, property transfer tax is equally payable to the Government.

It boggles my mind that in a situation where my friend was in Another Place and had tremendous influence at another time, there were no calls on those occasions to redress this apparently unjust situation and to remove property transfer tax then. The moral of the story obviously must be, if you feel so strongly about it, when you are in a position you should do it. You should not be found moaning and begging at the door later on to achieve that end.

On the question of a person's ability to leave land without paying any taxes, that is quite easily done through the provision of the Succession Act which says that in any device you do not pay any transfer tax.

In relation to the assistance which is being offered to the tenants who are purchasing land in the tenantries, this has to be one of the single most important contributions to creating a landed generation of Barbadians and that also is a balancing act. It has always been clear that you could not compel a non-plantation owner to sell his land for ten cents per square foot. The market forces are allowed to operate in that environment. Naturally, the tenants are unable to pay and this Barbados Labour Party's position is to assist these tenants in purchasing the property by way of making a substantial contribution as a subsidy to the purchase price.

I am quite clear in my mind, Mr. Deputy President, that this system is working. In my profession as a lawyer, I know of many instances where our own clients have actually received the subsidy from Government. When Senator Mascoll suggested that the system is not working and that the tenants have not been getting that assistance, I would offer that it is entirely incorrect. In fact, it is not the National Housing Corporation, either, who is responsible for the contribution of the money to the Urban Tenantries at all.
5.10 p.m.

The Urban Development Commission passed that money to Government and they are in charge of that responsibility. The National Housing Corporation does not come into this at all, when it comes to making these subsidies to the tenants. It has been working and the system is working very easy. It is a very transparent system.

How it operates; the tenants will contact the Urban Development Commission. The Urban Development Commission will investigate the situation, and, when once it sees the documents, the Urban Development Commission pays the money to their Attorney, on trust. The Urban Development Commission pays the money; pays the Government's contribution to the Urban Development Commission, on trust, and, on completion of the transaction the Urban Development Commission meets and pays that money over to the individual.

So, it is not a case where somebody can come to the Urban Development Commission and say give me my share of the money, and I will get around in buying the land. It does not work like that at all. It is only on closing.

Just from the point of those who might not be aware of the intricacies of this simple process. On closing the parties will meet and the money is passed over.

So, it is a system that is, in fact working. There are numerous practical examples. It is happening today, as we speak, and for anyone to suggest that the tenants are not benefitting from this is woefully incorrect.

At the end of the day, Mr. Deputy President, the Resolution before this Senate is to approve the vesting of these lands in the National Housing Corporation.

It will, substantially assist the National Housing Corporation, and this Government in carrying out its mandate and, therefore I would wholeheartedly support this Resolution.

SENATOR Mrs. V. E. NEWTON: Thank you, Mr. Deputy President, I rise to support this Resolution before us. I just want to make two points in relation to the National Housing Corporation policies.

As we move around Barbados, it is quite evident that much is being done to improve the housing stock for certain categories of Barbadians, and to provide additional housing to those who need them.

Of course it is not sufficient; it will never be, but in my view, Mr. Deputy President, as long as nothing is done about Headley's Land – and I am not sure under what terms and conditions persons living on Headley's Land, if it is their land, if they are squatters, or whatever.

Every time there is a flood, on the television you see these poor people in boats, trying to get from their houses to go about their business.

I think that no matter what we do about housing, if we allow a situation like that to persist, it is a blot and it makes whatever else you are doing – it diminishes whatever else you are doing.

The second point I would like to make, and this is in connection with National Housing Corporation' policy, in connection with the Ministry of Social Transformation in providing housing for disadvantaged persons.

I know, now of one such case in St. George where housing was provided for this poor family. The house was built by the students of the Samuel Jackman Prescod Polytechnic, under their project for students to build housing such as that, and the land was provided.

The poor family cannot move into the house, because they cannot even afford the basic amenities, such as the connection of electricity and water.

Aside.

SENATOR Mrs. V. E. NEWTON: Well, I do not know, they seem to be having problems. I think it could be delays that are being experienced. I am not sure if they have contacted all the persons that they ought to, but I would think that in a case where such persons are provided with a house, that they at least be given the information as to what next they could do, or given the assistance to make it habitable.

Thank you, Sir.

SENATOR LeR. H. McCLEAN: Mr. Deputy President, the Barbados Labour Party, since the passing of the Act which allows Barbadians to buy tenantry lands at ten cents per square foot, has been claiming that they have been the saviour, and great apostle who have brought wonders on the land.

But, everything has its genesis, Sir. Everything must start somewhere. It is the Tenantries Control and Development Act, 1965 which started the process.

It was started because of undue hardship which was being wrought on poor Barbadians at that time. At that time, the late Right Excellent Errol Barrow made the point that there were 11 tenantries, in St. Michael, alone, with 373 houses which, at that time, there were orders for them to be evicted from the land.

That Act, when I say is the genesis of the subsequent legislations, that Act,prohibited landlords from ejecting tenants from holdings, it forbade landlords from increasing rents, except on application to the courts, where they have shown that the landlords have improved the tenantries. It is on that point that I would like to bring this legislation now.

Government has agreed to pay its landlords the excess over the $2.50 per square foot.

In many cases, landlords are asking for $6.00, $8.00, $10.00 per square foot, for land when they have never put in one square foot of infrastructure in that land.

For example, a place like Alleyne's Land, which was a cane field. People put down houses, went through dirt tracks for years, then Government put in roads, electricity, water, *etcetera*, the landlord did nothing, except collect rent. Now, he is going to be paid, at a rate based on the improved value with the infrastructure in.

I am saying that that should not be happening, because if Government has put in the infrastructure, why should I then, have to pay the landlord, based on the improvement of the area when the landlord made no contributions to that improvement.

Asides.

SENATOR LeR. H. McCLEAN: When it suits you all, you then know about the poor, black man.

Now, Mr. Deputy President, the land at Hindsbury Road is being vested in the National Housing Corporation, and I am wondering when that land would be then passed to the Urban Development Commission, because I noticed nowadays that Government seems to be utilising the Urban Development Commission in these regards, rather than the National Housing Corporation.

I hope that this is not just a means of helping the National Housing Corporation. I think it was mentioned by Senator Murray, when he introduced the Bill that it is not merely a means of the National Housing Corporation to raise some money.

Rather than going direct to the Urban Development Commission, and then to the tenants, you are going through the National Housing Corporation –

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, I must rise on a point of order.

The Honourable Member is misleading this Chamber. I said that the proceeds from the sale of the lots will be used to assist the National Housing Corporation in carrying out its capital works programme.

This is a general policy, where any assets that are sold, go in to assist the capital works programme. They are not trying to rob the piggy-bank, so to speak, to do this programme. You are wrong.

SENATOR LeR. H. McCLEAN: So where does the agency come in then?

Mr. Deputy President, if the money is going to assist the National Housing Corporation in its development programme, who gave them the money? Not the National Housing Corporation?

The National Housing Corporation – I am saying that Government is vesting the land in the National Housing Corporation. To sell that land, why not go directly to the Urban Development Commission, so that the land could be then transferred to the tenant, in a shorter period of time. Why the National Housing Corporation, a Corporation, which, at present is in a total state of chaos having projects that they cannot complete – like the project at Warrens. A Corporation, which no longer seems to be too much in the exercise of building houses, more so than building offices.

I wonder why they need to go through the National Housing Corporation, and not just the Urban Development Commission. Or is it that the Urban Development Commission is experiencing certain types of difficulties and probably Government is thinking of scrapping that idea altogether in the near future before the bubble bursts and something hits the fan.

One other concern, Sir, about the land at Hindsbury Road, St. Michael. We know that in today's urban tenantries, there is a problem with many of the houses very close together.

We saw, recently the case off Roebuck Street, where we had a fire and the residents there expressed concerns about the closeness of the houses.

I would hope, Sir, that when Government seeks to transfer this land to the tenants, that careful assessment is made of the lot sizes and the orientation of the houses. So that, even if it means having to move out one or two of the tenants in order to make the community more comfortable, because if you pass through that area, you will notice that the roads are very narrow. A lot of the houses are close together and there are children playing out there.

Generally, there is room for significant improvement, and I think that Government should take the opportunity to do so, now that they are seeking to transfer the land to the people.

Certainly, the residents should not be asked to endure the same hardships, and difficult circumstances which they have to endure now, if Government is getting involved in the act.

We all know that from time to time, with this land, which is owned by Government that there may be some people who may not have owned their land through the correct channels, and, therefore, you will find lot sizes overlapping and houses too close to each other; somebody owning a house and the daughter or son building in the back. How are you going to deal with that now where you have two houses – one here and the other there. All of these things have to be carefully examined to ensure that the environment is made more habitable for these persons.
5.20 p.m.

Mr. Deputy President, I want to join with Senator Newton in expressing the concern too, about Headley's land, not only from the point of view of the flooding which takes place there but we will have the situation, Sir, where there may be some people who are there illegally or some people who have not gone through the correct channels and are now occupying the land.

These people have to be relocated. I think that all of the promises made to the people have shown to have come to naught. We recall the spectacle of the Prime Minister just before the last general elections, slipping and sliding, going through the area and making grandiose promises to the people that soon they will be relocated. One cannot fault him for using deploy in order to advance his means but having done that, you could have at least come good on the promises that were made to the people.

It is really, I think, a disgrace, Sir, that the majority of us in here who look just like the people who are in those circumstances should be at odds on how we can make life better for these people.

It seems as though, as I said before, some people what to take credit when they do something and say that we have done the greatest things on earth as if nobody else has even done anything. This seems to be the continued process and every time that the Government wants to take credit for something. It is laudable and noble. Every time the Opposition has to draw attention to something, it is political and these derogatory terms are being used. It is derogatory for you to be political and then you expect people to respect you as a politician.

As politicians we want to be able to castigate our opponents. Whenever they make a point it is political but then how, Sir, can we get the children and other people to have respect for politicians if we are going to continue to adopt this kind of policy. Sir, I would like us to get away from that kind of approach to deal with issues which are for the betterment of the people of this country.

On the point of the Property Transfer Tax, Sir, let us say, if a parent wants to give a child a piece of land, the Government has changed the legislation to make the vendor pay the Property Transfer Tax. Now, if a parent is giving a child a piece of land then, you have to pay to give the child the land.

I am saying that in situations where people have worked and are trying to make sure that their children do not have to go through some of what they went through, it cannot be just dismissed as some kind of absurdity when a parent, maybe a poor person, wants to give the child an opportunity to own a piece of land in an environment where you cannot get land. You cannot go the Government and rent or buy land. All the land is tied up in a land bank somewhere. You cannot get land at reasonable prices but you as a parent now want to give your child a piece of land, if you have 5 000 square feet that you want to give a child and that is valued at $40 000, you have to haul out $4 000 in Property Transfer Tax, then another $400 for legal fees, then another $60 for...

Aside.

SENATOR LeR.H. McCLEAN: ...That is for one side, the vendor alone I am talking about and then the VAT on the legal fees and I am saying that...

Aside.

SENATOR LeR. H. McCLEAN: ...well, I am advised, Sir, that you will be short paying the lawyer, if you only pay them $400 but I thought it was about 1 per cent or so but that even makes it worse.

The burden then on a parent wanting to help a child, in a situation where you cannot get land because it is not to say that it is easy to get land. We heard of a case of 15 people living in a Government unit. How long are we going to continue with situations like this? If people want to give assistance they have to be burdened and if we feel that because something has been happening that it should continue to happen, *ad infinitum*, then we obviously do not understand what our role is. Our role is to ensure that every generation is better off than the one that went before it and if I cannot ensure that my children are a little better off than I am, then I have failed.

I am saying that the approach that we are taking now, rather than advancing, we are going backwards because we are not creating opportunities for people to advance in the manner in which they should be able to. We are feeling that because we do something for somebody, we have to feel that this is the greatest thing and therefore they owe us a special favour. Future generations do not owe us any gratitude because we have responsibilities, Sir, and therefore, when we engage in the act of transferring land to tenants, it is not something that these people have to eternally be grateful for. It is the Government's responsibility to do it. It is not something that people have to be forever grateful that somebody gives them this or somebody gives them that. It is a continuing process and that is why we have gone back to show that this thing did not just start with the Barbados Labour Party. It did not just start yesterday, it started in a context where, if the late Right Excellent Errol Barrow had attempted at that time, to do what was done with the later legislation, you would have heard people all over the place saying that Barrow is trying to take away the white people's land from them.

Sir, you have a situation where you have to put things in context to ensure that we understand the developmental process and ensure that we know that we will continue to develop this country and not just leave it at a stand still.

I thank you, Sir.

Mr. DEPUTY PRESIDENT: Senator Odle.

SENATOR Miss J. C. ODLE: Thank you, Mr. Deputy President. Needless to say, I rise to support this Item before us and to make a few comments, Sir.

Senator Mascoll started with somewhat of a history lesson, which may very well be laudable when he reminded us of the Rent Control and Development Act and also, Sir, to suggest that the Barbados Labour Party must not receive credit where it is rightfully due for the Tenantries Freehold Purchase Act.
5.30 p.m.

Sir, really and truly, in 1961 they had controlled of the administration of the affairs of this country. 1965, he tells us, was the juncture in which this piece of legislation was introduced. Senator McClean indicated that, really and truly, the Barbados Labour Party Administration of the day built upon a piece of legislation which they enacted. Sir, that is all well and good but it is the Barbados Labour Party who did this up in the 1980 or 1981 period.

Sir, from 1965 all through Independence and up until 1976 they had control of the Government and the affairs of this country to see about the affairs of managing and improving the lot of the lives of what they continue to call

the 'poor black people' in this country. Sir, why then did they not take the opportunity to utilise some division within the ambit of Government – and I really cannot remember the National Housing Corporation being around at the time, I do not think so – to begin the improvements that they speak of. Sir, they had fifteen long years. Remember, they had had long periods of management of the affairs of this country to assist poor people but their record is woeful and inadequate with respect to the housing condition in the country at that time.

Mr. Deputy President, from the time the Barbados Labour Party Administration took office... As a matter of fact, let me go back. Before we took office, I would never forget it because I was a candidate in that election in 1994, things had reached the stage where people were saying that whoever gives them the house, they will get their vote.

Sir, the Democratic Labour Party had all that time and imagine it was far beyond corned beef and biscuits now, it was houses people were looking for. They had the arm of Government and had the responsibility during their tenure to make an improvement. Woeful is not even the word I would want to use but that is parliamentary I believe.

Sir, during their tenure, they opened – and Senator Laurie I am sure will bear me out on this – very, very good agriculture land and converted it into housing. Just to mention a couple, they were Frere Pilgrim, Neils and Rowans. I am not suggesting that housing was not required for that level but remember, Sir, they continue to espouse the need to help poor black people so why then did they not deal with improving upon the Rent Control and Development Act and bring in a Tenantries Freehold Purchase Act then. Instead, what they did, Sir, and I am not saying that it was not necessary, they certainly gave an opportunity to the developing middle class society of the day which really is the backbone of any society as we know as a developing society but still they continue to shout 'poor black man'.

Sir, all of this showing and so on that they are getting on with today, is I think just almost delaying the time of this House but history lessons are always good because sometimes it serves us all well to remember from whence we came because on an issue that is not relating to housing but certainly education by way of enabling us to move to a level where we could afford housing they would want to take claim for free education in Barbados.

I do not think any one of the organisations that managed the affairs of the Government of this country should be castigated at any stage. For them to want to say that they enacted free education, we all know that the Barbados Labour Party started it since 1952 but I will not dwell on that because as you know that is really not about housing.

Sir, I just want to say that since the Barbados Labour Party took office there has been steady progress in terms of the development of housing and the acquisition of lands for the National Housing Corporation to dispense of by way of house lots, *et cetera*. There is testimony to that. If you drive across the length and breadth of Barbados you can see the improvements that are beginning to take place under the ambit of the National Housing Corporation in areas like Groves in St. George, Apes Hill, Deanes Village, Blackmans in St. Joseph, Gall Hill in St. John and Flat Rock in St. George. Anybody who drives through Flat Rock would tell you that it is like a completely new area and the people who live there are exceedingly happy that they have finally been able to get somewhere to call to their own, a little piece of this rock.

Asides.

SENATOR Miss J. C. ODLE: Sir, the Asides speak to only five housing developments but that might be showing five more than they built during the time they had the responsibility for housing in this country. They should be castigated forever for their terrible record during that period of time.

Sir, even as close to us here in the City, at the London Bourne Towers, there is another level of housing I believe which is a pioneering step with regards to housing in this country. Many on the Other Side would want to castigate this Administration for making those surroundings as wonderful as they are because they are people too. Sir, I think it should be commended. I really did not plan to speak long but I was never ever going to let this occasion pass where the Opposition would want to castigate improvements and dwell way back in history instead of looking forward. It is important to remember from whence we came but it is quite adequate and more important to look forth to where we are going to go from here today if we intend to continue to work and develop one of the most important parts in a human being's hierarchy of needs which is housing.

This Administration, as we speak about a better life for our people, is very cognisant of the need to have this housing. I agree, as Senator Newton said, that do not care how much you do, it never is going to be enough. This Administration is doing the best it can in trying to ensure that as many persons as possible can reap the benefits by way of housing in this country.

I support this Resolution wholeheartedly and commend it to other Members of the Chamber.

Thank you, Sir.

SENATOR T. E. BARKER: Mr. Deputy President, I want to make a short intervention while giving maximum

support for this Resolution which is another step on the road for this Barbados Labour Party Administration in fulfilling its mandate to the people to making a better life for the people.

Sir, the Members of the Opposition Democratic Labour Party have taken credit for the Tenantries Freehold Purchase Act because they are saying that it has its genesis in the 1965 Rent Control Act. That is rewriting history and it shows a complete lack of understanding of the two pieces of legislation. They are distinctly different. One piece of legislation perpetuates the concept of 'landlordism'. The other one speaks to empower people to become landowners and not mere tenants for the rest of their lives. That is an important distinction and that distinction shows the difference between them on that Side and us on this Side. It is stark. The difference is clear. They want to perpetuate 'landlordism', we want to empower people to become landowners.

They are going to take credit for a Rent Control Act and we are saying 'look man, we do not want people to be renting all the days of their lives'. Our people deserve to own a piece of the rock, so much so, that in 1981 when we in the Barbados Labour Party brought the revolutionary Freehold Tenantries Act to this Parliament, the Dems were vociferous in their opposition to the Freehold Tenantries Act and now they are claiming credit for it but at the time they were vociferous in their condemnation of the Government for trying to improve the lot of the people.

The record will show that and now they are going to take credit because they see it has worked to the distinct advantage of the disposed and they want to jump on the bandwagon. Such shameful behaviour. That suits street light behaviour. It has no place in this Chamber. They were there vociferously condemning the Government for seeking to give the tenants in urban Barbados land at 10 cents per square foot when they were saying that we want to take away the people's land and they voted against it, but when they had the opportunity, what did they do, when they came back into power in the late 1980's they changed the provision where the definition of a tenantry was changed. Under the 1981 Act there were two houses and they took it back to 5 and caused a lot of people to be dispossessed. When I hear them taking credit for it, I cannot sit down. The political part in my bones will not allow me to sit down and see this sort of hypocritical behaviour.
5.40 p.m.

Sir, this piece of legislation will empower people. I felt like a man when I was able to own a piece of Barbados. I felt ten feet tall. Sir, you can imagine a man of my height feeling ten feet tall. I can imagine how the people in the urban tenantries felt when they got their title. The people in Hamlett's Tenantry who were for years renting are now able to approach the UDC and say I want a piece of land. I do not have any money. Can I borrow some money from you? I will pay you back. I have my title for my land and I am now a man. I am a landowner and I am proud to pay my tax when the year comes.

Sir, there is an important thing here. The landowner is not disadvantaged because under the 1965 Act that the Honourable Member was alluding to those landowners could not move the tenants off. If they have more than 5 persons, they cannot move them off. So the landowners can now say I am now selling my land. If I have a son or daughter in U.S. or England, I have enough money that I can buy a piece of land somewhere. The interest of the landowner is being served because previously he was getting rent for his land for which he could not move the tenants off but now he is empowered since he is getting a piece of cash in his hands. The tenant is now empowered because he has land so it is a win-win situation. Everybody benefits. The landowner benefits and the tenant benefits and society as a whole benefits. Everybody wins and the end result of it is better social cohesion and stability and all must progress.

I can support this Resolution with my eyes shut because I know, Sir, that the Resolution was framed by people who have the pulse of the people and who know what they want, and who are responsive to their wishes and the aspirations of the people.

Sir, the empty harping of the Opposition will not deflect us from our goal. They can claim credit, but the more they claim the more it exposes them as political opportunists who will seek any opportunity to hang on to something that is good. The people in Barbados know them because they are accustomed to them. When they talk about land taxes and so on, they were in power and they never took the opportunity to do it. Now all of a sudden they have awakened.

Sir, I urge this Honourable Chamber to support this Resolution. The Government will continue its quest to ensure that the people in urban Barbados benefit from whatever is going on in this country. They must benefit and we are tired of people being tenants. This will help people in Hamlett's Land to become landowners.

Thank you very much, Sir.

Mr. DEPUTY PRESIDENT: Senator Collymore.

SENATOR B. R. COLLYMORE: Mr. Deputy President, I am sorry to hold up the Chamber for a minute and I feel more sorry since I see you putting up your Papers. I want to make two small points relating to the context of tenantry developments and purchase and whatever. We must not assume because you vest land in NHC that the process of

empowering the tenants is going to be anymore rapid than anybody else who is responsible for it. I believe that the Bayville Tenantry where people have lived 30 or 40 years has not been rationalized. Nor have the tenants or occupants of those dwellings been allowed to purchase for the very reason that somebody has said that the spots are too small and people have built all over the place. It is not only in that tenantry which is controlled by the NHC, but there are other urban tenantries such as Eagle Hall and others. The prior requirement is spatial rationalization as it is called by the urban development people. Where it has not been undertaken people cannot own those areas. I think that Hamlett's Land is no different and giving it to NHC is not going to ensure this quick transfer of title.

The other point that I want to touch on is this. I am saying all of this because I used to be responsible for Housing. When the Tenantries Freehold Purchase Act was enacted, it was I who had to lead that matter. Now the greatest difficulty with the Tenantries Freehold Purchase Act was to persuade the tenants to purchase the land. A tremendous social survey and public relations effort had to be put in place to get them to purchase the land. Even after it was made clear that the development of the tenantry would not be a cost to them, they were reluctant to come forward with the money to pay for the land. The Government had to set up a special window at the Barbados National Bank to lend them the money to buy the land even though we knew a lot of them had money.

The other problem with that was the development cost. In some tenantries, the BS&T Group in particular, the owner had financed much development over the years and all the services had been installed. It was considered unfair to owners of such tenantries to make them take ten cents a square foot. Therefore, the Government undertook to pay back to the owners the development cost that they had incurred so that the tenants would only pay ten cents.

Another situation which was identified would also be in order now where the development of a tenantry had been undertaken by the Government. There is no reason why the owner of that tenantry should benefit from that development. That is the kind of control that one would have to put in place on these things.

I think that the atmosphere of the debate did not permit for this, what I consider, analysis of the matter. I hope however when we come to some other debate on land that we could do more than this. It is important that these urban tenantries be passed on to the occupants, but it is very difficult to undertake. I know there was one in Bush Hall and I do not believe that has been resolved at Alleyne's Land. In 1981 we thought that it would be resolved. You do not wave a magic wand and do these things. Indeed, you could not even identify boundaries for the plantation tenantries. These did not exist in many cases and therefore while I laud the Tenantries Freehold Purchase Act, it has created a lot of difficulties which have to be sorted out over a long time and we should all think in terms of sorting those out and not add more problems to National Housing Corporation which has not manifested any capacity to deal with these matters.
5.50 p.m.

Thank you.

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, I shall not have very much to say because Senator Collymore has put this in a very sound, historical and factual context and given some accurate analysis to it, because I can remember a lot of those things too. In addition, after the great evangelical fervour displayed by Senator Barker which I cannot match, nevertheless I have a couple observations to make. One particularly has to do with Headley's Land and stress that Government has not given up on Headley's Land. Government is still working on Headley's Land.

The major problem with Headley's Land is that it has to provide a wider aperture to let the water out. Right now the aperture is much too small and Government is in the process of acquiring that building right next to the Globe that used to sell vegetables and served as a bar. That will provide the room for a bigger culvert to let that water out. Government is working on it assiduously and has provided funds for it so it is not just talk. It is a major problem and we have to go through the process of acquiring the land. We could not just go and knock down the shop and put a big hole in the ground and that would be that. It takes time but we have not given up on it.

My information is that many of the tenants of Headley's Land appreciate what we are doing and know that we have been trying and they are willing to wait on us until we complete the task.

The Democratic Labour Party talked about this Act and I am amazed that they are now seeking to claim credit for the Tenantries Freehold Purchase Act going back to 1965. In 1966 their Manifesto did not speak about it neither in 1971 nor in 1976, nor 1986 nor 1999. I just checked the Manifesto of 1999 and there was no mention. Why do you seek now to rediscover yourselves? You are seeking to redefine yourself as a Party having strayed away from the philosophical mores and activities of the great Errol Walton Barrow as Senator Mascoll likes to say. You are now scratching all about and scrambling to find some philosophical underpinnings on which to anchor yourself. But it is not fair. You are not doing justice to the record.

That Act has nothing to do with the Tenantries Freehold Purchase Act and I am wondering why all of a

sudden you have discovered it. Maybe somebody has been researching it and trying to put a spin on it. What is also important is that the Democratic Labour Party created difficulties for persons after the passage of the Act. As a matter of fact, I remember the Right Excellent Errol Barrow himself riding on a horse in St. George on Drax Hall, land of the great, renowned Colonel Drax and vowing that they would be the first persons to sue the Government for "tekking away the white people's land". That is the same Party.

You are trying to rediscover yourselves and I understand the difficulty, but do not pick on this one. Look for another thing to piggy-back on. You are in bad shape on this one.

The reason why, as Senator Collymore said, the people proved reluctant to want to purchase their land, given how Barbadians deeply feel about owning a piece of land, has again to be attributed to the Democratic Labour Party where they told people that if they bought land they would have to pay land tax, rather than trying to take the high ground and explain to people the benefits of ownership, what it can do to your own self-esteem, what it can do to your value as a person, your actual value and assets are passed on to your generations to come. They told people not to buy the land because they would have to pay land tax. That is why, as Senator Collymore said, you had to overcome that difficulty.

It is the same attitude of the 'Dems' when they were seeking to get power in 1961 and told people not to pay house rents when the Barbados Labour Party built the first set of housing areas in the Pine *et cetera*. They told them that their taxes had already paid for those houses. That began the syndrome of non-payment of rent that we are still battling with even today.

The Democratic Labour Party is running true to form. They are maintaining their historical record and if that is the way they want to go so be it. All I am saying, Sir, is that the Barbados Labour Party is glad to be able to take one more forward step. We know that it is an ongoing process and there are legal difficulties and difficulties in not being able to convey land fast enough, getting the legal proceedings completed fast enough and even getting land surveyed quickly enough, because of the shortage and dearth of surveying skills in Barbados. We understand that these are difficulties that are not beyond a society to solve and that in the same way that we have successfully tackled many other major difficulties, we will keep on pressing on. It is a continuum.

The development of society never stops. The offering or provision of a better life for Barbadians will never stop the Barbados Labour Party. It has never stopped for us and this will be just part of a journeying that we are continuing.

Therefore, Sir, in that context and with those words I beg to move that this Resolution do now pass.

Mr. DEPUTY PRESIDENT: Before putting the Resolution, I want to say that it was rather unfortunate for me today that I have had to sit in this Place where the presiding officer has no speech. I would like to congratulate Senator Collymore for putting a little bit of sanity and the position before the Chamber.

I must adopt Senator Collymore's words that there will be another time when we will debate tenantries and I hope not to be sitting here. I would like to teach Senator Mascoll something but I would advise him at this time to check Danesbury Tenantry and then check the Tenantries Control Act and he will know the history of that Act.

With that, I move that this Resolution do now pass.

The question was put and agreed to.

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, I beg to move that Head 6 be re-committed for discussion on the Report of the Fair Trading Bill Commission and Utilities Regulation Bill, 2000.

Mr. DEPUTY PRESIDENT: Recommitted.
6.00 p.m.

ADJOURNMENT

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, I move that this Honourable Senate do now adjourn until Tuesday, December 19, 2000, at 11 o'clock in the morning.

Mr. Deputy President, speaking on the Adjournment, I would like to advise Honourable Members of the Senate who might be wondering about the whereabouts of our colleague Senator Forde, that she had an appendectomy and is in no danger. As a matter of fact, she has gone home today and is doing fine. I am sure that we will all join in wishing her a very speedy recovery.

Sir, we are proposing that the Senate be adjourned until Tuesday, December 19, 2000, at 11 o'clock when we will debate the Fair Trading Commission, 2000 and Utilities Regulation Bill, 2000. After that we can move into an enjoyable Christmas period.

The question that the Senate do now adjourn until Tuesday, December 19, 2000 at 11 o'clock in the morning was put to the Senate and agreed to and Mr. DEPUTY PRESIDENT adjourned the Senate accordingly.
6.05 p.m.

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2. Duties, Taxes and Other Payments (Exemption) (Southern Golf and Country Club Ltd.) Order, 2000.
3. Customs Tariff (Amendment) (No. 3) Order, 2000.
4. Value Added Tax (Refund) (W.I.C.O. Limited) Order, 2000.
5. Annual Reports of the Transport Board for the Years 1996 to 1997 and 1997 to 1998.

REPORTS FROM SELECT COMMITTEE

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3. Bill to amend the Post Office Act.
4. Centennial Honour (Amendment) Bill.
5. Resolution to approve the compulsory acquisition of land at Bridge Cot, St. George.
6. Resolution to approve the lease of land at Prescod Boulevard, St. Michael to the Nation Corporation.
7. Resolution to approve the lease of land at Henry's Lane, St. Michael to the trustees of the Barbados Cancer Society.
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