
THE SENATE DEBATES

(UNOFFICIAL REPORT)

PARLIAMENT 2008 – 2013

THE SENATE

Tuesday, March 17, 2009

RESUMPTION

Mr. PRESIDENT: This Senate is now in session. The Senate is resumed. Senator McClean.

On the motion of SENATOR the Hon. Miss M. P. O. McClean, the SENATE resolved itself into Committee on the Bill, MADAM DEPUTY PRESIDENT in the Chair.

COMMITTEE

MADAM DEPUTY PRESIDENT: The Senate is now in Committee.

Clauses 1 - 2 were called and passed.

S/A13/11:00 Sequence 42

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Clause 3 was called.

SENATOR K. D. SYMMONDS: Madam Deputy President, if I may, on Clause 3, I think it was drawn to the Senate's attention yesterday that at Clause 3 (1) there is a discrepancy which says:

"There are hereby established 30 Constituency Councils within each of the 30 Constituencies specified in the Electoral and Boundaries Commission (Review of Boundaries) Order, 2002."

Sir, the feeling, both from the Opposition and I, suspect from the Independent Senator, Senator Frances Chandler, who is not now in her seat, but who drew attention to this matter yesterday, that calculation could not possibly be right, because it would create 900 such

Councils. Therefore, I think we should create a form of works which would give it the meaning, I believe the Government would wish it to have, which is 30 Constituency Councils as a total number.

SENATOR the Hon. Miss M. P. O. McCLEAN: Madam, let me apologise. I have identified that and agreed with the recommendation of Senator Chandler. It should read:

"It is hereby established a Constituency Council within each of the 30 Constituencies specified in the Electoral and Boundaries Commission (Review of Boundaries) Order, 2002."

Clause 3, as amended, was put and agreed to.

Clauses 4 - 9, inclusive, were called and passed.

Clause 10 was called.

SENATOR K. D. SYMMONDS: Madam, if I may, I think the point was made yesterday, that there is a level of discomfort with the way in which Clause 10, subsequently conforms or fails to conform with Clause 8 of the Second Schedule. Sir, for the benefit of Senators, I will read both.

Clause 10 says:

"The Minister shall give the Department directions of a general nature in respect of the policy and procedure to be followed by each Council, and each Council shall comply with those directions."

Clause 8, paragraph (a) of the Second Schedule says:

"Subject to this Schedule, each Council shall regulate its own procedure and shall meet at such times as may be necessary..."

There was, in my view, and I sensed as well, in the contribution of another Independent Senator, a failure of the two to conform. I noted the observation made by the Leader of Government Business that the Minister is giving the Department direction, but the legislation goes on to say that the Minister is not only giving the Department the directions with respect to the policy and procedure, but it is the policy and procedure to be followed by each Council, and each Council shall mandatorily comply with those directions.

It is therefore, in my judgment, not possible for the Council at paragraph (a) to be regulating its own procedure, if, in fact, Clause 10 of the legislation is creating a mandatory framework within which procedural direction is being taken from the Minister. I am thinking that the two do not fit hand in glove, and they are not consonant with each other.

I would wish to suggest that we could alleviate this difficulty, by removing the directions on procedure at Clause 10, so that there is no quarrel whatsoever, if it is that the Government wishes the Councils to be given a policy directive from the Minister. I think that is in conformity with other pieces of legislation. My own view is, I would not have wanted to see that, but I understand what the Government wants to achieve, and I would not make heavy weather of that today.

Sir, the difficulty I have is, it does not fit hand in glove with what is being done to be achieved with respect to the regulations of its own procedure at Paragraph (a) of the Second Schedule.

SENATOR the Hon. M. P. O. McCLEAN: Madam, I believe that in my wrap-up yesterday, I sought to give a detailed explanation as to the different situations that apply. If I may very briefly again, state that in respect of Clause 10:

“The Minister shall give the Department directions of a general nature in respect of the policy and procedure to be followed by each Council, and each Council shall comply with those directions.”

Madam, preceding Clause 10 is Clause 9, which speaks about operational matters in respect of keeping proper accounts, financial and other records in relation to, and it goes on to speak about the accounts, financial and other records in relation to the above.

Each Council shall prepare a statement of accounts in respect of each financial year and so on. Prior to that, Clause 6 refers to a series of expenses to be defrayed through the raising of various funds.

Clearly, it is important from an administrative perspective. As I indicated before, a Council that is otherwise autonomous, should have some consistent set of guidelines in respect of administrative matters. Therefore, I do not see the conflict that is referred to. I, therefore, have no difficulty with the wording as is. I believe that the wording can remain as is and should stand part.

Clause 10 was called and passed.

S A13 11.10 a.m. Sequence 43

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Senate A13, Sequence 44, 11.10 a.m.

Clauses 11 - 13 inclusive, were called and passed.

The First Schedule became the First Schedule to the Bill.

The Second Schedule became the Second Schedule to the Bill.

SENATOR K. D. SYMMONDS: Madam Deputy President, if I may, for the last time on this one, I think that the Chamber was confronted with a clear difference of opinion on what was, in my judgment, a critical issue, and that is paragraph 1.(2)(e) of the Schedule.

Madam Deputy President, as you know, paragraph 1. (1) says: “Each Council shall consist of 15 persons, appointed by the Minister.” Paragraph 1.(2) says: “The persons referred to in the sub-paragraph”, which is the one I just read, may be selected from the following categories and then the categories are enumerated (a), (b), (c) and (e).

At the category of nominee of the Minister, a position was taken by Senator Marville, where he interpreted that to mean one nominee. I think his exact words were: nominee singular, as opposed to nominee plural.

Needless to say, Madam Deputy President, I have made an extensive case that, as I read it, this is an open-ended position, which allows the Minister to make his nominees and the whole Board, if need be, their nominees. I think that Senator Alleyne also sought to make a case, that this was not the intention of the legislation.

I am saying, Madam Deputy President, that for the avoidance of doubt, it can do the Government absolutely no harm, if at this point, we were to make an amendment to the legislation - you have paragraph 1.(2) and it runs right up to (d) and then at (e) - or if we were to introduce another sub-paragraph, to say that the Minister shall nominate no more than one person to each Constituency Council.

Madam Deputy President, if in fact that is the intention of the Government, then it only states the Government's intention, in pellucidly clear language - that the Minister shall nominate no more than one person to each Constituency Council. It does not then create the fear that Senator Marville expressed of a half truth, then turned into sophistry, and it makes it abundantly clear for all to see what the intention is.

Madam Deputy President, I am proposing therefore that the Chamber embraces this suggestion for the purposes of clarity, so that we do not have the unintended consequence of the Ministers interpreting this legislation, as a piece of legislation, which allows them to appoint an unlimited number of persons, up to 15 to the Constituency Council. SENATOR the Hon. Miss M. P. O. McCLEAN: Madam Deputy President, I heard what the Honourable Senator had to say. I am not convinced that is the case, but out of an abundance of caution, I want to request a suspension of the Sitting for 15 minutes, to consult on this matter, and to ensure that I would not presume to interpret in the way that he did. But I respect the concerns raised by the Honourable Senator, Madam Chair, and I would ask for a 15-minute suspension to seek clarification.

Senate A13, Sequence 43, 11:15:59

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Mr. PRESIDENT: Madam Deputy President has reported to me that there is some slight difficulty, and there is a requirement for a suspension for 15 minutes.

SUSPENSION OF SITTING

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, I beg to move that this Sitting be suspended until 11.40 a.m. today.

The question that the Sitting do now suspend until 11.40 a.m. today, was put and resolved in the affirmative, without division, and Mr. PRESIDENT suspended the Sitting accordingly.

Senate A13 Sequence 45

11.20 a.m.

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RESUMPTION

Mr. PRESIDENT: This Sitting is resumed. SENATOR the Hon. Miss M. P. O. McClean.

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, the Senate resolved itself into Committee on the Bill. Madam DEPUTY PRESIDENT in the Chair.

COMMITTEE

Madam DEPUTY PRESIDENT: This Senate is now in Committee.

SENATOR the Hon. Miss M. P. O. McCLEAN: Madam Deputy President, we were considering Section 2 of the Second Schedule in respect of the category of persons to be selected. I heard the comments of Senator Symmonds. I believe, as is set out, this Section poses no problems. I therefore, beg to move that the Second Schedule be the Schedule to the Bill.

The question was put to the Senate and agreed to.

Constituency COUNCILS BILL

(Clause 10 Recommitted)

SENATOR the Hon. Miss M. P. O. McCLEAN: Madam Deputy President, there was some concern about the language of Clause 10. I believe that a slight editing or rewording of Clause 10, should lead to more precise understanding. I, therefore, propose the following changes:

"The Minister shall give the Department directions in respect of the policy and general procedure to be followed by each Council, and each Council shall comply with those directions."

Mr. President, I beg to move that Clause 10, as amended, stand part.

The question was put to the Senate and agreed to.

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, Madam DEPUTY PRESIDENT reported to His HONOUR the PRESIDENT, the passing of one Bill in Committee, with amendments, and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, the Bill was read a third time.

SENATOR the Hon. Miss M. P. O. McCLEAN moved that the Bill be passed and cited as the Constituency Council Bill.

A division was called.

SENATOR K. D. SYMMONDS: Mr. President, a division is called.

Mr. PRESIDENT: So that we do not have any problems for the people who are listening. You cannot ask for a division from your seat. An Honourable Member can only ask for a division if that Honourable Member is standing in his place. I saw no one standing in his or her place and hence a division had not been called for. The Chair will now entertain Senator Symmonds.

SENATOR K. D. SYMMONDS: Mr. President, I will be guided by you. My understanding of the Standing Orders, notwithstanding, I would wish to call for a divide.

Sir, for the benefit of my own understanding, and perhaps something that we could reflect upon later on in the day during the interval, I am not entirely sure that your ruling on this matter is as pin-point, precise, as other rulings have been. I am not entirely sure that one has to be standing in order to call for a division, but I am guided nonetheless.

Mr. PRESIDENT: Senator Symmonds, I take note of your uncertainty and will consider any remedy or remedial action which you recommend. Later on today, I shall be available to you, and we will do that which can be done.

The Bell was rung.

The question that the Bill be now passed and be cited was put and resolved in the affirmative, the Honourable Senate divided as follows:

AYES - 10

Her Honour Senator Miss Kerryann F. Ifill

Senator the Hon. Miss Maxine P. O. McClean

Senator the Hon. Arni B. Walters

Senator the Hon. Darcy W. Boyce

Senator Peter Gilkes

Senator Derek McD. Alleyne

Senator Damien Griffith

Senator Miss Patricia Inniss

Senator Mrs. V. Irene Sandiford-Gardner

Senator the Very Reverend H. E. Crichlow

NOES - 4

Senator Kerrie D. Symmonds

Senator John A. C. Hutson

Senator Sir John Stanley Goddard, K.A.

Senator the Hon. Mrs. V. E. Newton.

ORDER NO. 2(A)

RESOLUTION TO APPROVE THE BORROWING UNDER THE EXTERNAL LOANS ACT. CAP. 94D BY THE GOVERNMENT FOR THE PURPOSE OF SUPPORTING ITS FOREIGN RESERVES OF SUMS OF UP TO \$150 000 000 IN THE CURRENCY OF THE UNITED STATES OF AMERICA IN THE TRINIDAD AND TOBAGO CAPITAL MARKET BY WAY OF A BOND ISSUE THROUGH SCOTIATRUST AND MERCHANT BANK LIMITED AS LEAD MANAGER AND UNDERWRITER.

ORDER NO. 2(B) – RESOLUTION TO APPROVE THE ESTABLISHMENT OF A SINKING FUND, FOR THE REDEMPTION OF EACH BOND ISSUE MADE UNDER THE SAID ACT, AND FOR THE MONEYS NECESSARY TO MAINTAIN AND SERVICE THAT FUND.

Mr. PRESIDENT: SENATOR the Hon. Miss M. P. O. McClean.

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, the Resolution before this Honourable Senate, is one which empowers the Government to borrow under the External Loans Act, Cap. 94D. The purpose of this loan would be to support the country's foreign reserves in the amount of BDS 300 000 000 or US\$150 million. These funds are to be raised regionally, specifically in the capital market of Trinidad and Tobago. This would be done through a bond issue, managed by ScotiaTrust and Merchant Bank Limited.

Mr. President, at this time, it is very prudent and forward-thinking for the Minister of Finance and this Administration, to identify loan funds to support the current balance of payment position. It is important that decision be supported to ensure that foreign exchange is available to meet the needs of citizens and businesses in Barbados, in the current economic times.

Mr. President, before I speak to the current economic times, I just want to indicate that, as is required by law, there will be a Sinking Fund established, in keeping with the provisions, that funds will be available, having committed to the Sinking Fund, to meet the various requirements.

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SENATOR the HON. Miss M. P. O. McCLEAN: A critical element of the loan arrangements would be the fact, that it would be issued in two tranche. One being a five-year medium-term maturity component, and the second being a longer term tenure financial arrangement - a 10-year maturity. Mr. President, clearly this recognises the need to manage your financial decision in a way that makes most efficient sense.

Mr. President, the timing of this application, and the sourcing of these finances, are also at a time when, given the challenges in the international financial market, that interest rates are lower than they would otherwise be, so borrowing at this time is expected to be less costly than it might have been a short while ago and, perhaps, in the future, thus the rationale for the decision, is to take advantage of that situation, but more important, to anticipate that given the current financial situation, Barbados like all the countries around the world, developed and developing, are expected to find itself faced with serious financial challenges.

Mr. President, the situations that have unfolded in the world in the last year, with signs showing themselves prior to that, have demonstrated the inter-connectedness of the international financial system. As economists would say, Barbados is an open economy, very dependant on the generation of revenue at the level of corporate Barbados, and at the level in the form of taxes in several ways on external markets.

Sir, it is also an area of a soft currency. In other words, we have to generate foreign exchange to be able to do business on the international market. Therefore, the Government must at all times be mindful of the projected needs for foreign exchange. This, therefore, is a proactive measure, a measure which anticipates the likelihood of some difficulties, in the absence of access to foreign exchange, outside of the traditional earning avenues.

Mr. President, it is unclear to anyone. If we listen to the news, if we read business reports, if we listen to conversations among industry specialists in the financial services sector, and so on, the world is seeing a situation that is previously unknown, and we have not seen anything like it. We have read of the great depression, but we have not seen the kind of situation that we are currently facing, and Barbados, like any other country, as I have said before, will be affected. This, therefore, is a very straightforward matter. It is a matter, as I have said before, recognising the need to take precautionary measures in a way to ensure that Barbadians have access to resources.

Mr. President, having said that, and made what to me is an obvious, clear-cut and simple case to be made for this

situation, I want to say that Barbadians need, at this time, to exercise what I would call balance in their decision-making, and to exercise care and attention to how they utilise their own personal financial resources, and that they look at their consumption patterns.

Sir, I am not saying to avoid consuming, but I believe we have to look at this as citizens in our private sphere, that is, in our domestic situation and in the corporate situation of this country. Of course, Government recognises the need to be careful in its spending, to be efficient and to minimise any situation of wastage in order to be sure that we maximise, on the other hand, the use of our financial and other resources.

Sir, citizens, therefore, need to exhibit moderation in several ways, while at the same time, contributing meaningfully to the continued role of business, so to speak, so that business can continue to operate, because we are making good use of the financial resources.

Mr. President, the situation in terms of the sourcing of these funds, I believe, is also something to note. As I indicated before, the Government has approached entities in Trinidad and Tobago.

I believe, at this time, it is good to see that, within the Region, we can provide opportunities for each other because, at the end of the day, we are in this together. I do not feel that I need to spend any significant period of time trying to convince my fellow Senators, to convince you, Mr. President, or Barbadians generally, of the necessity for an approach to financial management at the level of Government that says we need to anticipate possible dark clouds in the financial skies, so to speak, and that we prepare for those things.

Mr. President, this opportunity to source these funds, and as I have said, the method by which the funds will be accessed, in two tranche, means that we are not committing ourselves, up-front, to the borrowing of US\$150 million at one time. It allows us therefore, as we divide it into two tranche, to monitor what is happening in the situation of the country, to monitor what is happening around the world and to focus on what we need to do.

Mr. President, I want to say something briefly about Barbados and our sources of finances. Sir, as a country, as I have said before, dependent on foreign exchange, generated primarily in most part by tourism and the offshore sector, we must anticipate a fall-off in this. Sir, one of the concerns that we face, as a responsible jurisdiction, as a jurisdiction which has sought to operate according to sound international business practices, is a situation where, Barbados as an offshore jurisdiction, which has a significant offshore sector, is being faced with the label of a tax haven and it is critical that we, as a

jurisdiction, separate ourselves from those other jurisdictions, which have operated in a manner which is less than desirable.

We have been good world citizens within the financial sphere and we have structured an offshore sector, which is regulated in ways that are acceptable; therefore, we think it necessary that what has to happen is that this country has to find all means available to it to demonstrate to the world that we are not a tax haven, that we recognise the role and place for offshore entities, and that we will do that in a manner that is consistent with the reputation that we have established internationally over the years.

Mr. President, as we anticipate the impact of the current situation, I want also to use this opportunity to say to Barbadians that we have a situation where the nature or our economy is one in which the effects would probably be seen in a lag situation. Sir, basically what that means is that the impact happens after what we see manifested in other countries.

We have to anticipate and undertake matters to counter what is anticipated, but we have to anticipate that there would be a fall-off, perhaps in our tourist arrivals. If there is no fall-off, there will probably be a falloff in expenditure. If that is the case, we have to recognise, therefore, that there will be a fall-off in foreign exchange earnings.

What are the implications of this, outside of financial implications? One of the things that it says to Barbadians is that we need, basically, to find ourselves providing the best of service to the public. Failure to do that may suggest that persons may be even more reluctant to part with their hard-earned cash.

Mr. President, in terms of other areas which support the ancillary services sector, we also need to focus on efficiency as well.

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SENATOR the Hon. Miss M. P. O. McCLEAN: It is critical that we all understand, as citizens, we will be impacted by this situation, but having recognise the likelihood of the impact and the types of impacts, we also have to find measures to challenge ourselves to counter that impact in areas which are within our control.

I believe that Government is doing its part in looking to ensure that we have adequate financial provisions, in terms of foreign exchange, but I also believe citizens have to do their part, when and how they use foreign exchange

that is generated, while engaging in the contribution of their personal effort to generating this foreign exchange.

Sir, with those words, I am sure that we are all aware that this Resolution to borrow under the External Loans Act, Cap. 94 (d) is one that needs no opposition. Therefore, I support this Resolution.

I beg that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 3 – SECOND READING OF THE BAY STREET (VESTING) BILL, 2009

Mr. PRESIDENT: Senator McClean.

SENATOR the Hon. Miss M. P. O. McCLEAN: Sir, the Bay Street (Vesting) Bill, 2009, is a Bill proposing to vest in the Crown a parcel of land in the parish of St. Michael, which is abutting and abounding on lands now of the late Christopher Codrington. These are beach lands in the area of Bay Street, which to some of us, is referred to as ‘the Old Fish Market’, close to the St. Patrick’s Roman Catholic Cathedral.

As we know, this area of Bay Street, Bridgetown, St. Michael, is one of, perhaps, the most picturesque areas in that general facility. Barbadians around this country would recognise that we have lost, as average citizens, vistas, windows to the sea. I know that for several years, we have had calls to maintain windows to the sea. As a person who is from St. Michael, but not part of St. Michael, somebody who grew up in the area of Paradise Beach, almost close to Prospect and that area of St. James, I am always disturbed by what has become the closing of those windows.

I know there was a time we could drive along the West Coast and enjoy - at this time of the year, what we call the traditional dry season - when the sky is at its bluest and the water is more so. I think that it is unfortunate that we have lost some of those things; therefore, it is important that Government takes some action to ensure that there is some control of some of these parcels of land, et cetera, and we do things which will protect aspects of our beach lands, or lands in close proximity to the beach, that Barbadians for generations to come can take advantage of those things.

This is a small area of land to all intent and purpose, but it certainly is something which is important in the total scheme of things.

I happened - if I may reminisce a bit - to have worked in my first job in very close proximity to that area of land. I worked as a clerical officer in the Accounts Department of the Welfare Department for two years, when

I went to University part-time, and I remember leaving the office one day going to the beach and then trying to figure out how I was going to get back into the office and back to work, because at that time we did not have beach facilities like we do now. The point I was making with that very personal example was, I did get back to work in time. Lunch was one hour and I took one hour.

Asides.

Mr. PRESIDENT: Order, please.

SENATOR the Hon. Miss M. P. O. McCLEAN: The point I was making is, the purpose of that was to suggest that Barbadians then and now need to enjoy the facilities. That particular area I recall in recent times being recommended to go, and this is not a commercial, and have some of the nicest tasting fish, but it has some of the nicest tasting fish and so on in the island.

I make that point to make another point. The need to ensure that there are spaces for indigenous entrepreneurs to ply their trade, to do so in ways that are traditional and beneficial.

I trust that as we look at this piece of legislation, and as we make a decision about it, we will have a situation where Barbadians can continue to enjoy a lot of what seems to be disappearing.

I feel strongly that, as a society which is faced with a number of challenges in respect of the quality of our health, as we look at the statistics we have, compared to other countries in the Caribbean, the highest incidents of diabetes, hypertension and so on, a very useful preventative measure for those persons is to use the beaches. We are talking about health, but the use of the beach and so on offers us the occasion to enjoy parts of Barbados at no cost to anybody, and certainly in ways that are maximumly beneficial to our health.

Mr. President, this is a simple piece of legislation. As I have always indicated in this Chamber, I believe in brevity when we look at these things. I have absolutely no hesitation to see this as a useful step to protecting and putting in the hands of the Crown properties that can figure prominently in the opportunities for recreation by the citizens; therefore, I ask that this Bill be read a second time.

The question was put to the Senate and agreed to.

COMMITTEE

Madam CHAIRMAN: The Senate is in Committee.

S A13 12.10 p.m. Sequence 50

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Senate A13, Sequence 51, 12.10 p.m.

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, the Senate resolved itself into Committee on the Bill, SENATOR Miss K. F. IFILL in the Chair.

COMMITTEE

Madam CHAIRMAN: The Senate is now in Committee.

Clauses 1 and 2 were called and passed.

The Schedule became the Schedule to the Bill.

On the motion of SENATOR the Hon. Miss M. P. O. McCLEAN, Madam CHAIRMAN reported to His Honour the PRESIDENT, the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR the Hon. Miss M. P. O. McCLEAN, the Bill was read a third time and passed and cited as the Bay Street Vesting Act, 2009.

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, before I move the adjournment, I just want to advise colleague Senators that the House will be debating the Estimates tomorrow until Tuesday, and we are expected to sit on Wednesday. Given the fact that the House will conclude its debate on Tuesday, you will not get an Order Paper until that is completed, which means it will be presented to you on Wednesday morning.

This is a notice that the Senate should meet on Wednesday, Thursday and Friday, three days of Sitting and the details of that will be provided on Wednesday morning given, as I said before, the timing of the debate in the House of Assembly.

Mr. PRESIDENT: Senators, before I put the motion for the adjournment, I wish to draw to your attention, since I had drawn it to your attention before, that the powers that be had indicated that the elevator has now been fixed. I am told from reliable sources, having myself examined it, that it is in order, and you may use the elevator freely, those of you who must.

I also take note of the fact that the Senate will meet, for any Senator who might have any other difficulties, on Wednesday to discuss the Estimates, which we will receive from the other Chamber when that time has come. We will meet at 11.00 a.m. and at that time the Order Paper for that day will be distributed.

I take it this is acceptable to all Senators. I hear no objection. I therefore accept, without more.

ADJOURNMENT

SENATOR the Hon. Miss M. P. O. McCLEAN: Mr. President, I beg to move that the Senate be adjourned until Wednesday March 25, 2009 at 11.00 a.m.

The question that the Senate be adjourned until Wednesday March 25, 2009 at 11.00 a.m. was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.

Senate A13, Sequence 51, 12:19:51

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SYMMONDS, Senator K. D.**

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EDITORIAL NOTES — NOT PART OF THE REPORT

Prepared with the transcript; for checking against the recording and the Minutes.

EDITORIAL QUERIES

Points noted while preparing this report from the edited transcript. The text has not been altered except where stated.

Q1. Masthead. The session is not stated in the source, so no session line is printed.

Q2. Opening. The record begins with the resumption of the Senate and its going into Committee ‘on the Bill’; there is no PRESENT list, and the Bill is not named until the recommittal of Clause 10 (‘Constituency COUNCILS BILL’) and the motion that it be cited as ‘the Constituency Council Bill’. Please confirm.

Q3. Committee, Second Schedule. Senator K. D. Symmonds’ last paragraph runs on into the start of a reply by the Leader (‘SENATOR the Hon. Miss M. P. O. McCLEAN: Madam Deputy President, I heard what the Honourable Senator had’), which breaks off there; the President then announces a suspension. Printed as in the source.

Q4. Division on the Constituency Councils Bill. The division list spells ‘Senator Mrs. V. Irene Sandiford-Gardner’ and ‘McClellan’; elsewhere these are Sandiford-Garner and McClean. Printed as in the source.

Q5. Orders Nos. 2(A) and 2(B). Two Resolutions are listed, on the US\$150 million bond issue and on the Sinking Fund, but only one Resolution is moved and one question put. Printed as in the source.

Q6. Order No. 3, Committee. ‘Madam CHAIRMAN: The Senate is in Committee.’ appears before the motion that the Senate resolve itself into Committee, which is then followed by the same words again. Printed as in the source.

Q7. Take-slips. A take-slip in the Senate record reads ‘H.No.A13 (47&48)11.50 a.m.’, and ‘Sequence 43, 11:15:59’ follows ‘Sequence 44, 11.10 a.m.’. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The Senate resumed on Tuesday, 17th March, 2009, with the President in the Chair, and on the motion of the Leader of the Senate, Senator the Hon. Miss M. P. O. McClean, went into Committee on the Constituency Councils Bill, with the Deputy President in the Chair. No PRESENT list or earlier business is recorded.

In Committee, Senator K. D. Symmonds pointed out that Clause 3(1) as drafted would establish 30 Councils within each of the 30 constituencies, or 900 Councils, as Senator Chandler had noted the day before; Senator McClean apologised and amended it to establish a Council within each constituency. Senator Symmonds argued that Clause 10, under which the Minister would give directions on policy and procedure, conflicted with paragraph 8(a) of the Second Schedule, under which each Council would regulate its own procedure; Senator McClean defended the wording and the clause passed. He then proposed that the Minister be limited to one nominee on each fifteen-member Council, recalling the differing views of Senators Marville and Alleyne, and the Senate was suspended for about fifteen minutes.

On resumption Senator McClean said that the Second Schedule posed no problem and it was agreed to; Clause 10 was recommitted and amended to read that the Minister shall give directions ‘in respect of the policy and general procedure’. The Bill was reported with amendments and read a third time. When Senator Symmonds called for a division from his seat, the President ruled that a division may only be called by a Senator standing in his place; Senator Symmonds said he was not sure the ruling was correct but would be guided. On a division the Bill was passed by 10 votes to 4, Senators Symmonds, Hutson, Sir John Stanley Goddard and the Hon. Mrs. V. E. Newton voting against.

Under Orders Nos. 2(A) and 2(B), Senator McClean moved a Resolution under the External Loans Act, Cap. 94D, for the Government to borrow up to US\$150 million (BD\$300 million) in the Trinidad and Tobago capital market, through a bond issue with Scotiatrust and Merchant Bank Limited as lead manager and underwriter, to support the foreign reserves, with a Sinking Fund as required by law. She said the bonds would be issued in two tranches, of five and ten years, at a time of lower interest rates, and that a fall-off in tourism and foreign exchange earnings was to be expected; she urged Barbadians to exercise moderation in their use of foreign exchange. The Resolution was agreed to without further debate.

Under Order No. 3, Senator McClean moved the second reading of the Bay Street (Vesting) Bill, 2009, vesting in the Crown beach land at Bay Street, St. Michael, known as ‘the Old Fish Market’, near St. Patrick’s Roman Catholic Cathedral, so as to keep windows to the sea and space for local vendors. The Bill passed through Committee, with Senator Miss K. F. Ifill in the Chair, and was read a third time.

Senator McClean advised that the Senate would sit on Wednesday, Thursday and Friday of the following week on the Estimates once the House concluded its debate, and

the President told Senators that the elevator had been repaired. The Senate was adjourned until Wednesday, 25th March, 2009 at 11.00 a.m.

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