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# THE

## House of Assembly Debates

### (OFFICIAL REPORT)

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FIRST SESSION 1999 – 2004

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#### HOUSE OF ASSEMBLY

*Tuesday, December 5, 2000*

Pursuant to the adjournment the House of Assembly met at 11.20 a.m. on Tuesday, December 5, 2000.

#### PRESENT

His Honour I. A. ROETT, B.A., Dip. Ed. (Speaker)

His Honour J. M. EDGHILL, J.P. (Deputy Speaker)

Hon. Sir HENRY FORDE, K.A., Q.C., M.A., LL.M. (Cantab.)

Rt. Hon. O. S. ARTHUR, M.Sc. (Econ.), (Prime Minister, Minister of Finance and Economic Affairs) (Minister of the Civil Service)

Hon. D. A. C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs) (Leader of the House)

Mr. D. J. H. THOMPSON, LL.B. (Hons.) (Leader of the Opposition)

Sir HAROLD St. JOHN, K.A., Q.C., LL.B.

Mr. L. R. TULL, Q.C., M.A. (Oxon.)

Hon. Miss B. A. MILLER, (Deputy Prime Minister, Minister of Foreign Affairs and Foreign Trade)

Mr. G. W. PAYNE, LL.B.

Mr. D. CARTER (Chairman of Committees)

Hon. R. N. GREENIDGE, B.A., LL.B. (Minister of Labour, Sports and Public Sector Reform)

Hon. G. A. CLARKE, B.Sc., Dip. Ed., J.P. (Minister of Housing and Lands)

Hon. H. F. LASHLEY (Minister of Social Transformation)

Hon. R. St. C. TOPPIN, LL.B. (Minister of Commerce, Consumer Affairs and Business Development)

Mr. D. St. E. KELLMAN

Miss H. E. THOMPSON, LL.B.

Mr. M. Z. WILLIAMS

Mr. T. A. PRESCOD, B.A.

Rev. J. J. S. ATHERLEY, B.A., B.Sc. (Parliamentary Secretary to the Attorney-General and Minister of Home Affairs)

Mr. D. T. GILL, B.Sc.

Hon. N. A. LYNCH, B.Sc., M.B.A., (Minister of Tourism and International Transport)

Hon. A. P. WOOD, J.P., B.Sc., M.Sc. M.Phil. (Minister of Agriculture and Rural Development)

*Prayers were taken by Canon Father Ivan Harewood.*

Mr. SPEAKER: The House is now in session.

#### MINUTES

Mr. SPEAKER: The Minutes of Tuesday, November 28, 2000.

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that the Minutes for the Honourable the House of Assembly for its meeting of Tuesday, November 28, 2000, which Minutes have been circulated, be taken as read.

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir.

Mr. SPEAKER: If there are no corrections or observations, then let these Minutes stand confirmed.

#### PAPERS

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, on behalf of the Minister of Tourism and International Transport, I beg to lay the following:

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

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir.

## CONGRATULATORY SPEECHES

Hon. D. A. C. SIMMONS: Mr. Speaker, I think it is appropriate when one of our former colleagues has been recognised that the House, just as it would if unfortunately he had died, pays tribute. I think that it is appropriate, Sir, that we should say a few words by way of congratulations to that colleague. I refer obviously to the latest Knight, now to be known as Sir Lloyd rather than...

*Asides.*

Hon. D. A. C. SIMMONS: Sir, I refer to Sir Lloyd Sandiford.

It was my fortune, Sir, to have been in this Parliament from 1976 to 1981 and then from 1985 to 1994 to have sat in Parliament on the other side of Rt. Hon. Sir Lloyd Sandiford. It was also my fortune to have known him from his school days, though he went to Harrison College via, I believe, Coleridge and Parry...

*Asides.*

Hon. D. A. C. SIMMONS: As was the case in the 1950s in the secondary schools, particularly Lodge and Harrison College, there was great rivalry among the boys in the sixth forms. Even though I was from the Lodge School, I came to know of, and in some cases to know personally, most of the boys in the sixth form in Harrison College, who were either in the Classics Sixth or the Modern Studies Sixth because they would have been direct competitors with me and others at Lodge School who were students in the Classics Sixth.

He was ahead of me and when he won the Barbados Scholarship in 1957, I had only been in the Sixth Form for one year and of course, he duly left and went overseas. One was always aware that people like Lloyd Erskine Sandiford, George Eustace Theodore Brancker, before them, Henry Forde were the "hot" boys who were likely to become scholarship winners.

*Aside.*

Hon. D. A. C. SIMMONS: Richie Haynes, of course, was the most famous of that lot around 1957, known then because of his prowess in the classics as Pliny Haynes after the great Roman author.

In those days when you won a Barbados Scholarship, you tended to remain for a year and go to work, perhaps in the teaching service, before going off overseas to pursue your scholarship. Mr. Sandiford remained in Barbados for a year. Dr. Haynes then converted from classics to getting his qualifications in 'O' level science subjects: biology,

chemistry and physics, as did for example, Oscar Jordan and then they went away and pursued their various disciplines.

Mr. Sandiford went to Mona and had a distinguished academic career there. I never met him again – even though I got to know him in Barbados – until 1962 in a conference at Oxford. He had then qualified. He was not yet Mr. Barrow's personal assistant. He was at Manchester, I think it was, reading for a Masters.

In those days we had a very vibrant West Indian Students' Centre which was owned by the Governments of the Caribbean, situated at 1 Collingham Gardens, Earls Court, which was a home away from home for most of us. We also had a powerful West Indian Students' Union that was active and was prepared to publish frequently about matters affecting the Caribbean, even though we were four thousand miles away. It was at that West Indian Students' Centre, under the aegis of the West Indian Students' Union that the leaders of the Caribbean in those days, when they visited England, always made it a point of duty to speak to West Indian students.

Sir, we had the benefit of yearly visits and lectures from Sir Grantley Adams, when he came up in the spring to attend the ILO meetings in Geneva. We had the benefit of hearing Mr. Norman Manley, Dr. Eric Williams and Mr. Forbes Burnham. Cheddi Jagan was an annual performer at the Students' Centre and our idealism was constantly fired by interaction with the then leadership of these islands in the Caribbean.

One of things that the West Indian Students' Centre did was to organise a series of meetings among ourselves where we brought together the West Indian students from as far as Scotland in the north to those at the colleges and universities in the south. We had one such meeting in Oxford in the summer of 1962 where I renewed my acquaintance with Mr. Sandiford once again and I found him a most congenial person.

Sir, when we happened to be on this Side, I believe I gave him careful study during his years in Opposition, 1976 to 1981. He was a person who seldom intervened in a debate in those days and when he intervened, his contributions were always measured.

11.30 a.m.

I recall, in my parliamentary experience, that there have been two Members of this House who tended to keep notes of each sitting. Between 1976 and 1981, Mr. Sandiford used to have a large book, almost like a Judges' notebook, in which he wrote his notes on the various debates. The other person who has adopted that practice is the Minister of Education, the present Honourable Member for St. Michael North East. She kept careful records of what transpired in

here particularly in the first term of this Government and when she was in Opposition. I always wondered if Mr. Sandiford used to keep notes to go back and use them with a view to writing the Manifesto. I never asked him why he did that but he was a careful student.

I said two but there are three. The Honourable Member for Christ Church West, his yellow pads must now constitute a mountain in his house, because he writes almost everything that is said in here and underlines it in various colours of ink.

Mr. Sandiford made his contributions between 1976 and 1981, as I said, in a very measured way and seemed to time them in such a way as not to run into verbal blows from the Other Side particularly the then Prime Minister 'Tom' Adams. I met him again in here after the elections of 1986 but more especially when he became Prime Minister from 1987 to 1994, and one got an opportunity then from the other side in Opposition to assess him.

I found him to be a very careful, methodical and at times pedantic person. He stuck closely to the brief and never ventured too far outside it. His one facility, that I think those of us who were in here as three will recall, was his ability to counterpunch in the sense that he would receive his pummelling from the Other Side and you could be foolish enough to think that you had floored him until he replied. When he replied, Sir, he could be quite devastating.

Unfortunately, newspaper reporters do not appreciate the value of a Minister's reply and tend only to carry, if they carry anything useful, what you say in your first speech, which invariably is what the first speaker for the Opposition said in his reply but they do not balance their report by the ministerial response at the end. This aspect of Mr. Sandiford's debating style and skill has been lost, except to those who were in here to appreciate it, because the Press never said 'but in his reply so and so said so and so.'

Sir Lloyd had, as Prime Minister, a very turbulent career. There is no doubt about that. He was the victim in 1988 of the consequences of a manifesto which proffered and offered great largesse without sufficient understanding that the implementation of the policies in the 1986 Manifesto would have put the economy in turmoil. I think it was his Budget Speech of 1988, which would have been the first one that he delivered as Prime Minister and Minister of Finance, in which he found himself in a fiscal and economic vortex which two years after a massive Democratic Labour Party victory, required the first imposition of a terrible dose of medicine beginning with the stabilisation tax and all of that, Sir.

I am not going to go into the details of that 1988 Budget, Sir, but I recall that he did say that, he had words to the effect, he found it necessary to reverse the excesses of

his predecessors. Having to take that tough action in 1988 and squeeze Barbadians, I think unfortunately, created an attitude to Mr. Sandiford by the people. He had to do what was necessary to save the Barbadian economy because like what happened later on, those pains of 1988 and 1989 were self-induced by the prolificacy of the policies that captured a Government in 1986.

Unfortunately, he did not learn from the mistakes of others because having boasted in 1989 that the economy was breaking records and performing like Sir Garfield Sobers, right out there in Independence Square, for the purposes of the election in 1991 he repeated the medicine that had caused such pain. Before, he did not heed the warnings and he will always be remembered for the famous statement 'that he was not about to commit political suicide'.

To ensure the re-election of his party..., he won the election in January 1991 but then by April found that he himself now had to accept and shoulder the blame. He could not blame Dr. Haynes, for going to the International Monetary Fund and putting us through the harsh fiscal and economic measures of 1991 to 1993, eight per cent cut and the cut in increments and all of that. Unfortunately, his record will come to be associated with those two periods of fiscal pain.

11.40 a.m.

It was unfortunate that in 1994 he found himself as the first Prime Minister who was a victim of a no-confidence motion that led to the dissolution of the House.

Historians and analysts who review Mr. Sandiford's career may tend to focus on those matters which I have just dwelt on, but that would be to give a one-sided and unbalanced view of Sir Lloyd Sandiford. For those who criticise the award it has to be said that Mr. Sandiford has not been rewarded, I presume, because I am not a member of the Honours Committee, because of those negatives in his political career, but rather Mr. Sandiford has other positive contributions to the politics of Barbados, the promotion of democracy and in particular his undying promotion of education.

For as long as there is a Community College there will have to be both the mental and actual association of Erskine Sandiford with that institution. It was his idea. He fought within his Party to have it and today we all as Barbadians are proud of the contribution that the Community College is making to the education of our children and, indeed, children from other countries in the region.

As I said, Sir, he was deeply committed to educational advancement and I think that is significant because there is one thing that we should always remember and that is that countries which are successful are those where the educational system is well entrenched and there is an

appreciation for education by all citizens, and that the human resources of a particular country benefit from solid and progressive education.

He was a Minister of Education for a long time and he made a significant and indelible contribution. Even when he had in view the establishment of a centre for examinations which was the first idea behind the Sherbourne Centre and he was shown in here that the idea was not worthy of pursuit, the Sherbourne Centre moved from being a centre for examinations to what it is today. On the regional scene it was he who gave birth to the idea that there should be an Assembly of Commonwealth/Caribbean Parliamentarians. The most recent meeting in Belize two weeks ago is testimony to his efforts to bring regional politicians closer together to discuss the problems of the region in a simulated parliamentary environment.

Sir, anybody who has given over 30 years of their life to public service and indeed to parliamentary service and the representation of the people could not have succeeded for 30 years unless he was a performer and was getting things done. The longevity of Mr. Sandiford as politician attests to the fact that he must have done a lot of good in his time.

I think a review of a person's career should focus fairly and objectively on the high points and the low points because in public life there will be highs and there will be lows and you learn to take the rough with the smooth in the politics. A lot of the rough is contrived.

Sir, I would wish to mention one other thing in terms of positive contributions. Nobody in Barbados at the time of the economic crisis that began in 1991 wished for the devaluation of our dollar. Members of this Party that I represent warned that it was a distinct possibility in the elections of 1991 but nobody wished for a devaluation and, perhaps, outside of Barbados you get an appreciation of Mr. Sandiford to a greater extent than in Barbados.

Wherever I have travelled in the last few years in the Caribbean, particularly in Jamaica and in Trinidad, people have always spoken highly of the fact – not Barbadians. I am talking about Trinidadians, Jamaicans and Guyanese – have spoken of the fact that Mr. Sandiford was the one who did not allow a devaluation of the Barbados dollar. That is something for which he deserves high praise and accolade because he had to be steadfast.

I can imagine the stress that attended his office between 1991 and 1994. It was not easy. He had heart trouble in Trinidad when he attended a meeting. He was always under constant fire and attack. For all that, he never lost his humour. I have seen him angry but respond in a measured and controlled way. I can say that he has never been guilty of

abuse of language, coarse language. In here, he always maintained great dignity even if he tried to be aloof to the point where you thought he was ignoring you. He would rather do that than be offensive in his attitude.

The word that I wish to emphasise in this context is that he always had a kind of quiet dignity about him despite the fact that he was almost always under the fiercest of attacks. Those are qualities which have to be admired, which I certainly have admired. Personally, he and I have always got on well. You have a job to do in Opposition and you have to be forceful, sometimes even aggressive, but he was never the one to bear malice and I think he understood when we had to be hard on him because sometimes we were trying to show him the error of his ways.

11.50 a.m.

Sir, I always got on well with him. I will never forget that he had some kind words to offer me when I became Attorney General. I saw him downstairs in the yard of Parliament and he pulled me aside and said some very kind things to me which I shall always remember and cherish. I do not think that he is a person who bore malice.

Mr. Speaker, each one of us has faults so he had faults but after 30 years of public service including service for seven years in the highest political office of this land, I believe that when the matter is looked at in its totality, he did so much for his country that he justly should have been rewarded with the highest offer that this country can bestow.

Sir, I wish to offer him congratulations and hope that he has a long life. He is now firmly devoted to publishing and I wish to read some more of what he publishes.

*Asides.*

Hon. D. A. C. SIMMONS: I think you should read them. You may disagree with certain things but you should read them.

It has been a weakness of our leaders, that they have left no record of what they did, why they did it, what motivated them, how they dealt with problems and the solutions at a particular time of our history. Errol Barrow died suddenly, Tom Adams died suddenly and I think it is right that our politicians should write the history of their times if only to give a balanced view because sometimes when it is left to others to write after your death, some assumptions are made about why things are done that if you had a chance to read it again, you would ask why it was written that way.

Sir, I feel everyone should write and I am certainly going to write.

*Asides.*

Hon. D. A. C. SIMMONS: Yes, I certainly am going to write and when I write I will also include a chapter on the most hilarious Member of Parliament that I have ever met.

I, therefore, wish the Rt. Hon. Sir Lloyd Erskine Sandiford a long life with continuing good health. After we have all made our contributions I would wish to also congratulate Your Honour for your contribution to education which has been recognised in the conferment in the Gold Crown of Merits.

Sir, I am obliged to you. In due course the appropriate Resolution will be sent to the Rt. Hon. Sir Lloyd Erskine Sandiford.

Mr. D. J. H. THOMPSON: Mr. Speaker, I rise to second the Resolution. I want to congratulate Sir Lloyd on behalf of myself, of members of the Democratic Labour Party which Sir Lloyd led and which I now lead and on behalf of the thousands of other Barbadians who are extremely pleased at the honour which was conferred on Erskine Sandiford as he is still known to all of us.

The Honourable Member for St. Thomas said that Erskine Sandiford provides a very interesting study in leadership and probably was the most tested leader that Barbados has ever had in its modern history. He took this country through some of its most difficult economic times. He also made a tremendous impact in molding modern Barbados through his education policies. He served in a variety of public sector positions, as Minister of Finance and Economic Affairs, as Deputy Prime Minister and then finally as Prime Minister. Prior to his ministerial service he served as Personal Assistant to Errol Barrow and in the Upper House as a Senator.

In every sense of the word, Erskine Sandiford had excellent grounding and opportunity for public service in Barbados which started by the wise choice of Errol Barrow to make him his Personal Assistant and then he served on the basis of the people's mandate for over twenty-eight years in this Parliament.

As a resident of St. James, I first met Erskine Sandiford casually. He used to drive a Toyota Crown and was not stingy in offering children a lift to school. Ever so often he would drop me at the bottom of Bank Hall on his way to work and when he became an Opposition Member of Parliament he would drop his children to school faithfully every morning and I was the beneficiary on several occasions of a lift.

He was not the kind of person who, when you got in his car, engaged in conversation immediately so that even sitting

in the car, unless you were an extrovert or precocious, you still felt that Erskine Sandiford was not as approachable as some other people. He was deep in the sense that once you approached him and he knew and understood you, he took a great interest in your development and always gave advice.

He was not a shallow, flashy person who went out of his way to make small conversation with people or to elicit superficial information. He was extremely helpful in his advice to me and to many other young people.

I recalled in the 1970s hearing Erskine Sandiford on several political platforms and, as the Honourable Member for St. Thomas said, his speeches were almost standard form. They would start with the epistle to the Philippians "Finally, my brethren, whatsoever things are true, whatsoever things are just, whatsoever things are honest, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, if there be any virtue, and if there be any praise, think on these things."

He often quoted from Henry Longfellow about things not being as they seemed and in between those two quotations, Erskine Sandiford carried an exercise book in which he stored information very meticulously and he was not to be interrupted.

I remember as a youngster chairing a meeting at Alexander School's pasture in St. Peter and on the instruction of the Leader of the Party, I sent a note to Erskine Sandiford telling him that his time was up and I got a stinging rebuke because he had written a speech and he intended to deliver that speech regardless of the circumstances. So he did have an element of purposefulness. The Honourable Member for St. Thomas calls it being "pedantic", but he was thorough, and if he intended to do a job he would see it to the end, and so, I agree with that analysis of his personality. He thought through options and he was the kind of person who placed a lot of store on thinking and the importance of thinking before acting. You could not approach Sir Lloyd for a rush decision on anything, not even an invitation to speak somewhere. He would say "I will get back to you when I have consulted my diary", and therefore that was a part of his personality.

12.00 noon

There are a number of older Barbadians who tell me that their joining the Democratic Labour Party after 1966, was as a direct result of Sir Lloyd's mobilising efforts. He did a tremendous job in joining up a lot of citizens, and, if our membership books were ever thrown open to the public of Barbados, I think people would be surprised at the positions which these persons have held, or now hold, but they joined because of Erskine Sandiford's efforts.

As a school teacher at Harrison's College, he joined a large number of members of staff there. He did that throughout the Teachers' Union, he did it in St. John – throughout Barbados. He did an excellent job in mobilisation of new members, and the Party, therefore, had a membership role that increased expeditiously when he was General Secretary.

We were talking earlier about leadership and, Erskine Sandiford, perhaps is a leader who falls within the category of leaders who would have experienced that feeling, that *“uneasy lies the head that wears the crown.”*

In that sense, his accession to leadership, and the period in office, were examples of that scenario.

All through the 1980's – the Honourable Member for St. Thomas, was very right in the way he describes Erskine Sandiford's demeanor – we used to say that he was very economical. He was not viewed as one of the front-runners in the Opposition; there were others who were fighting to fill that position. There were three or four men of his age and stature, and, there were all lining up, and by virtue of them fighting with each other, they made the job of leader a lot easier, so that Errol Barrow was able to comfortably guide the Democratic Labour Party through Opposition, because those who were the principal pretenders to the throne could not agree on who should succeed them and out of the blue, one afternoon at a zone meeting at St. James Secondary, Erskine Sandiford delivered the speech at which he told the entire gathering *“get in line, behind me, I am the senior one among all of you, both by the years spent in Parliament and also by my Party's seniority”*.

A new equation emerged in the Democratic Labour Party, in terms of leadership, because those who felt that Erskine Sandiford was not interested in leadership, suddenly recognised that he was, in fact, the force to be contended with as the most senior person after Errol Walton Barrow. That was confirmed in the 1986 Campaign, when he became Deputy Prime Minister, and then after Errol Barrow's death, he became Prime Minister, and I thought that again he was tested, in every sense of the word.

I think one of the most memorable occasions when Erskine Sandiford's “will of steel” was made evident to me, was the last meeting that we held with the World Bank.

The then Executive Director for our Region – I think he was the Vice President of the Bank – was a gentleman who carried the surname Hussein and the officials called him, behind his back Saddam Hussein but, he in fact, had another name, and he was a Pakistani. When we approached the meeting, thinking that we would have to discuss all of the

options that the World Bank wanted to put Barbados through to access structural adjustment loans, Erskine Sandiford, made the point, from the outset, that the exchange rate was not up for discussion – not even discussion, and the gentleman then said “let us discuss the performance of our respective cricket teams”, and, we remained in the room a few minutes discussing that, and decided on his initiative, and Erskine Sandiford's, to part as friends, but, that there will be no further discussions in relation to the substance of the structural adjustments facilities.

It was that “will of steel” that pulled Barbados through a very difficult time in its economic life, but it was also that “will of steel” which in the end many commentators feel was responsible for the inability of Sir Lloyd, and those who did not support him, to heal and mend fences and work together in the interest of the Party and the country.

So that you cannot have it both ways. A feature of a man's personality that people praise in times of adversity they cannot expect him to suddenly change and adopt different clothing and a different outlook, unless he is a complete pragmatist, devoid of any moral or positive character-building traits.

For Erskine Sandiford, it can be said that as long as he has made up his mind on a matter that his mind has been made up.

In the context of the Westminster system, we practise a form of government in which it is the Prime Minister who declares what the consensus of the Cabinet is. If a Cabinet Minister cannot live with that consensus, and he cannot heal the breach with the Prime Minister, then he has to surrender his office.

The discussion takes place, it is true. Sometimes that discussion may create a situation where the Prime Minister can yield, but if his leadership is on the line, then once he declares the Cabinet consensus it must hold.

The reason why that is so ... because one needs to understand that you do not serve at a Cabinet at your own behest, you are not elected to Cabinet, you are selected by a man, and therefore, if you have difficulty either with his style of leadership, or his policies or the consensus which he seeks to build, then you must tell him that and take your exit, or you must sit and accept the way in which he conducts the leadership of the institution.

I have learnt that only too well. It works both ways. When you have a difficult matter, it may be important to attract the support of the Prime Minister, particularly if you expect that your colleagues may not agree with it because of the declaration of the consensus.

If you have a matter which is not going to carry the day, then, you should if you wish to see your career prosper, tread gingerly with it.

You also have to know what to take to Cabinet, what requires Cabinet decision, and what falls within the direct purview of the Minister responsible.

I think that Erskine Sandiford fully understood the nature of that relationship, so that when we had to make difficult decisions, one could always get a sense very early of how he was going to respond to those decisions. It was therefore not difficult to work with him, because a commitment given as leader that your position was going to attract his support would be forthcoming.

If that commitment was not however given and I suspect that there may be circumstances from time to time towards the end in which it was not, then you could expect that the matter may lead to the circumstances that led to the demise of the Democratic Labour Party Government in 1994.

It is again a study of the way in which the Westminster system works of the checks and balances in the system and of the contending forces that contrive to make the Westminster system one of the better systems of government in the world.  
12.10 p.m.

Beyond that, Erskine Sandiford would have seen himself vindicated in relation to the establishment of the Barbados Community College. Although vindication is not an emotion that I like because I think it is better to move on in life, there are always people who are going to seek an element of vindication. Some do it for revenge purposes but there are others who do it to ensure that history is kind to them. I do not think Erskine Sandiford falls in either category for if it were so, he probably would have found himself seeking to cling forever to those who are opinion shapers in Barbados to ensure that the verdict was positive. That has not been his approach. In fact, both in terms of educational policies and in terms of the results of his economic programme, in my view the leadership of Erskine Sandiford has been entirely vindicated.

I think in that regard, the nation needs to come together and ensure that those persons who have made that kind of contribution to Barbados' development are given the opportunity to receive the highest National Honour.

I think the Honourable Member for St. Peter would know that Erskine was my representative on the Honours Committee for a while. When I felt that his name was worthy of consideration for such honour, I asked that he be succeeded – or replaced, if you want to put it that way – by somebody else. I feel that in our system of National Honours,

if you are going to have a man's name considered, he should not also be sitting on that Committee. Therefore, I am glad – assuming that the Committee had a role in it, I do not know how these things work or whoever had a role in it – that the Honourable Member for St. Peter, who at the end of the day has to sign on the dotted line, would have made the decision, knowing that the country as a whole, would have accepted it.

There are just two other areas in which he was vindicated. I do not mean this in a partisan sense but I always have a smile on my face when I hear the Honourable Member for St. Peter talking about the CARICOM Single Market and Economy because there was a time when he was critical of the pace or the non-pace of the CARICOM Single Market and Economy, when it was under Erskine's responsibility. I think the Honourable Member for St. Peter then set a rigorous timetable for the implementation of it and there is nothing wrong with that.

I think reality set in and I saw in a Press conference, after the meeting in Canouan that he indicated that this thing may take a lot longer than we anticipated and it probably will. The point is that the circumstances in 1989, I think it was, or 1990, when the responsibility for the Single Market and Economy was given to Erskine Sandiford, were no way as advanced either technically or in terms of the political will, as they are now. I think that the circumstances operating at that time, probably militated considerably against any progress being made in relation to the development of the Single Market and Economy.

I am certain that the Barbadian Prime Ministers themselves in taking leadership for this area, starting with Erskine Sandiford and now the Honourable Member for St. Peter, made a wise decision. My own view is that if there is any country that should be able by its leader to push the single market and economy, it would be Barbados and I think that there is also enough consensus in our country on it. There is also a level of political maturity on matters that affect Barbados externally and that has been historically so, except during the Grenada intervention. Even then, there may be different reasons for that, Sir. The contribution of Erskine Sandiford, on reflection, to the development of the Single Market and Economy, would almost have been an impossible task at the time it was assigned to him.

Again, the recent assembly of parliamentarians took off but under a cloud of great controversy. It has only held about three meetings so far and my own suspicion is that eventually the leaders are probably going to have to review the structure of it, to ensure that you get better participation and that it actually is able to deliver on increasing the information flows and the understanding of Parliamentarians. I think that the greatest test in Erskine Sandiford's leadership was that when Barbados faced a big crisis, despite the opposition around him, Erskine Sandiford truly felt that he could take it to the

people. There were skeptics who felt otherwise. I am not talking about taking it to the people in terms of elections, but he felt that a direct appeal to the public officers and a direct appeal to the people, would yield the results that he wanted. Therefore, he did not have to dance around on a pinhead as leaders of other Caribbean countries had to do when their countries were faced with similar circumstances.

Under his leadership the country made a direct appeal to the public officers in Barbados and we are of the view that they responded favourably. Subsequent to that, the benefits of a sacrifice have been seen by the entire region as a whole and I think that was a true test of his leadership.

I am still of the view that interpretations of Lloyd Erskine Sandiford's personality, motivations and contributions to Barbados are going to differ because he is still with us and people tend to look at these things from different perspectives.

The final point I want to make is that throughout his career, Erskine Sandiford was able to both stand on the peak and see the valley and then go in the valley and see how beautiful the peak is and that is a true test, to my mind, of a politician's character. Sir, to be able to endure both the negative, what he would call the slings and arrows of grave misfortunes and he often quoted that, to see those whom he at one point may have termed as his enemies coalesce against him and to see economic circumstances almost contrive to destroy his Government, Sir, but also to see Barbados in 1989, reach one of the highest levels of its economic achievement, to see Barbados continue to play a major role in international affairs, to be a leader in the sustainable development movement through the United Nations and to attract a major conference here and to see many of the other great achievements of this nation flower, during the period when he was Prime Minister, they were also achievements to which he had contributed much in his many years of public service.

12.20 p.m.

Sir, it is with the greatest of pleasure that I join in seconding the Resolution and congratulations to Sir Lloyd Erskine Sandiford. I wish him good health in the period, not of retirement but of reflection and writing. I hope that he will be able to enlighten the dark corners of the Caribbean and even Barbadian economic history by applying himself to that task of writing and research with great tenacity, so I join in these congratulations today.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, I would speak briefly in this matter. Obviously, the decision to confer the highest national honour on Sir Lloyd would not have come as a surprise to me. Nonetheless, I have to say that it is an award and an honour that is well and richly deserved.

Sir Lloyd would have spent 40 years in various aspects of service to this nation, some at the highest level and some of a nature that has made a very important difference to the overall development of our society and the human conditions of Barbados. It would have been an invalidation of national honours for his contribution performed over such an extended period not to have been recognised.

I would have known him, Sir, earlier than most persons in this House. He taught me English at school. Sir, I would have recently in advance of his elevation, gone on record as saying that he was careful in his edification of me, that I listened to him well with never a wayward ear and here am I with his great help and assistance. I stand on that, Sir, although at the time if I would have to confess, Sir, he was a very interesting teacher. He spent more of his time, I think, enlightening us about Caribbean politics than teaching us English. He was a very hard taskmaster, Sir. Sir Lloyd used to give people grade Cs and put excellent against it. There was a gentleman in my form called Mr. Sayers, and he gave him a Grade I and said fair. You will get either an A, B, C, D, E, F, G, H or an I.

I remember him, Sir, as a very spirited lover of the English language. He had a love as well even at that time for politics that was so self-evident that even in 1965 at Harrison College, I felt that as an English teacher, Erskine Sandiford was miscast and that he would eventually find his way into Barbadian politics.

Mr. Speaker, I am not going to go into the personality aspect of it but Erskine Sandiford is a representative of a generation of Barbadians of the highest quality who have put a great stock in public service. When the issue of this country in the twentieth century comes properly to be written, Sir, one of the characteristics that distinguish Barbados from most other Caribbean societies is the extent to which some of the very best talent of the Barbadian society felt that they had an obligation to ignore the superior attractions of profit and wealth and to devote a large part of their professional career to public service, such as Sir Grantley Adams, the Right Excellent Errol Barrow, Sir Roy Marshall, a whole group of great talent and all of them who were in Errol Barrow's time.

In the fifties and sixties, Sir, there was an outpouring of Barbados Scholarships and talent, Barbadian scholars, who came back to serve whether in Parliament as representatives or as the Clerk. I can call their names. Some are still here with us today, the Honourable Member for Christ Church West, the Honourable Member for Christ Church South, Richie Haynes and others, Sir. That tradition of great talent in Barbados feeling that it has an obligation to render public service is an attribute that regrettably is being lost in this country and it is an attribute that needs to be restored if the best qualities to Barbados life are to be perpetuated.



I believe, Mr. Speaker, that his elevation to public life is as much a recognition of his worth as it is a worth of that generation of very highly talented Barbadian people who have put public service above private gain.

He would also stand in the stream of our political development as representing a change in the leadership guard. Those of us who studied leadership carefully would recognise that there is a great divide between the style and the power of the early leaders of West Indian political institutions and those of us who inherit leadership today.

The founding fathers of Caribbean political institutions all wielded enormous power. For them, it was not so much a question of commanding the support of the majority, the majority sought to command their support and their favours. It is through Sir Grantley Adams' research, I am told, Sir, who decided who would run and who would not run and throughout the entire Caribbean there was a tradition of "Colonismo", Latin American styled leadership where founding fathers ran political parties with an almost proprietary, regulatory instinct. It was their party and they did not have to command the support of the majority, the majority had to command their support.

Erskine Sandiford found himself in that stream where they had to be a change in leadership where the leader had in fact to come to command the support of the majority. Sadly, history will have to say that he did not quite fully understand the subtle distinction in the role that a founding father could perform to those of us who inherit leadership in modern political parties with long traditions but who were not founding fathers. We do now as leaders of political institutions have to work to command the support of the people that we lead in a way that Sir Grantley Adams and the Right Excellent Errol Barrow did not have to.

Erskine Sandiford eventually fell in Parliament because he could not command the support of his men. I suppose, Sir, that as the great scholar that he is, he will perhaps find solace in King Lear's, 'I am a man most sinned against than sinning'.

I was in this House on that very, very unforgettable and solemn evening, Sir, when the vote of no-confidence was moved against him and he was plaintive in his statements 'what have I done wrong to deserve the disapprobation of this Parliament.' Sir, it was, one of the grimmest moments in the history of this Parliament. He was making the point, Sir, 'I feel that I am a man who is now being most sinned against than sinning.'

I remember him, Mr. Speaker, for his great friendship to me and my family. When my father ran a small shop in Rose Hill, Sir, even as Prime Minister of Barbados,

Mr. Sandiford used to go there to buy meat from my father and that was something that the political divide could never change, Sir.

*Asides.*

Rt. Hon. O. S. ARTHUR: It is so alleged. There would have been many a meal of a Jamaican nature involving the curry goat that would have depended upon my father securing the goat for Mr. Sandiford's table. They have a relationship, Sir, that is so deep and so meaningful that politics could not intrude in it. I know that if there was anybody in this country who was really truly happy that Mr. Sandiford has been recognised it would have been my father, Sir, because they had a friendship that is older than I am. Sir, his speeches I think are better to read than to hear. I think that even though Mr. Sandiford has a great command of the language, he was in a strange way never a great communicator. I suspect if he was a greater communicator that he would have understood in the early 1990's that when you are going to do difficult things for the country you have to develop a shared and agreed perspective no matter how sound the policies are that you want to implement. I think that he took the use of the language for granted without understanding that sometimes people may not necessarily be hearing what you want to tell them in the way in which it is being expressed.

12.30 p.m.

In any case, Sir, I am proud to be in a position to be associated with the conferment of the high national honour on Lloyd Erskine Sandiford. There is a lot that has to be said about the history of Barbados that needs properly to be said, Sir, but one of the things that has to be said is that people who come from origins that are humble in this country should be able to aspire to the highest offices of the land and to be able to carry their achievements to higher regional, national and international fora. Erskine Sandiford is deserving of this honour, Sir, because in a way he represents the best of the Barbadian way of life that is played out in the lives of countless of children throughout the 21<sup>st</sup> Century history of Barbados, that no matter how humble your origin that the children of Barbados have always found themselves able to rise to heights of distinction and to hold those heights of distinction sometimes against the odds.

I remember him, Sir, as a Barbadian hero in a way like a tragic figure, yet capable of being remembered with a sense of great empathy and a man of great accomplishments that cannot be disputed. I suspect that when history comes properly to be written it might have to be said of him that he was indeed a man most indicative of significance.

Mr. SPEAKER: The Honourable Member for St. Lucy.

Mr. D. St. E. KELLMAN: Mr. Speaker, I rise to speak on this particular debate. I will say from the outset that I have

no problem in associating myself with the words spoken. I want to say that Sir Lloyd caught my imagination one Sunday at a Northern Zone meeting when he made his famous speech that, even though at that time there were a lot of big names, he made it known that you could not reckon a leadership contest without his particular name. That is when he caught my imagination.

Sir, when you reflect on the facts, he was quite right. He was no "Johnnie-Come-Lately". He was one of the most senior people in the Party, but yet everybody thought that because other people came and they were glamorous that they would have been the ones to catch the imagination of the leadership. On reflection when he made the comment, I did not really study it and then I realised that he was correct. Another thing that caught my imagination, Sir, was not when he was the Prime Minister but in the period of the crisis.

I remember, Sir, that I spent many hours on the call-in programmes making sure that the policies dictated by the Prime Minister were explained. I was one of the first people in Barbados to go to the public of Barbados to tell them that the best loan that was ever borrowed in Barbados was when Government borrowed 30 million pounds. I remember, Sir, people telling me on the call-in programmes that I was the only person willing to come and defend the Prime Minister of the day. I had no problem for the simple reason, Sir, that I spoke in this House on that 30-million pound loan and I repeated the same thing that I said in the early 1990's. I remember well telling the public of Barbados that anytime you are in a crisis and you can raise a loan of 30 million pounds when the pound was at its highest, that is important. You remember at that time it would have been the Gulf War which allowed the pound to increase in value.

I remember well, Sir, the report in the *Nation Newspaper* saying that Barbados had landed a loan for \$120 million which gave a ratio of one to four. That was very significant, Sir. It is so significant today, Sir, that because of our reserves if we wanted to repay that particular loan, we would now have to look for less than \$90 million to repay a loan of \$120 million that we would have received. I am saying that was significant when you consider the time when it was borrowed. That is when I felt I was committed to the man, which is not normal for myself. I am normally a party person, but I felt that in a time of crisis that someone was so bold to go and make a major decision like that in the interest of the country that I had to support the particular man at that particular point in time.

Mr. Speaker, also another thing is that you would have heard me on many occasions in this House say that the first time in my opinion that I knew anything about globalisation, would have been in the early 1990's when the productive sector was told that they had to prepare themselves for the crisis and certain policies were dictated to them which were not accepted by Sir Lloyd which now, on reflection one

would recognise that if those policies would have been taken as they were given, that Barbados would have been much further than it is today.

I am saying, Sir, that globalisation as I have always said is nine years too late in this country. We had a good landing base to make sure that we would have been nine years ahead. There are people in this country who believe, Sir, that everything that is said to someone is information. I have studied Sir Lloyd and I recognize that everything that is said to Sir Lloyd is data and not information. He always felt that if you said something to him that he should have the right to be able to study what you are telling him and then form information out of what you are telling him. I admire him for that. I think that more people in Barbados should adopt that particular policy. There are too many people in Barbados who believe that once you are told something that you should accept it and run with it without studying it. I will say to any young politician that he or she needs to study what is given to him or her before he or she is prepared to use what is given. I admire him for that, Sir.

When I heard that he was going to be knighted, I was not surprised because the first thing I thought of was the early 1990's. In my opinion, you can talk about his educational background and what he did for education, but everything will have to take the back burner to what was done for this country in the early 1990's which would have to be the measure that would have caused him to be knighted in this country.

12.40 p.m.

When the history of Barbados is written, Sir Lloyd must be the major part of that history. In a short period, one Prime Minister would have made some significant decisions that would have impacted on the world and not just impacted on Barbados. Now, whenever someone has to deal with the IMF there is a particular strategy that can be used and I would like to refer to that as the Erskine Sandiford strategy for the IMF.

In the Caribbean, we used to go to the IMF and accept everything given to us by them, but in the early nineties, that changed. I think as Barbadians we all should have been proud of what was done in that particular period and that is why sometimes I question if those who took part in certain events really knew what they were doing. When they felt that they were going after the man, they were actually going after the country.

Thank you.

Hon. R. N. GREENIDGE: Mr. Speaker, I have to say like the Right Honourable Member for St. Peter that I, too, sat at the feet of Lloyd Erskine Sandiford. I think that I might have been one of the first students he taught when he

returned from university and came to Harrison College to teach.

He taught Political Science to the sixth form and what used to happen then was that we used to meet in the afternoon and he would make us aware of the many things which would have been happening around us in the Caribbean and in the world at large. I can think of about three of us now who would have entered politics in one way or the other and I would not be surprised if that early grounding that we had from him is not what actually led us to be where we are.

As I said, he was a teacher. I always feel, that perhaps the best springboard for any office, first of – that you would agree with me Mr. Speaker, is to have been a member of that noble teaching profession. I think it allows you to understand people, to understand the needs of people, and I think by and large that Sir Lloyd had all the qualities of an excellent teacher. I would think that you would find it extremely difficult to single out anyone in Barbados who would have done more for education than he did.

I believe that you might find someone who would have done perhaps nearly as much but it would be very difficult to find someone whose policies were as far-reaching as his. I do believe that there are some of us, perhaps even in this Chamber, who would have gone to places like Community College and who would have benefitted quite significantly from his educational policies.

I feel almost embarrassed as I relate to you an incident which happened between myself and Sir Lloyd, and I say embarrassed because it was something of a little prank that I played on him when I was just about to make my first timid step into politics. I called him at Ilaro Court and I was going to tell him that I had decided to take the plunge and enter politics but that I would be coming not on his Side but on the Other. Would you believe that when he answered the telephone I told him who the person was and then I asked him, could I speak to Owen Arthur. He replied to me, “You will never find him here.”

That has been the nature of our relationship, Sir, even sometime last year he reminded me of the incident. He was always very good-natured. If I had to say what type of person and leader he was it would be very difficult for me to come up with the right adjective, the right way to describe him. In many instances, to me he was enigmatic and I think something of a paradox, a contradiction. I feel that he would make an excellent study for someone who is studying human nature.

There were some instances where there were so many highs and then you got a few lows. There were instances

when in his career there was extreme praise for the work he has done and then he came under extreme criticism.

The other thing is that I remember when he sat opposite me on the Other Side and the scholar and the widely read person that he is, he would always look over and nod whenever anyone was speaking and he would always smile when there was a beautiful turn of phrase. He loved the expressions that people used and whenever someone used one for which he thought the person should be commended he would just give a little nod and a little smile.

I would say quite frankly that it was a surprise to me when he actually became Leader and Prime Minister. I have heard from the Honourable Member for St. John and the Honourable Member for St. Lucy that he had given some indication that he was in line and people should be behind him but I never knew that he actually had his eyes on leadership, to be quite honest. One thing that I can say is that even if some people today regard him as something of a compromise candidate, I think it was a compromise candidate whom most people accepted because I think they thought that he was capable and in that regard they did accept him as the compromise.

As the Right Honourable Prime Minister has said, one lesson which his career has taught us is that you can rise from very humble beginnings to become the leader of this country. I think that that is the kind of inspiration which his career should give to others. I therefore want to close by saying, Mr. Speaker, that I think that this is a fitting honour very well deserved and I think that he has got it because he is indeed a true Barbadian patriot.

I am obliged to you, Sir.

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that the House send the appropriate Resolution of Congratulations to Sir Lloyd Sandiford.

Hon. R. N. GREENIDGE: I beg to second that.

Mr. SPEAKER: Before I move the Resolution, I would like to associate this Honourable Chair with the comments that have been made and, of course, I speak on behalf of those Members who have not spoken and especially the Members who are presiding officers at some time. We can only mention the help that we have always got from Sir Lloyd.

The Resolution before the House is that this House adopt the stated Resolution of Congratulations to Sir Lloyd Erskine Sandiford and that it be forwarded to him as soon as possible.

Hon. D. A. C. SIMMONS: Mr. Speaker, I have just quickly consulted some of my colleagues. We would wish to

record our congratulations to you, Sir, but with your permission and understanding we would prefer to do that next week in order to facilitate Government's Business today and so that the congratulations get the due publicity. I am being told on my Side that it will give us some time to do some research on other aspects.  
12.50 p.m.

### ORAL REPLIES TO QUESTIONS

Hon. D. A. C. SIMMONS: Mr. Speaker, I am to advise that replies to Parliamentary Questions Nos. 20 and 22, asked by the Honourable Member for St. Lucy are ready.

### SUSPENSION OF STANDING ORDERS

Hon. D. A. C. Simmons: Mr. Speaker, I beg to move that the following Standing Orders Nos. 5, 6, 16, 18, 20, 42(5) 43 and 44 be suspended for the balance of today's Sitting.

Hon. R. N. GREENIDGE: I beg to second that.

Mr. SPEAKER: Government Business is now the order of the day.

### SUSPENSION

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, I beg to move that this House be suspended until 2.00 p.m.

Hon. R. N. GREENIDGE: I beg to second that.

*The question that the House be suspended until 2.00 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the House accordingly.*

### RESUMPTION

Mr. SPEAKER: This Sitting is resumed.

### ORDER NO. 11 – PORT ST. CHARLES VALUATION BILL

Hon. D. A. C. SIMMONS: Mr. Speaker, the Bill before the House is to validate certain activities that have been carried on at Port St. Charles. It is important that I deal with this matter somewhat in its historical context.

Sir, the developers of Port St. Charles made application No. 1900/11/93C to the Chief Town Planner, for permission to develop the lands and some of the sea in St. Peter. The application was approved under the Town & Country Planning Act, under which the application was made, by the Minister responsible for Town Planning and in accordance with Section 18(1) of the Town & Country Planning Act.

Since beach land was involved, the application had to have ministerial approval. Before that approval was given, the developers met with several agencies of Government and made various representations which were dealt with and by letter dated September 25, 1995, the company was written to the effect that the Minister had approved the development and had granted the permission.

Mr. Speaker, that permission was subject to a large number of conditions, each one of which I am going to read into the record of this House so that Honourable Members have a clear understanding of the full terms and effects of the approval.

Sir, I will make this a document of the House.

"This permission is granted subject to the conditions set out below and for the reasons attached thereto:

2. Submission to and approval by the Chief Town Planner of proposals for the phasing of development of the overall project as well as detailed layouts for individual phases.
3. Submission to and approval by the Chief Town Planner of detailed designs of all buildings, structures and other works including the following:
  1. all proposed buildings;
  2. all access roads, parking area and other hard standings;
  3. all structures and works relating to the lagoon, the disposal of storm water and disposal of sewerage;
  4. details of all maritime works including ..... and boat channel."

2.10 p.m.

3. "The submission to, and approval of the Chief Town Planner of detailed proposals for proper environmental management and conservation, including the following –
  - a. Details of mitigation measures to ensure adequate protection of the marine communities.
  - b. Details of the sediment control plant, including the various components, logistics and implementation procedures.
  - c. Details of the pre-nourishment of the southern beach with a minimum of 4,000 to

- 5,000 cubic metres of sand prior to the actual cutting of the boat canal.
- d. Protection of the southern reef from any form of development.
  - e. Details of measures to minimise the destruction of other reef areas within the site with a minimum buffer of all reefs, wherever possible.
  - f. Provisions of monitoring measures, during the construction phase, to determine the extent, if any, of the additional solidity intrusion and identification of measures for dealing with the increased solidity of ground waters along the West Coast, if necessary.
  - g. Preparation of an overall environmental plan of the marina showing proposals for the management of ship waste, among other matters.
  - h. Proposals for the protection of the Hawksbill turtle, including details of proposed turtle hatchery.
  - i. Proposals for ensuring the complete exchange of water within the marina, within six days.
4. Submission to, and approval by, the Chief Town Planner, of detailed landscaped proposals including appropriate re-vegetation.
  5. All necessary fire precaution measures shall be carried out to the satisfaction of the Chief Fire Officer.
  6. The Chief Town Planner shall be notified, in writing, of the date on which it is proposed to commence any building, or engineering operations to which this commission relates, and all proposed works shall be properly set out for inspection by that officer, or his representative prior to the commencement of work.
  7. All development shall be carried out in accordance with approved plans and specification of the Chief Town Planner.
  8. No development shall be started prior to the approval of the appropriate plans, or approval by the Chief Town Planner.
  9. No further development of the land shall be carried out without the prior grant of permission

by the Chief Town Planner or an application made to him, on that behalf.

The reasons stated were:

1. Ensure the proper development of the land.
2. Ensure that proper planning standards are used.
3. Ensure adequate environmental management and reduce negative impact on the environment.
4. Enhance the amenities of the area.
5. Ensure adequate fire protection.
6. Ensure the proper development of the land.
7. Ensure the proper development of the land in accordance with approved plans.

I am also directed to inform you that –

8. Under existing Health Services Building Regulations 1969, you are required to obtain the prior approval of the Senior Environmental Engineer, Ministry of Health, before commencing building operations.
- B. A fee of \$50.00 is payable to the Chief Town Planner for inspection of the commencement of building works.”

The letter continues: “...in addition there are other non-physical planning arrangements which must be satisfied with respect to this development and, as a consequence, a separate letter is submitted for your attention.”

That separate letter of the same date said:

“I refer to the Planning Permission No. 3064/30, 3/16/1995, granted by letter dated September 25, 1995, for the construction of a marina with access to the sea and development of land for residential purposes at Heywoods, St. Peter.”

“In view of the complex and environmental consequence which will arise from carrying out this development, the Government has decided that there are requirements which must be met by the developers beyond the statutory plans.

These are:

1. An environmental reserves fund shall be established in order to ensure provision of the

mitigation measures required in the planning permission.”

2. In the event that the developers failed to implement the mitigation measures Government will maintain a right to carry out the activities and recover all such costs from the above fund.
3. All sand dredged from the bed or collected from secreted material built up on the north side of the site shall be bought from the Crown at a rate to be determined by Government.

The developers must enter an agreement with the Ministry responsible for land on such conditions the use of all land below the high water mark. You are requested to take note of these requirements. At the appropriate time, the Ministry for Town and Country Planning will arrange a meeting with the developers to discuss mechanisms for the implementation of these arrangements...”

Signed (for Permanent Secretary.)

Now, Sir, in discussing this validation legislation, the first and substantial point that has to be made is that the developers at Port St. Charles had the permission of the Chief Town Planner and the Minister under Section 18 of the Town and Country Planning Act, to the extent that beach land was involved. That permission was part of Government’s normal administrative function. Therefore, the work that had to be carried out at Port St. Charles did not depend upon any separate legislation for the effectuating of those works. Work was carried out pursuant to Town Planning permission. However, Government deemed it prudent and appropriate, in the circumstances, to create a separate piece of legislation for this development.

In the past and in the first part of the 20th Century, if Members would look at the Laws in the old dark green volume, particularly those Laws between 1912 and 1918, Members would see that there were a number of specific Acts which were introduced in this Parliament, which enabled and facilitated construction of, for example, a number of jetties. They had their own separate legislation.

The Government, therefore, in the 18th Act, enacted in 1996, brought the Port St. Charles Development Act. Let me just deal with the main features of the separate Port St. Charles legislation to show how the Port St. Charles legislation reproduced and re-enacted the permission by reference under the Town and Country Planning Act. It did one or two other things which I will address.

First of all, the Port St. Charles Development Act vested responsibility for the Act and the work in the Minister

responsible for Port Management and Harbour, the present Minister of International Transport.

It defines works as including:

“Any wharf, jetty, slip, dock, pier, quay, bridge, breakwater, workshop, shed, warehouse, and any building plant, machinery, or other property pertaining thereto, ancillary facilities or excavation, whether complete, or incomplete, on or near the shore, or in the sea.

So, the definition of works was very wide and very elastic.

2.20 p.m.

It then goes on at Section 3 to say this.

“3. (1) Pursuant to the permission granted to the company under the Town and Country Planning Act”

Sir, I read that permission just now and that permission is subject to a long list of conditions, subject to the permission granted.

“(a) to construct a marina at Heywoods in the Parish of St. Peter in this island; and

(b) to drive piles in the sea and to construct therein opposite the company’s land at the said Heywoods, the works and ancillary facilities,

the company is hereby authorised, having constructed the works and ancillary facilities, to maintain the same.

(2) The company is hereby authorised and required, at its own expense, to dredge the area around the breakwater regularly and to keep all channels free from silt, flotsam, jetsam and other debris and obstructions to shipping.”

Then it deals with failure to comply.

Section 5 was one of the compelling reasons why the Government was determined to bring separate legislation to deal with this Port St. Charles issue. It was to enable the rights of the Crown to be reserved and we thought that we should put them in legislation so that Section 5 says,

“5. Subject to rights of the Crown and to this Act, the company is entitled

(a) to the use of the works, breakwater and facilities constructed thereon by the company; and

(b) to the sole use and benefit of the jetty, slip, slip and dock without payment of fees.”

Sir, I remember being directly involved in the drafting of Section 5 because when we were meeting with the lawyers for the development on the draft, I had to make the point that since it was going to be a port, the Government had to ensure that there would be provision for the police, customs and immigration and the rights were therefore reserved for those departments of the Crown, to enable the Crown at all times in the interest of law and order and security, to have rights over the land and to go there when they were doing their works and so on and Section 5 was therefore included as a specific reservation of the Crown's overriding rights.

The other thing that we found necessary to enact in legislation was Section 7 of the Port St. Charles Act and I will read it.

"7. The land reclaimed from the sea and more particularly described in the Schedule is, without further assurance, hereby vested in the company in fee simple absolute in possession."

Then, we set out the description of the land in the schedule.

Sir, that was important because the reclaimed land would normally vest in the Crown but having regard to the nature and extent of this development, it was deemed necessary to put in legislation because you could not put it in private conveyances, that rather than the reclaimed land vesting in the Crown now, it should vest in the company so that if they had to convey any part of that land, they would have the full right and title to do so. We had to put it in legislation to change the usual legal position in relation to reclaimed land, that is, where it would be, an accretion to the Crown and vested in the Crown and put it rather in the company.

The third reason for bringing the legislation in 1996 was to give the court at District "E" jurisdiction over the reclaimed land. The reclaimed land would have been formerly part of the sea and if there was a problem on that reclaimed land that resulted in a legal action, lawsuit or some sort, you had to know what jurisdiction so we put it in Section 9.

"9. The land reclaimed from the sea and the work shall be within the jurisdiction of the Magistrate's Court for District "E".

Sir, today's piece of legislation has come before the House because of Section 12 of the Port St. Charles Act.

Section 12 of the Act says,

"12. This Act shall come into operation on a date to be fixed by proclamation."

In the normal scheme of things, Sir, when an Act provides that its commencement shall be by proclamation rather than by any named specific date, the procedure is that the Ministry responsible for the administration and operation of the Act determines when it is ready for the Act to commence. It then sends a paper to Cabinet with a proposal that the Act should be proclaimed with effect from a particular date.

If Cabinet agrees to that date, instructions are given as part of the Cabinet decision to the Chief Parliamentary Council to draft the proclamation. The proclamation is a short document requiring the Governor-General's signature.

That proclamation is then checked by the Attorney General to see that the draft is in order. It comes back to Cabinet, is approved and then sent to the Governor-General for his signature.

In the case of the Port St. Charles Act, the Bill was passed in the House. It was passed in the Senate, it was assented to by the Governor-General some time in September 1996 but there was an omission on the part of the Ministry responsible for the Act to have the Act proclaimed so that it was not proclaimed. It has been since proclaimed earlier this month. I will give the exact date to the House in due course. The proclamation is among my papers and as one politician once said, "I cannot see it now with the naked eye" or even the four that I have now...

*Aside.*

Hon. D. A. C. SIMMONS: ...but it was recently proclaimed.

Now, an issue arises, what is the status of Acts done since the passing of the Act and its proclamation earlier this month? The Government's view is first that because of the Town Planning permission which authorised the several Acts of development on the part of the company, those Acts have not been in anyway compromised. However, out of an abundance of caution, the Government took the decision that we should pass a validating piece of legislation in the form of the Bill presently before this Chamber to render lawful and valid, all Acts that may have been done prior to the proclamation of the Port St. Charles Act and, Sir, that is what is before the House. Validating legislation in the words of my predecessor in office, the former Attorney General Maurice King, is as old as the hill. He even said, it is probably as old as Silver Hill. At page 6394 of the House of Assembly debates for 1990 dealing with a piece of validating legislation at the time, Sir, the Honourable Maurice King said:

“Passing validating legislation is nothing new. Validating legislation is as old as the hill. Throughout history (and then he was interrupted) I was making the point, Mr. Deputy Speaker, that throughout history validating legislation certainly in the Westminster System has been used as a tool of parliamentary procedure.”

2.30p.m.

So let us get it out of the way to start. The passing of validating legislation is nothing new. This is not a new departure.

It is not a new departure, Sir, because a quick gallop through the Laws of Barbados from 1989 to today will show, Sir, that the Democratic Labour Party when they formed the Government brought many pieces of validating legislation. In fact, from 1989 to 1998, 12 validating Acts have passed this Parliament. There was an Act in 1998 No. 34 called the Road Traffic Validation Act. We may have missed some. As I said, Sir, a quick run through will show them.

Now let us see what these were about, Sir. I have the proclamation here. Let me just mention that. I said that I had them among my papers but I did not see them at the time. The proclamation, Statutory Instrument No. 91, 2000 states:

“Now therefore by virtue of the power and authority vested in me, I hereby appoint the 1st day of December, 2000 as the date which the said Act should come into operation.”

That is the Port St. Charles Development Act. This is a document of the House already as a Statutory Instrument.

So the Proclamation is from the 1st of December but notwithstanding that we are bringing the Validation Act. In 1989 by Act No. 2 the then Government validated certain fiscal incentives and benefits under the Fiscal Incentives (Validation of Benefits) Act, 1989 and made that Act relate back to the 1<sup>st</sup> of July, 1988. It was to validate certain benefits which had been given to Gulf Stream Industries (Caribbean) Limited. That is one. In 1990 by Act No. 39 which commenced on the 10<sup>th</sup> of January, 1991, there was enacted the Financial Administration and Audit (Amendment and Validation) Act, 1990. Listen to what that did. That Act validated financial excesses on the part of the then Administration.

Government borrows from the Central Bank on the Ways and Means Account from time to time. The Ways and Means Act facilitates an overdraft facility to the Central Government. Ever since 1971 there had been a Resolution which limited Government's borrowing to 10 per cent of the estimated current revenue of Government. Unknown to the

population, unknown to the Parliament of Barbados in 1990 the then Government bursted its overdraft handsomely so. There was an argument as to whether the Government had any ...

*Aside.*

Hon. D. A. C. SIMMONS: We knew that for the debate in here which I had. You did not know that it was all up to \$170 million. It should have been at \$100 million and it was up to \$170 million and then we had to validate it by this Act.

*Aside.*

Hon. D. A. C. SIMMONS: No, no, Sir. I did not break any overdraft. The Central Bank has to authorise that if you are going to burst it. That is the law, Section 25 of the Central Bank Act. Now what was done in 1990 was provided for in Section 3 notwithstanding anything contained in the Financial Administration and Audit Act any money borrowed at anytime before the commencement of this Act in contravention of the limit specified by Resolution under Section 25(1) of that Act shall be deemed to have been lawfully and validly borrowed. I am only giving the thing teeth.

Sir, in 1993 there was a Land Survey Validation Act. In 1995 this Government had to bring a Consumption Tax Validation Act when it was found that since April 1, 1991, consumption taxes were levied under Tariff Heading No. 4818. The Comptroller of Customs was collecting a lot of consumption tax in relation to certain goods under Tariff Heading No. 4818 from April 1, 1991, and this Government, by Act No. 11 of 1995, backdated and validated it. 2.40 p.m.

Sir, Act No. 16 of 1997, Severance Payments Validation of Fund Contribution Payments Act, 1997. This Government validated deductions that were made on behalf of employees to the National Insurance Scheme in two different instances. One set related to the minimum insurable earnings taking effect from January 2, 1989. Weekly workers were \$21.00 per week and other persons were \$91.00 per month. In respect of the maximum insurable earnings, these took effect from October 7, 1991, and related to weekly workers who were being charged not more than \$715 per week and in the case of monthly employees, their contribution had a maximum of \$3 100 per month. This Government had to bring legislation in 1997 to validate all of those deductions and to state that minimum and maximum contribution referred to, shall be deemed to have been lawfully and validly paid and received. Sir, they were paid and received without proper legal authority earlier to that Act.



Sir, the Democratic Labour Party yesterday, in an unsigned statement...

*Asides.*

Hon. D. A. C. SIMMONS: It came off the fax machine. The Opposition said that there had not been a piece of legislation like this in living memory. They gave the impression that we never had validation legislation before and that is why I read out the history of validation legislation since 1989.

Sir, that is nothing new because from time to time there are administrative errors or omissions and when they are discovered, we cannot let it continue but the law can speak retroactively and that is what is being done in this case.

*Asides.*

Hon. D. A. C. SIMMONS: Sir, the Honourable Member does not know his own handiwork.

Sir, I regret that we would anticipate this debate in the Press 24 hours earlier but I had to set the records straight.

Sir, I will make the document from the Democratic Labour Party a document of the House.

*Asides.*

Hon. D. A. C. SIMMONS: It is a statement by the Democratic Labour Party but if you do not want me to make it a document of the House I do not mind. Sir, if the Opposition is now saying that they dissociate themselves from this document and the content thereof, let us call it a day, Sir.

Sir, there is a pile of documents of various studies and reports which were requested by the Chief Town Planner and the Coastal Zone Management Unit from time to time in pursuance of the conditions laid down.

Sir, I will give an idea of some of the studies that were carried out in respect of Port St. Charles since I am hearing that concerns were raised about the environmental impact of the work at the St. Peter tourism facility.

There was an Environmental Management Plan that was submitted and approved by the Chief Town Planner. It is in the form of an operations manual and it dealt with condition 3(g) which I mentioned earlier. There were salinity profiles which were constantly monitored. In fact, before the entrance was constructed, everything was done to ensure that there were no saline intrusions into the groundwater reserves. There was pre-construction monitoring of the

marine communities, submitted and approved in March, 1996. Water audits monitoring were also requested to be done for one year before being removed. There was a sewage disposal and treatment plan submitted in May, 1996. The design for the breakwater and beach management were submitted on April 26, 1996.  
2.50 p.m.

With the breaching of the channel, Port St. Charles was required to move the plan so that beaches to the south of the development were not sand-starved.

I know that you would hear the Honourable Member for St. Lucy claim that last November, sand moved because of the development of Port St. Charles. He has said it on at least two occasions, but has not, however, given us the other evidence that any movement of sand was attributable to Hurricane Lenny which came from the north and caused the sand to move. The sand has gone back. I hear you have lovely beaches down there now...

*Asides.*

Hon. D. A. C. SIMMONS: That is part of the conditions, they have to condition, replenish, re-nourish, *et cetera*.

Sir, there were studies on physical hydraulic modeling, that were...

*Asides.*

Hon. D. A. C. SIMMONS: Those developments were to study wave actions and there was a coastal process monitoring study and report done. There was a proposal for the submerged reef and if I may put it neatly, Sir, all due diligence was done at the various stages, prior to the approval by the Chief Town Planner being given at the various stages and as is required, you have to have permission for any building.

Even before the developers constructed the Port St. Charles Marina, they had a scale model developed and subjected that scale model to various simulation procedures that have worked well.

An Environmental Reserves Fund has been established, Sir, and so far as I have been instructed in this debate, in 1995, there have been no breaches by the developers or owners of the land of the conditions imposed and of the permission granted...

*Asides.*

Hon. D. A. C. SIMMONS: ... to anybody's knowledge, to the best of our knowledge, information and belief.

As Leader of the House, I wish it to go in the record for Barbadians to note that I took advice in this matter from senior Government officials who had been directly involved in this project from 1994. They have assured me, and I have assured the House, that there has been no breaches of any of the terms of the conditions or the requirements that were imposed, therefore, to suggest that this legislation is to cover up illegalities is mischievous, unfair and wrong, because in a way it is suggesting that those who have to determine whether the company has been in compliance or not, have been themselves, guilty of complicity in covering up breaches. Certainly it is defamation, a slur and a smear on the public officers who have to deal with these matters on a day-to-day basis to ensure that the company has been complying.

Sir, it is an unfortunate publication that came under the name of the Democratic Labour Party yesterday and if it is not theirs, well it is not. But whoever did it, it is a mischievous and wicked thing to do. If it is attributable to the Democratic Labour Party and is not their document, then whoever has caused that to be published ought to be punished, because they are, themselves, smearing the Democratic Labour Party.

If, on the other hand, it is truly a publication by, and on the behalf of the Democratic Labour Party, then it is mischievous, wicked, and wrong.

*Asides.*

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, so far as the instant Bill is concerned, clause 2 of the Evaluation Clause states:

"An action taken by Port St. Charles Development Ltd., prior to the commencement of the Port St. Charles Act, in respect of the land purported to be invested in Port St. Charles by virtue of section 7"

that is reclaimed land –

"...any activity of land is valid."

Part of the permission brought over into the Act is the dredging of the area around the breakwater, the driving of piles into the sea and the construction.

Mr. Speaker, I think I have said enough. I have given the House a full, comprehensive background to this matter; how it has started out as an ordinary, administrative Town Planning approval. That approval was ingrained, without prejudice to its standing on its own, as administrative authority. It was then legislated in the Bill and we thought we had to have a separate Port St. Charles Bill for the reasons which I have outlined before, in relation to reclaimed land or jurisdiction; the reservation by any agent of Government of the Crown's rights to go anywhere and to use that right.

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

Hon. Miss B. A. MILLER: I beg to second that.

Mr. D. St. E. KELLMAN: Mr. Speaker, I want to remind this House that this Act was dealt with in 1996 and, at that time, Sir, I had informed this House about certain problems. Even though I had supported the project, I had informed this House that I had certain reservations.

I remembered one of those reservations, Sir, was the beach, as we knew it at the time. I had questioned why we would have such a lovely beach to the north of Barbados, and a company was recommended to build another beach to the most northern part of the project.

I was told, Sir, in this House of Assembly, that I was not *au fait* with what I was speaking of; I was talking foolishness and that all Port St. Charles persons were doing were nourishing the beach, and what a lovely beach the people of Barbados would have.  
3.00 p.m.

The facts are, Sir, that the beach to the north is less than 100 yards long, and those thousands of people who formerly used the beach that was nearly two miles, must now compete with the fishing boats from the north of Barbados for available space on that particular beach.

We have a double problem there, Sir. One that...

*Aside.*

Mr. D. St. E. KELLMAN: ...and they claim, Sir, that it has to do with some hurricane but the truth is that particular problem was there before the hurricane...

*Aside.*

Mr. D. St. E. KELLMAN: ...Yes, it was there before the hurricane. Sir, when I spoke on this particular matter and I raised certain concerns in this House, the Honourable Member for St. Michael North West could not believe that I was not misleading the House. He went by the words of his comrades and tried to contradict me on this particular matter. Fortunate for me, he being a northerner too, had the opportunity of seeing exactly what I was speaking and he admitted that I was right.

Sir, we had a situation where even the manchineel trees were going out to sea...

*Aside.*

Mr. D. St. E. KELLMAN: ...He is my constituent and I will look after him too.

*Asides.*

Mr. D. St. E. KELLMAN: Mr. Speaker, we have a situation and I do not want to fault the developers but if we have a particular problem and it needs correcting, it must be corrected. Sir, we cannot allow the fishing industry in the north to have a problem at the expense of another project. Both projects must be accommodated and I am saying that the same way the developers at Port St. Charles – and I congratulate them for being able to get the Government to validate whatever has occurred there – the fishermen in the north, who have been there for hundreds of years, also have a right to get the Government to look after their concerns.

I am saying that we need to have some place where the fishermen can haul up their boats during the hurricane season. I am not going to accept this excuse that a hurricane has created the particular environmental problem that we have in the north of Barbados.

Sir, the same way I am being told by the Honourable Member for St. Thomas that they were told that they could not starve the beaches to the south of Heywoods which happen to be in St. Peter – because all the beaches to the south of Port St. Charles are in the constituency of the Prime Minister – they also have to respect that the beaches in the north happen to be in my constituency and they cannot, willy- nilly, come and destroy the beaches to the north. I demand equal respect and I will fight for my constituents even though the same person involved might also be my constituent.

*Asides.*

Mr. D. St. E. KELLMAN: Mr. Speaker, we have a serious problem here and just because someone is a fisherman, it does not mean that he is a nobody. The fishermen in the north are just as important as the tourist investor at Port St. Charles or anywhere in Barbados because it is the fishermen who have built Barbados.

This project only started in 1996 but those fishing boats and the fishing industry were here even before any of us were born. I do not accept this flash in the pan, Sir, that the fishermen in the north must play second fiddle to anybody in this country. They have developed this country and they have built up resources in this country so that we can come here and pass an Act to accommodate and give concessions to the beneficiaries at Port St. Charles.

I do not have a problem with the particular project or with the validation. What worries me, Sir, is that the Honourable Attorney General spent over one hour trying to convince this Parliament that there is nothing big about this particular issue. Yet still, he took time out to quote 12 other validations.

In the other 12 validations, Sir, he said that they were wrong but for some strange reason this one is right.

Hon. D. A. C. SIMMONS: Mr. Speaker, on a point of order. The Honourable Member is misquoting me. I never said that, Sir. I said that there were breaches of laws in the past, Sir, and Governments had to come after and validate. That is all I said.

Mr. D. St. E. KELLMAN: I am saying, Mr. Speaker, that we do not mind if they are accommodated. You did not accommodate the Democratic Labour Party. What you did at that time, you accommodated the civil servants but now this is not about civil servants that you are accommodating, you are accommodating a private person.

*Asides.*

Mr. D. St. E. KELLMAN: Sir, that is the difference but you have to remember that I was listening to you.

*Asides.*

Mr. D. St. E. KELLMAN: We must recognise, Sir, that this project called the Port St. Charles project when you consider the concessions given to this project, it cannot be seen as a project just to the west of the highway in St. Peter. If we are truly going to have development in the north that marina must be used for one and all.

For the simple reason, the owners of Port St. Charles must understand that they must set up a management company that allows people who live in the Heywoods Development, the Maynards Development and any other development, to be able to use the facilities for a management fee. This project cannot be seen as a project just for a few people. It must be seen as a project for the development of Barbados.

Mr. Speaker, in order to be part of the marina, you do not have to live on the marina. You can own a property, Sir, in Benn Hill, St. Peter and that property can be managed by the owners of the marina. You can own a yacht but all you are asking is to use the facilities if you are in a position to own a yacht now, Sir.

*Asides.*

Mr. D. St. E. KELLMAN: All you are asking is for permission to use the marina and also for the marina people to charge you a management fee for renting the property. The problem in Barbados is that we spend too much time dealing with minor issues and not looking after the long-term interest of this country.

Sir, that is why I am always saying to this Government, whenever you are giving concessions, you must give concessions and get back something in return. You cannot just give concessions without conditions.

I am saying that this Government had a wonderful opportunity to tell the owners of Port St. Charles that this company cannot only be seen owning as that piece of land to the west of the highway in Heywoods. If you do not do something quickly about it, you are going to have a scenario where soon from now, people will not be able to use that same road that they are accustomed using called the highway.

There are people who believe that just because they are living in million-dollar houses, they do not want car horns around them and somebody will come up with a proposal to divert the road. Sir, if you put in place the management structure that I am speaking of, then the owners of the houses in Heywoods would not now be against the marina but they would see themselves as part of the marina and those people living in Maynards Development would also recognise they can be part of the marina and they would be one happy family.

This validation would not only be for the Port St. Charles' owners but will be also for the property owners up the hill. Development cannot be seen in a narrow way and this is the problem in this Cabinet. They must be prepared to see development not only today but tomorrow and further on and this is the problem.

Sir, we cannot continue to create an atmosphere in this country like we have now. When people pass through places like Sandy Lane, Mullins and now Heywoods, they tend to believe that they are passing through areas that they do not know anymore. The walls that are being built are creating a particular climate that Barbadians now feel unsafe travelling in these particular areas.

They feel that they are out of bounds now with what is going on. I am saying to the owners that they need now to reach out to the people and to make sure that the people are also part of that particular development.  
3.10 p.m.

We are having scenarios in this country, and it does not necessarily have to be at Port St. Charles, where people came and found people working on the beaches and all of a sudden they feel that because they could fly into Barbados and they have a few cents that they could buy shares and stop a man who is accustomed making a living in this country from making a living.

I am saying that their investments are welcomed but their attitudes are wrong and it cannot happen in this country.

If they want to come to Barbados and invest in Barbados they have to be a player in Barbados. They cannot bring their ways from overseas and feel that they are the ways for Barbadians. When you are in Rome, you have to do like the Romans do. As long as they have developers in this country who cannot respect the wishes of the people in Barbados, they will always have problems with me but as long as they can fit in with what we are doing in Barbados and respect the rights of Barbadians to have an entitlement to a job and a living in this country, they will have no problem with me.

I do not care who sends briefs to lawyers to suppress what I have to say, I will not worry about that for the simple reason ...

*Asides.*

Mr. D. St. E. KELLMAN: And I will eat the cow grass too.

I am saying that I was sent to this Parliament – and people need to study my constituency you know – by a constituency that has the masses in it and I do not go by the dictates of a ‘too few’. I go by the dictates of the masses of people in this country from whom I take my briefs. So anybody who wants to say something to me, they have to fit into that particular category because that is where I take my command. That is why when I come to this Parliament my energies are spent dealing with the issues as they relate to the masses of this country and I will not be swayed. I will not ‘unfair’ anybody. If they have a project that looks good, my conscience will guide me but if they are doing foolishness, my tongue will deal with them.

*Asides.*

Mr. D. St. E. KELLMAN: No, I am serious about it. So all the talk the Honourable Member for St. Michael South wants to put down in here, I fear not.

*Asides.*

Mr. D. St. E. KELLMAN: Mr. Speaker, I would ask the Press in this country to take up what we called the Bible of Parliament on page 3736 of the last session in 1996 and to read the Port St. Charles debate. It would make rather interesting reading. It was a very short debate but a rather interesting debate. One thing I can say for the Attorney General, the Honourable Member for St. Thomas, is that he is a very clever man because when I spoke on this, he gave me an assurance and I do quote, Sir.

“Sir, if I could wind up. I give the Honourable Member the assurance – (the Honourable Member happens to be the Honourable Member for St. Lucy) – that the

small man, people even as small as he, Sir, will have the right to use the public access.”

That was his commitment you know. That the people in the north will have the right to use the public access but he never promised me that they would have the right to use the beach unlike the Honourable Member for St. Peter. He is a very clever lawyer, and uses words wisely. Nobody can tell anybody that the Attorney General of Barbados ...

*Asides.*

Mr. SPEAKER: So where would they be using the access to go?

Mr. D. St. E. KELLMAN: Where would they be using the access to go? They will use it to go by the two by two that is left for them and not the two miles. You see previously the beach was two miles long, now they have a little two by two and the fencing has gone up and blocked them and they have to compete for the space to the north. They now have all types of driftwood and boulders to climb across to get on that beach but they are never accustomed to having that, you know, Sir.

To get to the beach to the north now, Sir, they have to fight their way between fishing boats and pray that the rain is not falling because one might slide and hurt somebody and I hope that would not happen. Do you know that the fishermen have to find some way to put their boats, Sir? The most beautiful spot right now is the spot between Mr. Hinds' house and the marina, a lovely beach. For some reason the beach between Retreat Corner and the Great House which we call the Six Men's Warehouse...

Hon. D. A. C. SIMMONS: On a point of order. Mr. Speaker, I have to search for the note, the Honourable Member quoted some words of mine amounting to an assurance for the public to have access ...

*Asides.*

Hon. D. A. C. SIMMONS: Alright, when you get a chance you will have to read it again. I just want to draw to the House's attention, section 8 of the Port St. Charles Act:

“The company – that is Port St. Charles – shall provide at the northern end of the company's land, at its own expense a public parking area for vehicles and public access to the beach”.

Mr. D. St. E. KELLMAN: Mr. Speaker, the Honourable Member happens to be my parliamentary representative and I want to fire him from this debate as my parliamentary representative for the simple reason, Sir...

*Asides.*

Mr. D. St. E. KELLMAN: No! no! no! come on! come on!, Things have been going pretty good with you now, leave it that way. You are not at the Ministry of Health anymore.

*Asides.*

Mr. D. St. E. KELLMAN: I am glad you admitted that the Minister of Health is worst than you now. I am glad you admit that on the Floor of the House.

*Asides.*

Mr. D. St. E. KELLMAN: Mr. Speaker, it is clear to me that the Honourable Member has not driven to the north of Barbados lately. If he had done that, Sir, and it is obvious that he went through the main gate and he did not go to the north, he would have understood exactly what I was saying this evening.

The beach that he is speaking of is the same beach that the fishing boats are on and it is the same beach that if the rain is falling and the sand moves that you will have the particular accident of which I spoke.

Are you prepared to apologise now, because you have a right to apologise to your constituents?

Mr. Speaker, there is a myth that we have this big lovely beach and anybody can go on the beach. Mr. Speaker, you cannot even take your students there – and you know you have many of those because of your good knowledge – to that particular beach because one classroom will fit and you would have to wait until they go in the sea and come back, Sir. That is how large that particular beach is for the whole of St. Peter, St. Lucy and all of those visitors who used to come to that beach.

Mr. Speaker, he is talking about car park you know, but if you put a Transport Board bus, a minibus and a car together, they will cover more than the beach in length. I challenge the Honourable Member to check it out. I have no reason to mislead this House.

*Asides.*

Mr. D. St. E. KELLMAN: Yes, you need to go and check it out and that is why when I am speaking about the north of Barbados including St. Thomas you should keep your mouth shut.

*Asides.*

Mr. D. St. E. KELLMAN: Mr. Speaker, we have a situation here today where we also have to recognise that

there have to be some environmental problems but I do not blame the particular company for them. I would have to blame the Government, because after giving permission and after going through what the environmental experts within and outside of Government prior to 1996 had to say – because the Government was warned that they might have been certain fallouts after the marina had been constructed... Nobody can counteract that, because one only has to go to Shermans and one would recognise that the beach there is in such a precarious position that we do not know whether when travelling north we would have a problem with the sea meeting the other side of the road.

3.20 p.m.

Sir, I am trying to find out from the Government what is the environmental plan in place for Shermans Road. The road is being undermined. Things are so bad down there that there was a standpipe and nobody on that Side can tell me where the standpipe used to be. The standpipe was washed into the sea after the construction of this project. Are you aware that there was a standpipe on Shermans Beach that went before the hurricane of which you spoke?

I am saying let us face it. We need Port St. Charles but we also need to correct the particular problems that we are having. It does not make sense to put all the blame on Port St. Charles because one must admit that it is also impacting on the economy of Barbados in a positive way. So if we have a fall-out from the environmental end, surely some of the revenues coming in from the project should go towards correcting the environmental problem. It does not make sense for us to deny that we have a particular problem at this point in time.

We are a tourist country and if we do not correct these problems at this time we will soon find that we have some lovely properties on the West Coast but we do not have our main asset, which happens to be the beach. If we want to fool ourselves that we do not have things to correct then we will pay for them down the road. I am sure, Sir, that the experts within the Coastal Conservation Unit will give you that advice. They have always given proper advice to the Government of Barbados. They gave it to the Democratic Labour Party and I am sure that they will give it to the Barbados Labour Party also because they are professionals.

Mr. Speaker, we also have to find out what is the tourism plan for the north of Barbados. Let me say, Sir, Barbados finds itself in a position where we are telling people that we need to have tourism inland. If we are going to have tourism inland, and I think the Minister of Tourism should listen to this one – I did not see this in his tourism policy or on the piece of paper that he put out as a tourism policy – we need to make sure that we have enough beaches available so that when rooms are created inland we can advertise those rooms within easy access to beaches.

A lot of people believe that tourism inland must only be for large hotels. I am saying that it is time that Barbadians recognise that we must put a policy in place to encourage Barbadians who have excess room to encourage tourists to come and live in their houses and be able to advertise the beaches as part of the package.

If we continue to depend on people to come here and invest, whenever this country is in trouble they are going to pick up their investment and run and go along about their business. The tourism project must get back to what I call the small man's development project. In prior years, we depended upon the people of Barbados to push our tourism for us. Now we have allowed large projects to come and people believe now that because we have the large projects how Bajans behave to the tourist is not important anymore.

I am saying that as long as we can keep that slice of the cake in the small man's hands, our tourism product will be developed the way we want it developed. There is no sense in having the best projects in the world and separating the tourists from the people of Barbados.

Mr. Speaker, I warn this House again that if we are to develop as a people we need to get back to basics and allow the people to be part of the tourism product. As it stands now there is a great divide and I sometimes wonder whether we carry out surveys to understand what is going on in the tourism industry. That is why I have used many hours in Parliament telling people that all-inclusive tourism could not be the right product for Barbados. Any product that divides the tourists from the people cannot be the right product. What we need now is what the St. Lucians call after my model, sustainable tourism. That is why places like West Terrace might be good areas also to push this particular project, providing the MP is prepared to see the wisdom in this project and push it for the people of Barbados.

Mr. Speaker, we have to understand that Barbadians must feel that they are part of this country. I am getting the sneaky feeling that they do not believe so anymore, and that is hurting. The impression is, and not by us, that there are some people who feel that once their land is here and they are spending money that they have attained all the rights in the world and that Barbadians cannot also get those rights. If you want to validate we need to validate for our own people because we are also part of the development.

This is not a debate about the owners of Port St. Charles. This is a debate about the upliftment of Barbados and especially when it is in the north of Barbados one would expect special concessions to be given to make sure that the masses of people in Barbados in the north are able to get a piece of the cake. I do not feel happy to hear that people feel that they can have a project and that the jet skis operators in the north cannot get a slice of the cake.

Once this project is done at the expense of the Government it must be for one and all. We cannot give concessions and make people believe that those concessions are only for them. This concept of climbing the ladder and then kicking down the ladder must stop. You must climb the ladder and then you must be prepared to teach people how to climb the ladder also. If not, we are going to create strife in this country and that is what we do not want, Sir.

Every time you hear one tourist being attacked it is a negative that we cannot correct and it is very damaging to our tourism product. That is why we have to do everything to first make sure that the people who live in Barbados are the ones who are happy. If you have a happy people you can afford to go anywhere and advertise and invite anybody to Barbados but if you have a restless people you can invite thousands of investors and if the climate is not right you are not going to be able to keep them.

I am saying to the Honourable Member for St. Thomas that any future policy must be a policy to make sure that the investors are happy and that the people of Barbados are also happy. Thank you, Mr. Speaker.

Miss H. E. THOMPSON: Mr. Speaker, I think that close examination will show that the Honourable Member for St. Lucy as usual spoke with a deal of enthusiasm, embellishment and colour, with significantly less accuracy. I would wish during the course of my comments to deal with some of his comments and then go on to deal with wider development issues which I think this debate naturally gives rise to.  
3.30 p.m.

The Honourable Member spoke during the course of his comments in relation to sand accretion and sand movement north of the Port St. Charles Marina. Sir, we need to do some scientific investigation to determine if any movement at the beach is as a result of Port St. Charles' presence or the result of natural shift and movement.

Sir, before we speak to any movement of sand north of Port St. Charles and attribute it to Port St. Charles, I think that we should do some serious scientific investigation to determine whether or not Port St. Charles is, in fact, to blame. If Port St. Charles is causing significant movement then it should be addressed. We should not distribute blame and be quasi-scientists when we have no scientific qualification.

Mr. D. St. E. KELLMAN: Mr. Speaker, Sir, on a point of order. The Honourable Member is misleading the House by giving the impression that I was referring to the Honourable Member when I referred to Port St. Charles and it is not fair to me, Sir.

Miss H. E. THOMPSON: Sir, the Honourable Member spoke about the welfare of fishermen. I do not think it is true to say that the immediate vicinity of Port St. Charles was a fish haul up site. The sites at Shermans and Six Men's are still very active. I am cognisant of the fact there needs to be further development of the fishing industry in the north of Barbados and plans for a northern fishing terminal are on the way so that if fishermen are disadvantaged they can now be embraced when the new terminal is constructed. Let us recall that during times of high seas Port St. Charles has made the marina facilities available, free of cost, to fishermen for mooring and safe harbour.

Mr. D. St. E. KELLMAN: Mr. Speaker, Sir, on a point of order. The Honourable Member is misleading the House by giving the impression that the public of Barbados can get to the beach at Port St. Charles when the Honourable Member knows quite well, from a visit to Port St. Charles, that the land has now been fenced and the public cannot get to that land.

Miss H. E. THOMPSON: Sir, if the property is fenced for the purpose of keeping out public as opposed to making the property safe while construction continues, then that is a matter for the Chief Town Planner who is present here today. I am sure he will investigate it to make sure that the rights of the public are protected in respect of this matter.

Sir, I am not going to spend anymore time responding to issues raised by the Honourable Member for St. Lucy to give the impression that he made a speech in the Chamber today because there are a number of other issues which I would wish to deal with.

Sir, I feel that there has been a tremendous amount of focus on Port St. Charles and we need to congratulate the developers of Port St. Charles for essentially what is a very good project. I have had the opportunity to visit there. It is a beautiful site. It has been extremely well executed and is generating a lot of employment for Barbadians in terms of the tourism market at the very high-end niche of the market and will attract the sort of people who spend large amounts of money and can be a significant foreign exchange earner for Barbados. It also satisfies a particular niche in our tourism product and that is the attraction of the whole yachting fraternity.

There used to be several cross Atlantic races some of which ended in Barbados but the absence of proper yachting and marina facilities put an end to that and the races were either starting or terminating at the Rodney Bay Marina in St. Lucia and other marinas in the Caribbean. The fact that we now have a top-class facility puts Barbados back in the minds of the yachting fraternity as a possible venue for the start of cross Atlantic or other races. It, therefore, is a

significant addition to the Barbados tourism product. Sir, I would really wish to congratulate the developers in that regard.

Sir, I am particularly impressed with the aesthetics of the Port St. Charles Marina and the fact that they have virtually created within the site what itself is an island as part of their own development and have worked with the adaptation of certain marine species to the changes in the marine culture and marine environment.

I believe that rather than give the impression that it is a walled property to which the majority of Barbadians cannot have access to, it would be useful for the developers to have an open day and invite the public to see what has been done and what is being done on that site.

I would wish to speak to an issue of wider development about which I am greatly concerned. There has been a suggestion in today's newspaper and as far back as two years ago that damage was caused to the reef off Port St. Charles as a result of the activities of a barge which had been anchored there some time ago.

I was informed some years ago by the Director of the Coastal Zone Management Unit that some species of coral reef grow at the rate of one-eighth of an inch per year so that damage to even one foot of coral reef represents significant damage to the marine environment which cannot be easily repaired in our time. If the area damaged is larger than that, then the nature of the damage is significantly multiplied in terms of the time for the reef to repair and rejuvenate itself. It becomes a cause of concern because of the wider purpose which coral reefs serve in the protection of our coastal environment.

Sir, the coral reef structure is a significant part not only of the aesthetics of the marine environment but certainly in terms of the protection of the overall environment of Barbados and in terms, in particular, of the coastal environment. Any damage to coral reefs in Barbados whether accidental or deliberate represents damage to our cultural and environmental heritage. That is significant and it has to be carefully monitored and every effort should be made where possible to repair that damage insofar as it is possible for man's effort to effect such repair. In my view, Mr. Speaker, it raises the question as to what a small country like Barbados should do in the context of the number of applications for development of projects which constitute either a risk to the marine environment or to the overall environment of Barbados in some way or other.

3.40 p.m.

There are a number of projects for which applications have been made whether they relate to offshore mining, construction that is high risk, beachfront construction, going

into the national park districts, or other districts of Barbados, there are always developments which are going to impact, or have the capacity to impact, on the physical environment of Barbados.

I do not know if it has changed, but it was my understanding, that even with the Sandy Lane project they were proposing not to bring in certain materials and not to do certain construction over land, but to barge in some of their construction materials via the marine environment. That, in itself, would constitute a risk.

I knew that that was the plan at one stage, but as the Honourable Member for St. Lucy so recently pointed out, since my move to the back bench, I do not have the same level of knowledge of what is happening in the development projects in Barbados and, therefore, I cannot speak to whether it remains so or not.

The point is that if, in fact, that remains the case that would constitute a risk to Barbados. The other point that I am making is that there are, and I would repeat, a number of applications for the development of various projects, the execution of which, if allowed, constitute a risk of some sort to the physical or marine environment of Barbados. If there is damage, we currently have in place no regime for the protection or restitution in the event that such risk comes to pass, and, I would wish to call on the Government today, to take the opportunity to put some regime in place that seeks to protect Barbados' physical or coastal environment in the event that permission is given for many of these development projects; some of which are high risk.

I would wish to suggest that all permissions for projects which contain such risks should require the investor or developer to put in a certain percentage of whatever the overall development cost of the project is into a fund, that in the event of environmental damage, there is immediately money available to effect repair or resuscitation to whatever is the nature of the damage that would have been done.

Let us face it, small developing countries with limited resources do not necessarily have the funds to effect environmental repair when damage takes place, insofar as money is able to effect repairs, because there are situations in which full repair is never really, entirely possible but it does cost something to seek to put some repair in place.

If there was to be major damage to the coral reef, whose responsibility is it to do the investigation of that damage? Whose responsibility is it, in the absence of any regime for protection, funds, or requirement on a developer, to pay for any repairs or restitution? Whose responsibility does it become, then, to monitor the damage over time to see if the steps to repair are having any effect?



Should the responsibility fall to the government? I believe that the onus should fall on the developer. Insofar as they should be made by the suggestion which I am making today and that is to put a percentage of the development cost into a fund where the Government will have access to use immediately, in the event of some damage.

One has seen significant environmental damage done, for instance, the Exxon oil spill some years ago. If there was a company mining for oil off the coast of Barbados and there was to be some sort of spill in our shores, without the protection of such a fund, does the responsibility then fall to Government to deal with it? Would we have the financial resources immediately available at our disposal? Would we then have to start to do an assessment and go for supplementaries? I do not think that it should ever come to that.

I believe we should say that the cost of damage to our environment is a cost that we cannot afford to pay and that we should protect ourselves from that risk up front by ensuring that we have an environmental protection reserve fund that would be available for use in the event of any mishap which threatens the physical environment of Barbados. If such a fund were in place, it would mean that developers would know up front that part of the cost of having their development approved in the same way that they have to enter into bonds with banks for construction it would become part of the practice, convention and culture for the development in Barbados. It would certainly be a value to all of us to have our environment protected in that way, knowing that in the event of an emergency or mishap by a developer we would immediately have access to these resources to effect whatever repair that needs to be put in place.

It does not have to be a large amount. I do not know what the cost of developing Port St. Charles is, maybe a \$20 million, but I am not hearing anybody giving a figure.

*Asides.*

Miss H. E. THOMPSON: \$400 million... I have been conservative, but perhaps no more than .05 per cent, or 1 per cent. An assessment can be done to determine the overall value of the project and the nature of the risk that might accrue. The project might be of significant money value, but because of its nature the environmental risk may not be high, or when the feasibility and environmental assessment studies are done, very early on, depending on what risk they show as being constituted and constituting part of the project, then the percentage of the reserves can be determined according to what the percentage of the risk is.

I believe that if we think that our environment is not only for our enjoyment, but for the enjoyment of generations

yet unborn and if we accept that our very economic development, our way of life, all that we know or accept about ourselves being a small island state, if we focus on the environment and the preservation of the environment in as pristine a condition as possible, then we would take whatever steps are necessary to protect our environment from the risks that are attendant with development project, particularly the large-scale development project which there are applications for at this time.

If the story about the damage to our reefs at Port St. Charles is true, then that serves to support my argument. For while it is absolutely necessary to put funding in place to have such protection, I am not aware, that Port St. Charles itself is spending one cent towards dealing with anything that has been done. I do not know if they are. They may or may not be, but the point is...

*Asides.*

Hon. D. A. C. SIMMONS: Mr. Speaker, to help the Honourable Member. There were some degree of damage done to the coral reef in 1997. That damage has been paid for, I think to the tune of US\$20,000, and the matter has been sorted out.

Miss H. E. THOMPSON: It is not for me to determine whether US\$20,000 could be the appropriate compensation to pay for damage to our coral reef, but I accept that that is the figure that has been paid and if you think that sorts it out then it is sorted out.

3.50 p.m.

My view is, however that I really would not put any small five-figure in US dollars or BDS dollars on the protection of our environment quite frankly and I think that we need to have in place, the kind of fund about which I am speaking. Perhaps, the developers at Port St. Charles, recognising the damage, gave the money freely of their own volition. The reality is that we should never be put in a position where paltry sums for our physical environment are offered as compensation for damage that has taken place.

I really believe that if we are to be serious about our environmental protection, then we have to have commensurate with such development, penalties for damage and penalties, even for risks to the physical environment of Barbados. A lot of people give lip service to environmental protection but really, our whole way of life and our economic well being, are dependent on the protection of our physical environment. I do not think that the kind of figure for which the Honourable Member for St. Thomas just spoke about, is the kind of figure that we should be talking about.

I am making a suggestion. I am throwing it out to those who remain on the front bench, as my friend the Honourable Member for St. Lucy keeps reminding me today and it is

something I think that we should look at. It is something that if put in place, will inure to the benefit of all Barbadians and will seek to protect the very environment that we offer to people for relaxation and for investment.

It is absolutely critical that we move our efforts for environmental protection now to the next level. I believe that if this fund or permission for such a fund is easily put in place under provisions for the Town and Country Planning Act – some amendment to that perhaps – and then it would be a requirement in relation to all of these projects that environmental impact assessments need to be done. At that time, it can be determined what the potential risks to the environment are, given the nature of the developments which are contemplated, and what therefore would be a reasonable reserve to put in the environmental protection fund.

It would mean, if this suggestion is allowed that Barbados would always have at its disposal, a fund for environmental protection readily available in the event of any environmental emergency and particularly in the event of any environmental emergency which is a consequence of an external developer who is seeking to make profit from using the physical environment of Barbados.

Sir, if somebody is seeking to use our environment for profit, then we must ensure that we take every step necessary to protect the environment from those who will make profit and walk away with their profit without paying for any damage which we suffer and which generations beyond us will reap. As I said earlier, environmental damage is not easily repaired and sometimes it is not repaired at all.

I am much obliged to you, Mr. Speaker.

Mr. SPEAKER: The Honourable Member for St. Michael South.

Hon. N. A. LYNCH: Thank you, Mr. Speaker.

Mr. Speaker, I lend my support obviously to the Act but I really thought it was a very straightforward Act of Parliament well within the law and one that is becoming fairly customary in our system. It may not be the most timely but obviously, very lawful and I could not for the life of me read any mischief into this action at all, in relation to this validation.

I seem to think that every week now, we create some other issue that highlights the Opposition party. I suppose when you do not have a lot of followers that is what you end up doing, trying the Government by innuendo every week on some issue.

Sir, I think that this simple Act of validation, as has been done so many other times in this Parliament and under Democratic Labour Party administrations as well, was well

outlined by the Attorney General, the Honourable Member for St. Thomas.

I think that the only issues which are important in the debate, however, are whether or not the Port St. Charles project is a good developmental project, whether the works that were carried out at the site before the Act, were done lawfully and with the proper permissions of Government, were environmentally sound, Town and Country Planning sound and whether or not the exercise that we engage in today is lawful and obviously customary in our system. I do not think there are any other discussions necessary.

I think though that we all agree – and I take the words of the Honourable Member for St. Lucy – that the Port St. Charles project in and of itself, is a good project for Barbados developmentally and for our tourism. We need investments of this magnitude both local and foreign. I believe the total cost of the project is somewhere in the region of \$400 million.

I believe, Sir, that marine activity adds a new dimension to our tourism as well because the same way in which Royal Westmoreland did at the time, in terms of what they built in the north of Barbados, I believe that the marine projects add another serious and clear dimension to our tourism product. It fits in very well with our upscale image of tourism, not only in Great Britain but in North America particularly where we are having challenges against many of the low-cost destinations.

This helps, Sir, to build our brand as a quality destination but a high quality destination and not a mass market destination. We need the Port St. Charles of this world to push the quality of this destination because we will never be a mass market destination like some of the other low cost jurisdictions around us. We have a range of input costs that are higher than some of our neighbours and that is a fact and I think we may be the victims of our own success.

We have to face up to the fact that we have a destination which has some costs that are going to be higher than our neighbours. We will never be able to bring our costs down like Jamaica and Cuba. Therefore, Barbados has to go after a much more discerning customer in our tourism efforts. Sir, because of that, we need entities like Port St. Charles to project Barbados at a higher level than our neighbours and a higher level than some of the competition around us.

It is nothing to be ashamed of and it does not erode the base of our tourism either. I have heard some people say in some circles that we must have marketing plans for every single sector. We do not need that. The Honourable Member for St. Lucy is seized by a high level of tourism ignorance.

He displays it every week in here and he tries to get the highest levels of constituents to listen.

There is a myth in this country in some tourism circles and pushed by the Honourable Member for St. Lucy that we need to create programmes in every area of our tourism. Let me dispel the myth now once and for all and I want the Honourable Member for St. Lucy to listen very carefully.

*Aside.*

Mr. N. A. LYNCH: ...Every time there is a debate on tourism the Honourable Member for St. Lucy tries to project that he has this wealth of tourism knowledge. Most of it is based on ignorance of the industry.  
4.00 p.m.

In destinations where there is a high projection and where people focus on a high level, there is always some trickle-down effect within the society. In other words, if you have high-level properties like we have on the west coast of Barbados, what it does is to project the country in the marketplaces at a very high level of marketing and it trickles down to the other people.

Now, the perfect example of this is in the south of France, the Riviera, where people have always practised this. There is a substantial trickle-down effect in the business when you have flagship properties and flagship entities like Port St. Charles and Royal Westmoreland because they have a level of marketing muscles that people at the budget levels do not have.

I will prove the point. In Barbados where we have the Concorde flying in, British Airways flying a first-class cabin, the only one that flies a real and true first-class cabin, Britannia, Air Tours and GMC coming into Barbados, what has been happening is that the budget numbers have not suffered. Virgin Atlantic is flying now what we called the upper-class. What we continue to have now are high levels of projection but it helps the ones at the bottom and that is the issue.

That is why in a destination particularly like this one where there are input costs which are higher than some of the jurisdictions around us, we need flagship properties and flagship entities like Port St. Charles.

I see the Honourable Member for St. Lucy is listening attentively.

*Asides.*

Hon. N. A. LYNCH: The point, Sir, is that Port St. Charles and projects like this one are necessary for destinations like Barbados. The issue is, Sir, whether or not the works were done lawfully. As far as I can understand, the

Bill is very clear. Sir, Port St. Charles Development was granted permission under the Town and Country Planning Act to construct a marina at Heywoods, to drive piles in the sea and to construct therein opposite the company's land at Heywoods the works and ancillary facilities.

The Port St. Charles Act was accented and gazetted in September 1996 to provide for the vesting of reclaimed land in Port St. Charles Development Ltd., the maintenance of wharves, jetties, slips, docks, bridges, breakwaters and ancillary facilities constructed at Heywoods and the construction of a public access to the beach at Port St. Charles Ltd. The Act came into operation by proclamation. However, the Act was never proclaimed on December 1, 2000. It is clear that Port St. Charles applied for permission under the Town and Country Planning Act. These things involved beach land and that is why ministerial approval was sought and they actually did get approval for the construction.

In addition to that, the project was environmentally sound as far as I can gather from what I have seen in all of the correspondence. The issue now is whether or not someone is claiming ... And the Honourable Member for St. Lucy, the would-be scientist who has claimed that Port St. Charles has destroyed the beach north of it, I question the whole issue. I understand that it was caused by hurricanes and winds.

Sir, I had a good, sound education even at the level of high school. There was a Geography teacher, his name was Mr. Peters, who taught me about something called long shore drift and how beaches are formed. When the waves meet the beach at an oblique angle, the particles of sand moved up the beach but they drain back at a right angle and that is what forms the beach. The beach moves along in the way the wind is blowing and the way the waves meet the beach. They come up the beach at this angle and drain back and that is why to stop the movement of the beach what you do is to build something called groynes, not the ones within your legs, because that is what causes the sand to pile up and create beaches. I would have thought that from the natural wind pattern of our waves and our wind direction which is North East trade, as far as I know, that Port St. Charles would cause a natural groyne and the beaches would have been eroded to the south of Port St. Charles not to the north.

My concept of this and the environmentalists can tell me if I am wrong....

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is misleading the House because even Port St. Charles admitted that they had a build-up of sand and that they then had to hire equipment to remove it from their property and put it elsewhere because it might endanger the passage of yachts into their property.

Hon. N. A. LYNCH: Mr. Speaker, that is a non-point. Anyhow, Mr. Speaker, I remember that beach and I cannot remember the beach north of Port St. Charles being any two miles long. I was a regular there. He has now got to St. Lucy, you know.

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is misleading the House again. Mr. Speaker, I have never said that the beach to the north of Port St. Charles was anything about two miles. I even drew a reference in here, Sir. So it is quite clear the Honourable Member might have been sleeping because I said if you put a bus, a minibus and car side by side, that that is the length of the beach to the north. So the Honourable Member could not be referring to my speech, Sir. He still got to be dealing with Oba, Sir.

Hon. N. A. LYNCH: Mr. Speaker, it is written in Hansard. He said that the beach used to be two miles long but let me tell you something, he now arrived in St. Lucy. I used to go up in Clinketts. I had a girlfriend in Clinketts and I used to come right down the hill, that was a long, long time ago, to go to a beach right underneath the ridge there to Shermans Beach and I remember the beach there clearly, he cannot tell me about this beach. What he is telling me is that the beach has been totally removed in that area because Port St. Charles is there. That is absolute and complete nonsense.

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is again misleading the House, Sir, because prior to Port St. Charles, people used to haul up boats there during the hurricane season but now since Port St. Charles has been constructed you cannot haul boats there anymore. The Honourable Member might be right about the girlfriend but he is not clear about the location of that particular beach.

*Asides.*

Mr. SPEAKER: The position is this. One is saying that the car never used to move when he was on this beach and the other one is saying that the boats have always been hauled up there.

*Asides.*

Hon. N. A. LYNCH: Mr. Speaker, the issue is whether or not the construction of Port St. Charles has actually caused an erosion of the beach to the north. The point I am making is that from my understanding of natural wave patterns and how beaches are formed, I do not believe that that is the natural pattern. I believe that some other additional wave action at some other time and caused by some other natural phenomenon may have caused that issue. Under normal conditions, the construction of Port St. Charles should not have caused the erosion of the beach to the north.

Sir, the issue is this. I know for a fact that Port St. Charles worked with a hotel to the south of the marina to put boulders out into the water to construct groynes to be able to control their beach to the south. I remember this distinctly. I remember this particular hotelier speaking to the issue of working with the people at Port St. Charles to cause him to retain his beach because his property is to the south of Port St. Charles. I am just trying to make the point that as far as I can understand I do not know why Port St. Charles, being constructed where it was, would have caused the beach to erode to the north. As a matter of fact, I believe that you would end up with a little more beach than you had previously. I believe that some other natural phenomenon would have caused the erosion.

4.10 p.m.

Sir, the issue is this. Port St. Charles met all of the environmental tests. They met all of the Town and Country Planning tests and I do not believe that in any way, this Government has sought to disadvantage anyone on Six Men's beach or any fisherman whatsoever. As a matter of fact, this Administration has been working only in the interest of the smaller man in this country. I say that, Sir, in relation to the last comments that the Member for St. Lucy made regarding the whole concept of the development of tourism. He continues to speak to the issue of tourism not being...

*Aside.*

Hon. N. A. LYNCH: He did. He did mention all-inclusive and I am on record as stating that people must be at the centre of all of our actions in tourism if we are to ever get in Barbados, the perfect tourism product. I have said that on more than one occasion and I continue to do that. I have no problem with the Honourable Member stating that. People must be at the centre of our tourism planning in Barbados. Whether he believes in inland tourism or not and whether he continues to believe that inland tourism is viable, the fact is that as the beach land in Barbados continues now to be scarce in terms of tourism projects, we need to move inland as well to be able to shore up our tourism revenue. Tourism must also be for the people of Barbados first. He keeps making this point every time he comes here and also about the all-inclusive.

I have never said anything, but I heard him say this once that I was advocating all-inclusive tourism. All-inclusive tourism is just another marketing niche within the entire tourism sector and one that is necessary if Barbados is to optimise its receipts from the industry. It is one part of our positioning strategy. There are tourists out there who demand and who want only the all-inclusive product. Therefore, if Barbados does not go after the all-inclusive product as well, what we may be losing out on is a substantial portion of

tourism revenues in our country. One has however got to be careful that all-inclusives do not overrun the country and that we have a balanced set of tourism products in Barbados.

This issue about all-inclusives taking people away from the people of Barbados, is absolute nonsense. The concept of the all-inclusive was started in Jamaica. It was started to protect guests from actually going on the streets because it was unsafe. Our destination has never been one that has been projected as unsafe. It is simply another marketing niche within the system. What we have been able to do is to create another level of all-inclusive. As a matter of fact, where all-inclusive properties are in Barbados, the tourists are encouraged to go off the property, to dine out, to partake of other activities outside of the property and to take tours outside of the property. Within that framework as well, it is simple arithmetic. It is not fuzzy maths. If a property was being run and it had 40 per cent occupancy for about five years and you sold it and it became all-inclusive, it is getting now 80 per cent occupancy. Two hundred thousand people use more goods and services on an island than 100 000 people once they are spread out and you do not have them confined to the same suppliers. That is the issue.

I think that many of our all-inclusives are not all-inclusive in the sense as they are in unsafe destinations, but we have all inclusive and yet encourage people to go out. The other thing that is clear that a visitor has already paid for his stay. If you get him to go off the property and spend money, that is money you have for the property. So this nonsense that I continue to hear about the all-inclusive situation is just as necessary as having EP hotels, MAP plans or all the other plans. They are just as necessary as cruise tourism. We have many components in our tourism sector to make up the whole.

Sir, I still want to say that we have been able to bring another slant to our tourism industry. In just six months we have produced a draft called "Sustainable Tourism Development Policy" for Barbados which has been shared with the people of Barbados in both national dailies as well as in two town hall meetings to explain exactly where our tourism strategies and policies are going. Out of that will come our new Tourism Development Act for Barbados in the first quarter of 2001. Our development strategy for tourism is driven with people at the centre. The people of Barbados must benefit and people at all levels. This is an Administration that cares about people. The other Administration had its chance and when they had their chance the records show what they did to the poor man of Barbados. We have been proving with our own means and by our record here what we do for poor people. I am just saying, Sir, that I lend my support to this Act. I can read no mischief in it. I think it is important for Barbados' development and I will continue to lend my support.

I am obliged to you, Sir.

Mr. SPEAKER: The Honourable Member for St. Philip North.

Hon. R. N. GREENIDGE: Mr. Speaker, when I first saw this Item appear on the Order Paper, that is, the Port St. Charles Validation Bill, 2000, I was almost sure that I was not going to speak on this particular Item. When I saw this document which is entitled Statement of the Democratic Labour Party on the Port St. Charles (Validation) Bill, 2000, I decided that I would have to say just a few words on the Bill.

Indeed there were about three portions of this statement that caught my eyes. One says that the Bill, if passed, will mean that any potentially illegal works which may have been undertaken on behalf of the owners of Port St. Charles will now be sanctioned retroactively. What is Barbados coming to? Is the rule of law and procedure now abandoned by this Government? That caught my eyes and then a line that says, "There has not been a piece of legislation like this in living memory." And then, Sir, the final paragraph that says, "No Government could seriously expect to give a corporate citizen what amounts to a pardon, for what might happen sometime in the future by validating his potential illegal actions in the past."

Mr. Speaker, the Honourable Member for St. Thomas gave a historical background to show that only the best practices were in operation with respect to this particular development at Port St. Charles. Nothing was done in contravention of the Town and Country Planning requirements. We learned from him, Sir, that the Act was passed in this Lower House in 1996 and that the Act was passed in the Senate in 1996 and assented to by the Governor-General in 1996 as well. Now the Act should have been proclaimed but it was not. We admit that was an administrative slip. It would have been ideal, Sir, if the Act was proclaimed in 1996 as well. We have learnt now that the Act was proclaimed on 1st December, 2000 and what it says here, that the Act now comes into effect when it is proclaimed. That, Sir, is where we are. I therefore consider this document by the Democratic Labour Party on the Port St. Charles Validation Bill, 2000 to be a very spurious document and the arguments in it to be very puerile indeed. 4.20 p.m.

Someone wants to give the impression, Mr. Speaker, that there is something shocking, that there is something irregular, that there is something sinister and underhand about the validation which we are doing before this Honourable Chamber. It would be a very stupid government to come to the House on two occasions with something that is sinister. I thought what you would do is to keep it as secret as possible. I do not know that you would try to come to the House twice if you are doing something underhand. It is

almost like a thief who goes into a house and writes his name on a piece of paper in the house and virtually tells the police 'apprehend me if you can'. I do not see how you could argue that what is happening is something underhand when we have virtually taken upon ourselves to come and say we are coming back to validate as is the norm and is expected.

The point I want to make, Mr. Speaker, is that we should not politicise this particular validation. We should not politicise this at all. As the Honourable Attorney General has said, and he has quoted from Mr. Maurice King, the validation is indeed as old as the hills. Any good practitioner of law should see validation as a facilitating procedure and it is intended to be just that.

Lawyers live validation every possible day. The Honourable Member for St. Thomas has also listed about 10 occasions when we have had to come to this Chamber for validations, so there is nothing sinister about it. It is an every day thing in the practice of law. For example, we have situations where occasionally the overseas clients who are purchasing land very often sign and date property transfer forms. You sign and date the property transfer forms before you actually get the, Exchange Control permission. In other words, you are saying the property is transferred but remember you did not get the Exchange Control permission. This happens every possible day. What has to happen then is that the Central Bank is forced to supply a certificate of validation.

Sometimes you forget to get the Exchange Control permission. I have known of an instance where we actually forgot to get the permission and it would have meant that the conveyance would have been void but you could apply to the Central Bank for the permission and when that is done the conveyance is no longer void but the validation makes the conveyance a good one from the actual date of the conveyance.

As I say, Mr. Speaker, there is nothing really and truly unknown to the practice of law. As I was thinking about this earlier this morning I also recalled the matter of the Anglican Church when the Anglican Church failed to publish in the Official Gazette their regulations and that caused a lot of problems because those regulations contain things like the age of retirement and an Act of validation had to be passed to confer legitimacy on all of those Acts which were performed under the relevant regulations and the relevant legislation.

This is something that we live every day. We should not come in here and politicise it and try to make people believe that because it is called a validation that something underhand is going on. I detest that particular approach. The rationale behind having validations done is that human beings will err. Mankind will make mistakes and validations

are really intended to correct human error. That is all it is. It is an acknowledgement that if you slip procedurally that you should not be damned eternally for that slip. You slip occasionally, Mr. Speaker, and you should not be damned for it. Because of inadvertence, Mr. Speaker, in doing certain things, that should not be the end of the world for you.

Mr. Speaker, this validation that we have done will also ensure that the people at Port St. Charles who through no fault of theirs – and we have to admit that it was an administrative slip – continued to carry out certain works there in the absence of the proclamation, will not be penalised in any way. That is what it is.

We have to let the public know that that is all that is happening and they do not have to bring this political thing into it about people doing things underhand. We also have to remember too, Mr. Speaker, that innocent third parties would have worked for and would have contracted with Port St. Charles. These innocent parties would have done no wrong either.

Let me give you an example, Mr. Speaker. Under the Change of Name Act if you try to get your name changed from John or Ishmael or whatever to Omowale, the Change of Name Act says that you have to publish that notice in the Gazette. A month must pass and then you have to publish a second notice in the Gazette. I know of instances where the second notice was not published and it was not published because of the person who applied for the name change. It was an administrative slip. Are you going to tell me that you are not going to allow that chap Ishmael or John to use the name Omowale just because somebody slipped and did not do that?

Mr. SPEAKER: I do not think I would use that name.

Hon. R. N. GREENIDGE: Do you not like that name? Mr. Speaker, there are also instances where in probate what has to happen, and the Honourable Member for St. John will know this, is that there is a particular provision in the affidavit when you are doing it as an executor. You always say that in one calendar year, 12 months from this date you will bring in an account for all the proceeds of the estate and so on. Nine out of 10 executors do not do that but it does not mean that the distribution will become void. These are things that we have to speak about and let people know that human beings will make a mistake and that validations are provided for that reason.

4.30 p.m.

Mr. Speaker, the final point which I want to make is that Barbados is a tourist destination. We boast of a good tourist product and Barbadians must understand that our borders are not closed to non-Barbadians. There are people

who want to give the impression that this is what should happen but we have to let people know that diversity of people is a fact of life.

Port St. Charles, Mr. Speaker, is a part of Barbados and it has to be accepted as such. We are a very receptive country and there are many benefits that we can derive from Port St. Charles – the earning of foreign currency, employment and a wonderful opportunity to send a strong message to others that Barbados is, indeed, a cosmopolitan society.

We want here to have a certain standard of living and I do not see how we can say that and at the same time say that we do not want certain developments in Barbados.

Mr. Speaker, it is inevitable that Barbados will attract people who would want to live here. I know that Government has to look after its own citizens and at the same time it has to show a receptive face to those who would want to come and live in Barbados. Government has to balance all of those things and we cannot be hostile to investors. It is not commonsense for us to do this. We should ask ourselves which developed country does not accommodate others. Canada, England, France and the United States do it. You cannot, Mr. Speaker, in good faith, take the people's offshore companies and boast of the foreign exchange earned from them and then tell the same people that they cannot come and invest here.

Mr. Speaker, that is my contribution.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, I have tried to listen and digest all of the contributions made in this debate. They have ranged from dismissing this as a minor matter to describing it as a major matter of facilitating the most significant investment for a long time in the history of Barbados. It has ranged from flying in the face of history to a distortion of the public record. That has been the general trend of the debate from the contributions I have heard so far.

Why is this Bill necessary? It is necessary because the full procedures for bringing into effect this piece of legislation, which was passed by both Houses since 1996, was not completed so the Act was not proclaimed. To all intents and purposes there was no such piece of legislation on the statute books of Barbados known as the Port St. Charles Act until December 1, 2000.

In any other circumstance, Government, I assume, would be very annoyed with any citizen who went ahead and acted as if a law was in place when, in fact, it was not in place just as they would be annoyed if a citizen breeched a law that was in place. In this debate today we are hearing that it is a small issue even though there was no law in place, that

we are going to go back on behalf of this corporate citizen and perfect the record so that anything he did, pursuant to a law that did not exist, he would be covered by a validation given by Parliament. Apparently, that is not unusual or so I am hearing today.

I start with the speech of the Honourable Member for St. Thomas. He very conveniently, to distort the records, in my view, quoted only the speech of the former Attorney General of Barbados. He did not bother telling us that when those validations were being sought by the Democratic Labour Party that at one point the Barbados Labour Party warned that if we brought another validation to this Parliament they would not be supporting it. The reason was that most of the actions that were being validated arose out of the provisional collection of taxation legislation which the Democratic Labour Party had adjusted but then could not comply with.

In other words, the Ministry of Finance can impose taxes and had to bring the law within a certain time for the process to be perfected but once the taxes were imposed they took effect immediately subject to the law coming into being by a certain time. Dr. Richie Haynes decided that he was going to make that time a lot shorter. There was a long historical debate about it, he shortened it and said that he was going to be bringing the legislation within four months as an act of great efficiency. The Barbados Labour Party took objections to the stance he took because it showed them up for their inefficiency and threatened that they would not be supporting any further validation and that is part of the record, a part that the Honourable Member for St. Thomas forgets because today, validations are small issues and do not make much difference to public affairs in Barbados. If a law does not exist but a man acts under a law that does not exist, a validation is acceptable.

I have been in here long enough to have heard both sides of it. As I said, I am frankly surprised by the Honourable Member for St. Thomas because he got carried away by a statement in the newspaper issued by the Democratic Labour Party rather than getting to the substance of the debate. There was no Port St. Charles law in place. It came into being on December 1, 2000. Acts were committed before then as if it was in place. Whoever was to inform the people did not inform them that the law was not in place and this Parliament is called upon to rectify it.

Would that other citizens in Barbados could enjoy that privilege from this Parliament, Mr. Speaker, Sir. Would that other citizens could be so favourably treated. Not just with the big investments but with the small matter like the people squatting in the Belle, the people in Clifton Hall in St. John who have problems which need validation, the houses sited in College Savannah in St. John, some facing the sea, some

facing the road, a town planning disaster, in my view, which this Parliament does not have time to deal with and the list could go on.

Mr. Speaker, I made a long list. The people in Six Men's, St. Peter, do they not deserve a piece of legislation? Everything the Attorney General said in this debate pointed to the fact that perhaps we never needed a Port St. Charles built in the first place because there was not a single new right created under any of the sections he quoted – Section 5, Section 7 and Section 9 – which could not have been dealt with under other legislation.

*Mr. SPEAKER left the Chair and Mr. DEPUTY SPEAKER took the Chair.*

Mr. Deputy Speaker, in the Jurisdictions of Magistrates, there is a piece of legislation that deals with that. You did not need a Port St. Charles Act to deal with it. The question of the land reclaimed being vested in the company... Government vests land every day when this Parliament meets, either the National Housing Corporation or some other entity. This Government has the power under existing laws to do that.

4.40 p.m.

The reservation to which the Honourable Member refers, or rather, the rights of the Crown did not need a piece of law to declare them. If there was any doubt about the Crown's powers, there is already in existence, a Barbados Port Authority Act, which indicates quite clearly what the position is in relation to harbours, *et cetera*. It already has, in its schedule, the Bridgetown Port, the Carlisle Bay, the Careenage, Spring Garden Anchorage, Speightstown Bay, and the remainder of the territorial sea. All Government had to do was to add Port St. Charles to it, but the Government wanted to come in here with a big public relations triumph.

In 1996, we basically took the position that it was unnecessary then and the Honourable Member of St. Lucy spoke on some specific issues that concerned him, but we did not fly in the face of the Government's desire to show off. It went that route, the Act was not proclaimed and now it finds itself with this nonsensical situation of validating an Act which never took place apparently in respect of a Bill that was never necessary, in the first place, largely because a government, which is being driven by public relations and propaganda, will always find itself in this blare-eyed situation, driven by things and propaganda.

When Government brought the Port St. Charles Bill, it was not offended then that the newspapers wrote about the Port St. Charles Bill coming to Parliament before it came. On the morning that the Bill came, the papers had all the information on Port St. Charles beforehand.

So why would Government be annoyed that there is a little criticism in today's paper about the validation of a Bill that was not necessary to validate Acts in Parliament, which, apparently, never took place. That is complete absurdity of what is going on in here.

The reason why it is dangerous is not the Bill in itself, or anything it validates, or does not validate, it is because, as I say – and the Honourable Members on that Side will say that we are trying to create envy, if we say this – in my view there are some other development disasters in Barbados, and I have already described one that is in St. John, in relation to the way the layout of College Savannah is proceeding, that needs attention.

There are problems in the Belle which the Honourable Member for St. Michael East had to get up in this House, and remind us of, which do not attract the attention that corporate citizens have got.

Let me remind the Attorney-General of this, because he has forgotten this as well and distorted the record to the extent that he did not remember. Every single other validation that this Parliament ever had to do was to validate the Act of a public functionary, whether the Act of a Minister of Finance, a statutory corporation, the National Insurance Board, but never the Act of a private citizen in the history of this country.

The closest that anyone can point to something like that would be a Bill passed some years ago. I am going to put that in the record, because I know that Honourable Members on that Side have forgotten it, but I do not want to be partisan, I want to be balanced, as the Honourable Member for St. Philip North called for and as one of his constituents, I will comply.

There was a Bill brought in this House years ago, in relation to a limitation of remedy in respect of scientific research. It gave the person the rights to damages. It did not completely remove the remedy, but it limited their remedy, so that they could not get an injunction, or other forms of relief from the courts. That was in respect to, I think, the Belair Research Institute and the Space Research Corporation. The Barbados Labour Party then came into office and replaced those by the Meteorological Institute, the U.S. Weather Service, the Natural Gas Exploration, and some other area, so there are about four areas. I know the history of Governmental activities, in respect of which a limitation of remedy had applied.

So, as I said, you create, spit up in the air, the spit is coming back down, and now it is coming back down, the Government has difficulty trying to extricate itself by talking about the validation of a piece of legislation that was never necessary, in the first place.



The people had the right Town Planning permission, so, apparently, that was not an issue. No one on this Side ever questioned the validity of the project. We always said that it was a good project, but it was not a project that required its own piece of legislation but, therein lies the problem. The Attorney-General of Barbados, when he was moving the legislation, indicated his motivation for it. It was not drafted by a Select Committee of the House of Assembly. It was not drafted by a Committee of Backbench Members of the Barbados Labour Party. It was not drafted by any Parliamentary team. It was drafted on the advice of the Parliamentary Council and his department, and the lawyers for Port St. Charles.

So, we are dealing with a different kind of validation today and no one can come in this House of Assembly and question that statement that was made by the Democratic Labour Party, because that statement was made against the background of the facts.

There is no other occasion in living memory. There are some people 110 years old and they cannot point to any, except... I do not even know if we have any exceptions in relation to public utilities in Barbados or any of them that you had to bring a piece of legislation like this.

All of the laws in Barbados cover all of the activities that were undertaken at Port St. Charles, and I am going to ask the Attorney General to explain to me, with all his wonderful drafting of the Port St. Charles Act, what powers the Government has. Since it is not scheduled under the Barbados Port Authority Act what are the powers that the Government has to control the landing of passengers and all of the other customs and activities, that are apparently, required at Port St. Charles, but are not anywhere in this legislation? I am asking the Attorney General.

Is it a scheduled harbour, is it under the Customs Act, generally? That is what the Attorney General needs to explain, because it was not done in the original debate. It was not done today except by a passing promise and to the best of my knowledge there is no reservation of those powers anywhere in this legislation, assuming it was necessary.

So that, as I said, Mr. Speaker, Sir, what we have today is a debate on a Bill to validate Acts that do not need validation. Apparently, they were always lawfully done, whether the Bill existed or not in respect of activities that never require a Bill.

Why was the Bill brought in the first place? Why did we not amend the legislation that already provides for the Jurisdiction of Magistrates, for the vesting of lands, and for all of the other things that were brought separately under this Port St. Charles Bill which, as I said, is a major departure

from the way in which matters of this sort were handled in the past.

If the persons at Port St. Charles did nothing wrong, then nothing needed to be validated, or questioned in any way. If the Honourable Member for St. Thomas assures us that everything is, was, and will continue to be above board, there was never any need for legislation like this, except, as I said, purported for public relations, propaganda, however you might want to put it. It was very nice when it was drawn up, because it gave persons a chance to talk about how much is being done to facilitate private investment. No barriers were to be placed in the way of the investors who were investing at the Port St. Charles, and I never realised that the barriers would be so knocked down that there would be even other validations for Acts that never took place and be given a Bill to cover their activities when they did not require one. But it shows the extent to which the Government will go for some people in Barbados and the extent to which it will ignore others.

4.50 p.m.

I think the Honourable Member for St. Lucy needs to be congratulated for the fact that he has raised concerns about the beaches and the access to those beaches and the configuration of those beaches in the area around Port St. Charles. The Government has a responsibility not to criticise somebody who raises those concerns about matters in his own constituency, not to accuse him of ignorance whether in the pejorative sense or otherwise but to take those things on board and to respond to them sensibly.

It is only when you look at the debate from a partisan way, as did some people, the Honourable Member for St. Philip North asked us not to be partisan and we are not being partisan but there were others who saw it purely in a partisan way. Therefore, they did not even take the advice of the Honourable Member for St. James South and avoid giving scientific information when it is clear that they do not possess a fraction of the qualifications or knowledge which will be required to make that kind of judgment.

Mr. Deputy Speaker, that is why I say that we need to accept that there is something unique about this. We are not going to stand in the way of the Government. The Government has a right to do its public relations and the Opposition has a right to respond on behalf of the people. Sir, all that was done by the Democratic Labour Party, was to lift the veil and try to point out to the public that all is not what it seems in relation to Port St. Charles.

We support the physical development of that area, the jobs that it has created, the investment that has been undertaken but we have to wonder why it was necessary to send the kind of signal that was sent to this developer and to others who have been given special legislation and in this

particular case, why the act of a private developer, taken when a law did not exist under the aegis of that law, could be validated. Yet, why the Acts of other citizens in Barbados, who may have misunderstood even existing laws or may find themselves functioning under the same basis, cannot have their actions validated by this Parliament. They cannot have their concerns brought to the fore by this Parliament and cannot receive the kind of special and important treatment that is necessary. That is all. Those are simple straightforward questions and I am indebted to you, Mr. Deputy Speaker.

Mr. DEPUTY SPEAKER: The Honourable Member for Christ Church West.

Sir HENRY FORDE: I wish to speak very briefly on this debate, principally as a lawyer in order to, I hope, clarify for the benefit of the Honourable Member for St. John, the reasons why legislation such as the Port St. Charles Development Act is passed.

Unfortunately, it has become prevalent nowadays in public life for short-term political reasons to deceive people about various matters. Although I am sure the Honourable Member has no such intention. Yet, one must be very guarded in Barbados at this moment where obviously, persons are pontificating on matters without doing the necessary research.

This is not the first time in the history of Barbados that legislation has been passed to give people the right to establish break waters, jetties, slips and docks. The legislative history of Barbados is replete with legislation which conferred on the private citizen, the right to establish a jetty or a dock.

If such legislation was not passed, the private citizen will be affecting the public rights because beyond the highwater mark, ownership of the sea, the beach and the seabed is vested in the Crown. As a result, if you read the law dealing with the sea shore and the fore shore, you will see that not only here in Barbados but in all common-law jurisdictions whether it is Australia, Britain, Canada or elsewhere, legislation of this sort is necessary.

Now, I said there are series of Acts in Barbados which have not been repealed still and where private citizens for generations and for centuries have had these rights conferred on them, subject to reserving the rights of the Crown, meaning there, the Government acted on behalf of the people of Barbados. When the Port St. Charles Development Act came before this House and it was debated on August 20th, 1996, it is significant that no objection was taken to either the necessity for the legislation or indeed the content of that legislation.

In the House of Assembly at the time, the three main political parties were fully represented and the Honourable Dr. Richard Haynes was then on behalf of the NDP. Sir, in the House, the Democratic Labour Party was fully represented and among their representatives was the Honourable Member for St. Lucy, the then Honourable Member for St. Philip South, Mr. Stuart, the then Honourable Member for St. Michael West, Mr. Branford Taitt and the then Honourable Member for St. Michael East, Mr. J. O. Tudor so that there was full representation of the Democratic Labour Party. The present Leader was not there but the Democratic Labour Party took no objection.

The Democratic Labour Party welcomed the development. The Honourable Member for St. Lucy spoke and it is really strange that at this moment, the Democratic Labour Party in less than four years seems to be standing on its head, as it is doing on so many things, with a short-term political benefit of characterising the Barbados Labour Party as only acting in the interest of big people and not in the interest of small people. That nonsense is being perpetrated in Barbados consistently and unfortunately, there are some people who believe it. The inconsistency of political parties will undermine people's belief and interest in politicians, including in the Leader of the Opposition if we continue along this line. One must understand that.

Sir, first let me make the point again. Legislation such as the Port St. Charles Development Act is not new to Barbados. It has been passed for centuries in Barbados. Anyone who takes the trouble to research the law in Barbados would see that it was necessary and it is necessary because as long as you are allowing a private citizen to impeach on the beach and go into the sea, you have to pass that sort of legislation. It is wrong to give the public the idea that this Government, at any time has done anything that is against the interest of the people of Barbados.

The further point I want to make, Sir, in the legislation itself, a very good drafted Bill, the Government reserves the Crown's position in order to safeguard the rights of the people. Section 5 says,

"Subject to the rights of the Crown and to this Act, the company is entitled to do various things."

Absolute reservation, now I do not know how any good draftsman would reserve the people's right, whether they be black, white, blue, brown, small, large or any size, other than by that form of legislation. Sir, I do not know what the Honourable Member is talking about. I am really surprised that the level of politics in Barbados is now getting to this sort of depth. I am really surprised and we must stop misleading people on these issues.

Now, I want to deal with the Validation Bill. Validation Bills have been brought here in my 29 years in this Parliament on several occasions. From the first year I came in here, the Democratic Labour Party was bringing Validation Bills before Parliament. The Barbados Labour Party brought those Bills and it brings the Bills because sometimes the administration slips up and therefore a Bill is not proclaimed on time.

5.00 p.m.

If the Bill is not proclaimed on time, it would be a reckless Government which did not seek to validate it provided that it is doing so without affecting any rights of citizens that may have been accrued during the time when the Bill was passed and the act of validation took place. You will see that some Acts of validation will reserve those rights.

When I look at the Draft Bill before the House I asked myself, was there anything being validated in which a third party right would have been affected? Mr. Deputy Speaker, it is necessary to read part of the Bill. What Section 2 of this Act is doing is validating anything done by Port St. Charles Development Limited in respect of only three things, the land perfected to have been vested in Port St. Charles by virtue of Section 7, the dredging of the area around the breakwater at Heywoods, the driving of piles in the sea and the construction of the works and ancillary facilities connected with it.

Now those are the only three things that it has validated, and it is validating it if the things had been lawfully and validly undertaken. If the Port St. Charles Act had been enforced on September 18, 1996, it would not be validating it if they had done illegal things on September 18, 1996.

So once again, I find it difficult as a lawyer to understand the argument of the Honourable Member that the Government is showing a preference for Port St. Charles over a small man up in Small Town in St. John or up in Dayrells Road because I would be the first in here as a constitutional lawyer and otherwise to get up and chastise the Government. One thing I am not going to do though is go and mislead the people outside, that is one thing I am not going to do, Sir, on matters of this nature.

I really believe that the Opposition can score points without bringing down the level of our standards of debate to go in for matters that I do not believe in their hearts they really seriously think ought to be made issues of and this is one such. I will tell you why, Sir.

The Honourable Member was forthright to recall what I call the Harp Bill, the limitation of the actions. If this legislation was going to have what the Democratic Labour

Party did to the people of Christ Church West in Blue Waters, – that is one of the areas he probably would not want me to mention because you are going to hear that is a white area – Golf Club Road, Fordes Road, Oistins, Scarborough, Chancery Lane and in Ealing Park, then I would be making a noise again with the Government because what they did is that they gave not a local Barbadian citizen but by legislation they came into this House and into this Parliament and passed a Bill taking away the rights of citizens to get an injunction to stop Harp from firing a gun that shook the very foundation of their houses. You have got to remind the Democratic Labour Party and the people of Barbados of this you know.

*Asides.*

Hon. Sir HENRY FORDE: Yes, the Honourable Member for St. John was born. It is not a history of which he feels happy. I fought that Bill through here and I brought in legislation to repeal it. We repealed the schedule. It had no effect at all, you know, because Harp is such a sad occasion. When I was Minister of External Affairs, I was embarrassed one night when I was in Canada to see a programme from the BBC showing how Harp was being used to send guns to South Africa to shoot black people.

Nowadays, when I hear the Democratic Labour Party on this small man, poor man, black man and all that, I do not believe that these are the real same people. Are they really thinking? That Democratic Labour Party allowed Jerry Bull, one of the top spies, who was assassinated eventually, and a man who on the surface seem to like black people but developed the type of guns to kill the poor, black people and millions in South Africa...

Now, honestly, when you really think of these things, this so-called objection, this front page today, this issue of a statement, who really is seeking publicity and 'pompasetting'. You got to remind Barbadians of this. Nowadays, I do not speak too often, Sir, because I listen but I am worried about the country in circumstances where the main Opposition party believes that every day they must put out tripe and foolishness, without doing proper research and the Government is going to be hung on the basis of misrepresentation rather than on proper debate as we used to debate and as we used to come and do the research in days gone by when there was three of us in Opposition.

We did not depend on any Press to help us. We were the three blind mice over there and there were two blind mice as well up in the Senate. We did not depend on the Press to help us, we came and did a proper job.

*Asides.*

Hon. Sir HENRY FORDE: Even the Democratic Labour Party... That is right.

*Asides.*

Hon. Sir HENRY FORDE: I am very glad the Honourable Member *sotto voce*, would not stand up...

Sir, I demonstrated in front of the Caribbean Broadcasting Corporation (CBC). You know why, Sir.

*Asides.*

Hon. Sir HENRY FORDE: That is the point I am making. In those days, the Democratic Labour Party had it so stacked up against us that a group of us, the three of us, had to go to demonstrate outside CBC because we could not get our ....

Listen, I hear the Leader of the Opposition this time making a speech at Independence but the Democratic Labour Party in those days would not allow me to have a speech.

Mr. D. J. H. THOMPSON: Mr. Deputy Speaker, Sir, not a single speech...

Mr. DEPUTY SPEAKER: On what point do you speak?

Mr. D. J. H. THOMPSON: On a point of order, Sir,... delivered by the Democratic Labour Party at any public meeting in our series had been carried on either CBC radio or CBC television. What he heard may have been on Voice of Barbados (VOB) but not on CBC. Not at all.

*Asides.*

Hon. Sir HENRY FORDE: Sir, I am not even talking about that. I am talking about making a speech as a broadcast of an Independence message.

*Asides.*

Hon. Sir HENRY FORDE: The Honourable Member must listen before he takes objection. The Democratic Labour Party never extended that courtesy to me when I was Leader of the Opposition. They never. At Christmas I was allowed to make a little five minute speech.

*Asides.*

Hon. Sir HENRY FORDE: What are you talking about at all? I have been in public life in this country too long to be lectured by the Democratic Labour Party and people as to what is the standard with democracy that we expect in this country. That is the position.

The Honourable Member could rant and rave, I am going to put the blows on him today so he could sit down and listen to them.

*Asides.*

Hon. Sir HENRY FORDE: The point is, the blows are coming. The Democratic Labour Party are only recent converts to understanding the democratic rights as they should be practised in this country.

I want to say, Sir, that there is nothing in this Bill that shows any preference for anyone. It is a correct legal step to take. It is not out of context with any proper legal procedure and it is not a Government seeking to discriminate between its citizens on the basis of whether they are big or small.

I want to add my voice to a point which has been so forcibly made by the Right Honourable Member for St. Peter. This country will not progress without foreign investment. The Honourable Member will say it in here several times. We have not got in Barbados the capital formation nor are we able by our own efforts, by our exports or by our sales of services to generate the capital necessary to develop this country in order to increase the standard of living of the poor man in particular, or anybody else in this country. We obviously have to depend on foreign investment coming into Barbados. It is significant that successive Governments since the 1950's have been encouraging foreign investment.

5.10 p.m.

*Aside.*

Hon. Sir Henry FORDE: Sir, I know that when I was Leader of the Opposition that he did not have much sense and I still know that. He wants to know what I did when I was Leader of the Opposition. If he is going to talk all of the time, I will have to give him a few digs.

The position is that this country needs foreign investment and we are competing within the very Caribbean for foreign capital. Now if you read the journals, you will see that Barbados did not attract, even on a per capital basis, foreign investment on the level that was attracted in Trinidad and Tobago or even Jamaica at this time. Barbadians must understand that foreign investors are not out there queuing up to come to Barbados because it is some special place. They are going to come in because they want to make a profit. Wherever we can encourage our citizens instead of hiding money or sending it outside or investing it elsewhere to reinvest in Barbados, that should be our first priority and then foreign investment afterwards.

One of the reasons why I believe that a development such as Port St. Charles is necessary because it is a case of

getting your own citizens to invest their savings back into the country in order to maximize opportunity of employment for persons and to get growth going. I am not saying that any investor, foreign or domestic, should be given 'card blanche' to ride over the rights of persons. I think that it is wrong if we give the public the attitude that this country can progress without foreign investment.

Sir, it is at times like these when our economy is strong that people hold on to emotive topics in an effort obviously, to project themselves and, I suppose their parties to recoup lost ground. One must be careful in following that line of politics that one does not eventually destroy the economy that if at anytime the Democratic Labour Party comes back to power it would not have much to look after. So one has to be very, very careful in those circumstances that what you say does not come home to haunt you.

Sir, I see a lack of consistency in the stand which is being taken by the Democratic Labour Party on several of these issues. Take for instance, Sir, the question of land ownership. I have been in this House to see the Democratic Labour Party bring to this House an Aliens Landholding Bill. It never had the guts to pursue it. The then Honourable Member for St. John withdrew the very Bill because he said that if he passed the Bill it would stop aliens from holding land in Barbados and the whole economy might collapse.

Now the Democratic Labour Party is all about Bridgetown these days and all through the country talking about legislation such as this. That is the Democratic Labour Party you know. People do not have long memories but it is very necessary to remind the Democratic Labour Party of its historical performance on some of the issues that it is now putting to the front as land ownership. I repeat again. The Democratic Labour Party brought to Parliament an Aliens Landholding Act and then withdrew it. That was to prevent foreigners from owning land in Barbados other than by a licence, but it withdrew it.

*Aside.*

Hon. Sir Henry FORDE: As I will tell the Honourable Member again, I always knew he had no sense but I had sense even then to realize that such a Bill was not necessary.

Mr. DEPUTY SPEAKER: The Honourable Member please desist from interrupting the speaker. Thank you.

Hon. Sir Henry FORDE: I am accustomed to his behaviour. It is usually puerile whether he is sitting or standing. It does not bother me, Sir.

The position is, Sir, that they must learn some consistency if he wants to be a true leader and really involved in policies that are based on factual research and creativity rather than this slight off-the-hand attitude that he takes on serious issues. That is one of the reasons that I decided to speak on this Bill in the way that I have spoken. I believe that the Bill is correct and that it was brought in order to validate a position that clarifies the law as it stands and that it does not seek to close wrongs and to hide wrongs.

*Aside.*

Hon. Sir Henry FORDE: The Honourable Member wants to know about Bonnetts. I will invite him anytime he wants to come. As a matter of fact, Sir, I would like to invite the Honourable Member to let me take him through parts of St. John because I have not seen him up there for a long time and his constituents wonder what has become of him. If he wants that, Sir, I will take him on a tour of his own constituency and then take him to Bonnetts, Sir. All is well in Bonnetts so he should not bother.

Mr. Deputy Speaker, Sir, I therefore give my support to the legislation.

Mr. DEPUTY SPEAKER: The Right Honourable Prime Minister.

Rt. Hon. O. S. ARTHUR: Mr. Deputy Speaker, Sir, I have a constituency interest in this matter and I will speak in support of the legislation that is before the House. Sir, most of the legal and technical issues concerning this Validation Bill have already been dealt with in full detail such that there is no good reason why I should have to tire the House with a repetition of the technical and legal issues which have been gone into great exactitude. May I say, Mr. Deputy Speaker, that there will be occasions in an administration as someone said manned by 25,000 people where things are not done in a proper way. I am not casting any aspersion on any individual, Sir, but in an administration of 25,000 people and many different Government Departments there may be infelicities but I give the House the assurance that there will be zero tolerance to corruption by this Government. There will also be instances where there will be administrative slips. There is no administration that is so perfect that from time to time there will not be an administrative slip. I am also giving the House the assurance that if there is an administrative slip the Government will in pursuit of good governance in this country, acknowledge it and seek to rectify it at the earliest possible opportunity. If there are persons who might have been injured by any slip on the part of the Government, I further give the assurance that the Government will move with alacrity to compensate them.

5.20 p.m.

That we will do so, is already borne out in the fact that we would have once had to pay as an Administration over \$3 million for a major administrative error committed by the Democratic Labour Party in revoking a Town Planning permission for an investor at Batts Rock. We know what it is to pay for other persons' administrative slips. What I can also give the House the assurance, Mr Speaker, is that this administration is not going to willfully break the law, and having broken the law, then come to this Parliament with Acts to validate those breaches of the law. I want to repeat that point, Sir, because in this debate that is the essential difference between our approach to this validation where we are correcting an administrative slip which involved no malicious breach of the law and the way in which validations have been applied by the Democratic Labour Party in the past.

This Barbados Labour Party Administration will not willfully break the law and then use Validation Acts to validate those breaches. I make that point very deliberately because beginning sometime in 1989 about June, the former Member for St. Michael South Central, and I began to chronicle the way by which, month by month, a slow-motion, economic, horror story was unfolding in this country from June 1989, month by month, where our reserves were plunging and the plunge in our reserves were being made possible by the Government of Barbados of the day having the Central Bank extend to it an overdraft that was drastically in excess of that which was set by statute.

Although, month by month, Mr. Deputy Speaker, we brought it to the Government's attention that they were breaking the law, it continued to break the law, bankrupt this country, put us in the hands of the International Monetary Fund and, despite warnings from this Floor that the law was being broken, the actions continued to take place. Then, sometime in 1990, a Validation Bill was brought to make legal what the Democratic Labour Party was told even while it was happening that it was illegal and wrong.

Those are the kinds of Validation Acts that this House should set its face against. The Democratic Labour Party should be ashamed therefore to say that there has not been a piece of legislation like this in living memory when they well know that they have brought validation legislation to this House, not to correct an administrative slip but to validate things that they did unlawfully knowing them to be unlawful.

Mr. Deputy Speaker, Sir, perhaps I need in this debate not to speak technically on the matter but to the politics of the matter. I recently gave a speech when I said euphemistically that the Democratic Labour Party had been taken over by a group of wild boys. I said so, Sir, and I was castigated for saying that the Democratic Labour Party had

been taken over by a group of wild boys. Today, the Leader of the Opposition gave full validation to that statement when he made it clear that a statement purported to be written on behalf of the Democratic Labour Party was actually not on behalf of the Democratic Labour Party. One is left to ask the question what really is happening to the Democratic Labour Party when a statement of this severity can be written on behalf of a Party but the Leader of the Party dissociates himself from its authorship.

It says, Mr. Deputy Speaker, that there is something very rotten at the core of a political institution and very wayward when documents of this nature can not only be published and widely circulated, but can engage the front page of the national press but the political institution that is seeking to make political capital of it through its leader is saying that he cannot accept responsibility for it, that even though it is in the name of the Democratic Labour Party he does not know who its authorship is. This could only happen in a political institution where you have a collection of goons and wild boys now running affairs and those persons who thought that I was too harsh will now see in this evidence the precision of my definition.

I must also make the point, Sir, that what is in evidence now in the Democratic Labour Party is a form of political recidivism, that if there were some way that the organisation could be arrested for the first time in history it would be possible to arrest, fine and confine a political organisation. Recidivism, I think, Sir, accurately refers to a situation where a person is a repeat offender and that there seems to be no restraint on the person's capacity to indulge in unlawful, illegal and improper behaviour. The whole recent history of the Barbados Labour Party bears out that a force of great recidivism, a willingness and ability to keep repeating and repeating things known to be either unlawful or untrue, has now taken over the politics of the Democratic Labour Party.

Sir, I am not making light of a serious matter. It started with the secret deal. There are certain persons in Barbados who tell me that they went to Queen's Park in 1994 and that they were among a host of tens of thousands to hear the Democratic Labour Party reveal the details about a secret deal that we had entered into with the International Monetary Fund.

Mr. Deputy Speaker, as the Leader of the Barbados Labour Party, I would not know how to make a statement like that in public. I would not know how to face the men and women of the Barbados Labour Party if I were to give vent to a lie as monstrous as that and not only to give lie to it but to know it to be a lie and then to encourage the public to come and hear a lie and then cannot produce the facts to support my allegations. It has gone on and on.

We have heard, Mr. Deputy Speaker, and we have seen statements like this not unsigned but signed by the Leader of the Opposition purporting to assert that it was within the knowledge of the Leader of the Opposition that the Barbados Labour Party had given \$200 million to the Barbados Sugar Industry Limited for three old factories in return for political favours.

I have gone on record, Mr. Deputy Speaker, and I go on record again as calling upon the Leader of the Opposition to summon the Public Accounts Committee in public if necessary and to summon me to give evidence about matters pertaining to transactions involving the BSIL and the sale of sugar factories that has not yet taken place.

We could go on, Sir. Week by week, now in Barbados this country is to be exposed to a sad political spectacle. Last night the International Monetary Fund gave this country a report that I suppose from an institution that has been harsh on the economic performance of various countries would be regarded by any standards as an outstanding report.  
5.30 p.m.

Mr. Deputy Speaker, today the International Labour Organisation at a seminar, proclaimed that they want to hold up Barbados as a model not just for the developing countries but for the entire world, in relation to the way in which we are running our tripartite affairs. There is no crisis in the affairs of this country, Sir.

As I have said before and I will say again, Sir, we are managing one of the most robust periods of economic development in the country and we are also undertaking one of the most imaginative processes of social transformation and social development in the entire history of this country as well. From time to time there will be niggling problems, Mr. Deputy Speaker, and in the absence of a serious crisis those niggling problems will come to assume a significance that goes beyond their ordinary merit. There is no crisis in this country and this country's affairs are wonderfully well-run. There is an imaginative development programme before Barbados that can command the support of the population at large but there is an Opposition that has grown desperate.

The Leader of the Opposition had now led his party to two massive defeats and unless there can be evidence of strife and crisis in the country the Opposition knows that its political chances will be grimmer and grimmer. Hence, Mr. Deputy Speaker, there is a concentrated, consistent programme by this new element in the Democratic Labour Party, who bear no relationship to the pedigree that Errol Barrow would have established for his Party, to keep this country off-balanced by plunging our politics to a new depth in which innuendo, contradiction, the politics of envy and

this anonymous wildcard approach to the denigration of the institutions become the hallmark of the politics of Barbados.

Sir, what form is it taking? Cowardly people are not prepared to sign their names to the cowardly statements but nonexistent institutions are being invented in which the same group of wild people are being recycled among these institutions with these familiar acronyms each to stage in its own separate way a platform to ferment strife and dissatisfaction within the population of Barbados.

Sir, there was the formation of a group called GAGG no doubt financed by the same people who financed the creation of a post for research within the Democratic Labour Party Opposition office and who spent \$200 000 financing the Family First advertisement. Now there is this group called GAGG publishing anonymous unsigned advertisements in the newspaper. Then there is one called PAIN and it is beginning to tell you in a subliminal way what the Opposition is about, that they are in pain and that they are gagged. The images – gag and pain – that they are projecting are not positive, purposeful images. Now we have this dastardly act of a serious political party publishing a statement, making realistic and strong opposition to the statement, and finding itself in a position where it is embarrassed into having to dissociate itself with its own handywork.

Sir, we will not in this term be able to expect more from the Democratic Labour Party. The Leader of the Opposition has carried out a process of political cleansing. He has cleansed the party of persons of intellect. He has cleansed the party of any person who can mount a serious challenge to him. He has cleansed the party of persons who could call upon him to exercise restraints and he would now reinforce his position in the party, make it an institutional plaything to perpetuate his form of perverse politics with the politics of no redemption, the politics of no purpose, the politics of negativism, division, hate and envy.

Sir, the thing about the Leader of the Opposition is that the people who know him the best are the people who are most revolted by him. You see it, Sir, in his political career in St. John. It is the most astounding political record in the history of the Caribbean. He came to public life with a majority. His votes were 4 108 in 1987. It dropped to 3 564 in 1991, to 3 405 in 1994 and to 2 900 in 1999. He has managed to convert a 3 564 majority when he first came into politics to a majority of only 1 369.

It is a remarkable political statement, that he has taken the constituency of St. John, started with a majority of 3 564, one of the largest majorities in the history of Barbados and by the style of his politics has reduced it to a majority of only 1 369. The same thing that he has done to Errol Barrow's constituency he is now doing to Errol Barrow's party by a style of politics that revolts those who know him best.

Sir, it would be unparliamentary for to me say that he reflects all the congenital effects of a recidivist but everything is pointing in that direction.

Sir, what we have before us today to debate upon is merely a kind of political postering by the Democratic Labour Party of which we expect more and more. Week by week, month by month, new political issues will be invented. As night follows day, imaginary groups will be invented to promote imaginary causes. As night follows day, Mr. Deputy Speaker, you are going to have these anonymous statements flourish across the land of this country purporting to be critical of the Government. All I would beg the Barbados Labour Party to do in its entirety, is to keep focused on the mandate that we were elected to discharge.

*Asides.*

Rt. Hon. O. S. ARTHUR: There is a level of decency still residing in the Honourable Member for St. Lucy. Sir, he is not a goon and I will dissociate him from that general stricture but he knows that the others are goons.

Mr. D. St. E. KELLMAN: Mr. Deputy Speaker, Sir, on a point of order. I have no goons or wild boys in my party, Sir.

Rt. Hon. O. S. ARTHUR: Mr. Deputy Speaker, it is very sad that we have to come today and deal with an administrative slip which we are anxious to correct as soon as it was discovered but to have to be part of this very sordid situation where improper motives are being attached to legitimate investments by Barbadians acting in their interest and in the interest of the country. I do not have to defend the Port St. Charles people, Sir, but I think it is very wrong to have aspersions cast about them that they were involved in illegal acts.

5.40 p.m.

That, Sir, is not worthy, Mr. Deputy Speaker, and it is very wrong to have those aspersions cast that the people at Port St. Charles have been involved in things intended to, and which have succeeded in doing, damage to this country.

The Leader of Government Business in the House, and Attorney General would have already gone through the list of environmental conditions that were attached and may I say, Sir, that the investors at Port St. Charles have been assiduous in carrying out all aspects of the implementation of the project in strict compliance with both the physical, as well as the environmental conditions that have been used to constrain that investment.

I also want to say, on their behalf, that they led the way in environmental protection in St. Peter, that the government is now following, to the benefit of the people in St. Peter.

One of the environmental conditions imposed was that they should try to extract water in up land to prevent flooding in the low lands of my constituency. They led the way in pioneering new techniques of dredging control and drainage and the government has now come and replicated that by building a dam in St. Peter to the point, where the last very heavy rains in Barbados, the instance of flooding in St. Peter, would not have been severe as it would have been in the past.

The people at Port St. Charles are Barbadians who have made a substantial investment to create an asset that will redound to this country's advantage for many years to come.

Their public-spiritedness is also reflective in the fact that come December 20<sup>th</sup>, we will be opening a new law enforcement agency at Port St. Charles, built by the investors at their expense that would not only enable us to ensure integrity in the operations at Port St. Charles, but I do believe, Mr. Deputy Speaker, will allow us to strengthen our fight against illegal drugs in the northern part of the nation. I thank them for their public-spiritedness.

There has been nobody who has been as hard on the investors in requiring them to comply with every conditionality than the Member of Parliament for St. Peter. I have been conscious, from the outset, that this was a project that some people wanted to shroud in controversy. On every occasion in which anything major had taken place in this country, there has been strictures by persons who should have known better.

I remember the days when, from the ranks of the Democratic Labour Party, the highways that Tom Adams conceived that now, unfortunately, carry Errol Barrow's name, was castigated by the claim that Tom Adams was only building it to be able to facilitate the small plane owners, his comrades, who were going to use the highway to bring illegal drugs into the country.

We remember, Sir, the furore over that highway and I would expect nothing else from the Democratic Labour Party because they have that as part of their more recent memory. The Leader of the Opposition, Sir, has obviously fled from this debate, and it is well that he should have, because had he been here, I would have had to use the words of Alexander Pope about him:

"Yet, let me flap this bug with gilded wings,  
This painted child of dirt that stinks, and stings."

I am obliged to you, Sir.



Hon. D. A. C. SIMMONS: Mr Deputy Speaker, it has all been said today. I, once in discussion with a former Attorney General of Jamaica, Mr. David Core, learnt from him that once you had made a point to the court you should not persist because repetition, in some tribunals, was offensive.

When I opened this debate today, I took time and pains to trace the history of everything connected with the development and still the Leader of the Opposition would wish me to repeat what I said today. I will not. I just want to make one point. He gave the impression, left it deliberately for the Press to carry, that the government was doing something special and unique for a corporate citizen. I wish to write into the records of the House of Assembly, that in 1965 – you would not find these Laws in the Blue volume, but I have the Annual Volume of 1966.

In 1965, for the benefit of Peter Morgan, who is a strong supporter of the Democratic Labour Party, and once was a minister of...

*Asides.*

Hon. D. A. C. SIMMONS: What P.M. what? But he writes under that column. By Act, No. 23 of 1965, the Democratic Labour Party government at the time, brought a separate piece of legislation, a separate Act of Parliament. He said that we should not have brought the original Port St. Charles Act. They brought a separate legislation to authorise the St. Lawrence Hotel Company Limited to construct a groyne, with or without a seawall, connected to, or attached thereto, to happen from 3rd June, 1965.

Rt. Hon. O. S. ARTHUR: On point of Order, Sir, the Honourable Attorney General is obviously misleading the House.

Hon. D. A. C. SIMMONS: I told this House earlier today, if there is one thing that I have learnt from Sir Lloyd Erskine Sandiford, was the power of counterpunching. I hold something up my sleeves...

*Asides.*

Hon. D. A. C. SIMMONS: Whereas, the St. Lawrence Hotel Company Limited has presented a petition to the legislature, Mr. Peter Morgan got this House of Assembly, in 1965 to do something for him ...

*Asides.*

Hon. D. A. C. SIMMONS: He was the owner and it burnt down too...

*Asides.*

Hon. D. A. C. SIMMONS: "Whereas, the St. Lawrence Hotel Company has presented a petition to this Island praying that they may authorise to build, establish or maintain in the sea, the property of the company known as the St. Lawrence Hotel, situated St. Lawrence Gap, in the Parish of Christ Church, in this Island..." That hotel was then owned by Mr. Peter Morgan and it was burnt down. 5.50 p.m.

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

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir.

*The question was put and resolved in the affirmative without division.*

Hon. D. A. C. SIMMONS: I beg to move that your Honour do now leave the Chair and the House go into Committee on this Bill but in doing so, I have to announce that the Chairman of Committees had to attend a funeral, Sir, and in his absence I ask that the Honourable Member for St. Michael South Central assume the Chair of Committees.

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir.

Mr. DEPUTY SPEAKER: If that be the will of the House, so let it be.

*On the motion of Hon. D. A. C. SIMMONS, seconded by Rt. Hon. O. S. ARTHUR the House resolved itself in Committee, Mr. DAVID GILL in the Chair.*

## COMMITTEE

Mr. CHAIRMAN: This Honourable House is now in Committee.

*Clauses 1 and 2 were called and passed.*

*On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. R. N. GREENIDGE, Mr. CHAIRMAN reported to His Honour Mr. DEPUTY SPEAKER, the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.*

*On the separate motions of Hon. D. A. C. SIMMONS, seconded by Hon. R. N. GREENIDGE, the Bill was read a third time and passed and cited as the Port St. Charles (Validation) Act, 2000.*

## ORDER NO. 6 – THE TENANTRIES FREEHOLD PURCHASE (AMENDMENT) BILL, 2000

Hon. D. A. C. SIMMONS: As Leader of the House, Sir, I wanted the House's indulgence to explain that we do not propose to finish this debate on the Tenancies Bill today

but I wish the House to be aware that last week we tabled an amended Bill. As a result of one or two concerns which Members had when the Bill was first debated, we took the opportunity in the interval to make a couple of amendments. I wish formerly to withdraw the Bill which was tabled on 7th November and substitute therefore the Bill which was laid in here on 28th November, Sir, so that I wish the debate to proceed on the amended Bill tabled on 28th November, Sir.

Mr. DEPUTY SPEAKER: If that be the will of the House, so let it be.

Mr. D. St. E. KELLMAN: Mr. Deputy Speaker, there is no doubt that the Opposition will support the possibility of people owning land but one must recognise that we must also be fair in making sure that in order for one to own a piece of land, we do not deprive someone else in return.

If it is the policy of the Government to take a piece of land from someone else to give another person that is their policy but we think as an Opposition that we must also have the right to propose what we think is fair and justifiable to the landlord.

Mr. Deputy Speaker, it is no doubt that if this amendment is allowed to be passed as it stands that this amendment will end up helping one person and depriving a landlord of his rights and that is why I feel that we must find a fair way to solve this particular problem.

I am suggesting, as I have been saying all the time that the Government must understand it is their duty to provide the land for the people who want to buy land and not for the landlord to provide the land. If the Government thinks that it is not fair for somebody who has been living on land for 20 years to remove their homes and go somewhere else, I might support them on that, providing they are prepared to enter into an arrangement with the landlord to give an alternative piece of land somewhere else and providing that piece of land is not worse off than the piece they had previously.

We must understand that the major debate and the biggest crisis in Barbados now, is about land ownership and if we are going to continue to take from the left hand to give the right hand and deprive the body of one hand, we are going to create a social problem in Barbados that we will not be able to solve down the road.

I am telling you, Mr. Deputy Speaker, that already this particular Act has caused a lot of pain and problems for people. It has even gone to the stage where people have sought ways to make sure they protected their interest from losing their land.

I am not prepared to say what they have done but I have heard of many cases, Sir, where people were deprived of the

right to live on the piece of land because, instead of having to look for a piece of land, they had also to look for a house.

I am saying, as I have said on many occasions, the Government needs to buy land. The Government also needs to have a relationship with MTW or Public Works, whatever you want to call them, to put in the necessary amenities and I have been telling this Government about this policy now for six years. What they need to do, buy the land, put in the amenities and sell that land back at the cost of the land.  
6.00 p.m.

For the simple reason, Sir, when a road is constructed in an area where you have houses already, you do not ask those people to pay for the road, the lights or water. If we are going to empower our people, the Government must have an enlightening policy and do things like that.

Can you imagine, Mr. Deputy Speaker, that a man might have a piece of land, he does not own a house, he is renting somewhere and because somebody is renting his land for 20 years that person can look at him and tell him he is going to acquire his land. That person is not going to ask the person to buy any more you know. He is telling that person, look, I want that piece of land and there is nothing that the landlord can do about it. I cannot see how this Parliament can see something like this as being fair.

I agree that the tenants should have a right to a piece of land and I agree that in some cases you cannot move them because of their housing conditions. But on the same hand, if you are going to pass a law like that you must also protect the interest of the landlord otherwise, we are going to have a situation in Barbados where they are trying to give people land but they will be taking away some person's land to give to another person. Can that be fair, Mr. Deputy Speaker? There is no way that can be fair, Mr. Deputy Speaker.

Therefore, I am saying that the Government has to stop removing the problem about land ownership from off their back and putting it on poor people because this is exactly what they are doing. They are depriving poor people from land ownership and at the same time they are inviting people from outside to come and get land in this country.

Hon. G. A. CLARKE: On a point of order. The Honourable Member is misleading the House because the Bill speaks to persons living on lots for 20 years or more by February 1, 1990.

*Asides.*

Hon. G. A. CLARKE: No! No! No! There is a difference. If you look at the Bill, you will see that the person has to be living on the land at February 1, 1990. There is a difference because a person could be living on the lot for 20 years by 2000 but it states 20 years by 1990.

Furthermore, Mr. Deputy Speaker, under the amendment to the Act, under the Democratic Labour Party, those persons who were living on lands for 20 years or more, the landlord could not move them. All we are saying here is that they cannot be moved but they have the right to purchase the land. That is what we are saying.

Mr. D. St. E. KELLMAN: Mr. Deputy Speaker, that can never be a point of order, for the simple reason that I never identified a date or a period of time, so I cannot understand what the Honourable Member is getting up for already.

The truth is that the Honourable Member needs to tell this House how he is going to solve the problem of the landlord because he is addressing the problem of the tenant without recognising that the landlord has a right too. How are you going to take the one spot a landlord has from him and give it to somebody else and call that justifiable? I cannot see how any Member of Parliament could vote for this unless it is amended to make sure that the landlord is not deprived of his piece of land and that the commitment must go on the backs of the Government.

The Government is bragging about the amount of land and the number of lots they have and at the same time is seeking to deprive a landlord of one single lot and they are talking about empowering people. How can you empower one man and deprive another man at the same time? This is exactly what the Honourable Member for St. George North has brought to this House.

I am telling Honourable Members on the Government side whether they are on the Backbench or on the Frontbench that they need to speak out against things like these because this is an issue which will not rest in here alone. I will travel all across Barbados and put this case on behalf of the landlords and I will put the case for the tenant also because the commitment must be the commitment from Government and not the landlord. The landlord owes nobody anything but the Government owes it to the people in Barbados to provide a house lot for them.

I can understand the argument with the plantation tenancies because the plantations can afford to give up that small parcel of land but I cannot understand the argument when they are going to bring a Bill in the year 2000 when land is becoming a scarce resource in this country and they are going to tell me that they are going to deprive a man from having a right to own a piece of land because they want to satisfy the interest of another person.

Am I to believe that we are now in Barbados where we have two types of Barbadians, one who have a right to have and the other who has a right to give up without his consent? This is not fair. I cannot see how any Member of Parliament could support this particular measure. That is why I am calling on the Backbench to use their conscience because if they do not use it, I will use my tongue as a weapon to show

Barbadians that they are not deserving to be back in here because it is not fair. I am not saying that the tenants should not get a piece of land. I have argued that for six years and I have pointed out to the Government how they can do it.

There was a situation, Mr. Deputy Speaker, in St. Thomas when Sandy Lane bought the land from Bennetts Plantation, over 52 acres of land was available to the Government to the east of Highway 2A, and I told the Government, and you can find it in Hansard, that they should acquire that land, put in the roads and the necessary amenities and sell it back to the Barbadian public at a reasonable price. Nobody can fault Government for that, Sir.

I have said on many occasions that Government is in the business of building roads and they are in the business of providing lights, water and telephone. There is nothing wrong going to fertile land and doing likewise. If they really want to empower their people, that is the type of policy to adopt.

If the Barbados Labour Party Government wants to have a policy where they are going to take from a poor man to give to another poor man, I have a problem with that. I cannot support that and I cannot see how they can bring something like this before this House and ask me to support it because it cannot be justifiable because I know of a situation where a man ...

*Asides.*

Mr. D. St. E. KELLMAN: I hope you take your own lessons. ...living in his house, had one acre of land in St. James, he had three children and because of the kindness of his heart.... Mr. Deputy Speaker, before I continue with this point, I want people to understand one thing in here. Most of the landlords who rent people land, rent them not because of the money they get because if you only know how much money they received on a yearly basis for renting land, nobody would rent land.

The truth is landlords rent that land out of the kindness of their hearts and that is the regrettable thing because sometimes somebody buys a house from someone and cannot get anywhere to put it, they come and beg the landlord to rent the house on his land for a while. The landlord who has a heart gives in and allows the person to rent the house on his land.

Now, they are telling me that 20 years before 1980 when that was the habit of people to do those things that that person will now be deprived of being kind to another person. Is that fair, Sir? It cannot be fair and the Government must understand that they have a responsibility to the people and not the landlord. What is happening is that the Government seems only to have a responsibility, by what I am seeing in front of me, to large investors but not to the people who would have developed Barbados.

6.10 p.m.

I am calling on the Honourable Member for St. Michael East who should understand an issue like this to get involved in this debate and throw some light on this particular issue. I feel that this is an issue that he should understand because he knows a lot of people who because of the kindness of their hearts allowed people to put up houses in the sixties, the forties and the fifties. Those are the people I am talking about. Most of those people, Mr. Deputy Speaker, would have worked in the same fields and because of the sweat of their brows they were able to get a piece of land so that they could pass on to their dependants.

Do you think it is fair to those old people now to have a situation where they worked hard to achieve something in Barbados and now have to give it up because the Government wants their lands for their purposes and at the same time they want to deprive those people of that right to have that piece of land? Is that fair?

Sir, Government will have to be about fairness. As I said, I had no problem when the plantations were asked to give up some land to the people who worked on the plantations but some of these people do not even know the people they are renting from and these people only allowed them a spot on their land because they felt for them.

Am I to believe that we are creating a society where we are saying to people now that when you are kind to me that you must be punished for being kind? That is exactly what is happening. This Government is now punishing people for being kind and that cannot be fair. What will happen, Mr. Deputy Speaker, is that people will feel that whenever someone buys a house and they have land they will not rent to a soul because they will feel that politicians will somewhere down the road come back to Parliament and find a way to pass their land onto the tenants. That is a serious charge. We cannot divide communities.

I am telling you, Sir, when this is passed what we would have done in this Parliament is to divide communities instead of bringing them together. This is about division. This is about creating strife among the masses and that is not fair. What we need is a policy where we can bring the masses together and cause them to unite.

I now understand, Sir, why the Honourable Member for St. George North when I asked him not to build houses and allow people to own their own lots he did not accept that policy because the Government of the day does not want to see communities coming together but they want to see the divide and rule policy continue.

That policy cannot help Barbados and we as a Parliament must do something. I hope that the Speaker will be in his Chair, and you have a right to speak on this

particular measure because I cannot see a politician like you, Sir, supporting a measure like this. I cannot see politicians supporting this. I cannot see the Honourable Member for Christ Church West Central get up and support a measure like this, nor can I see the Honourable Member for St. Michael West supporting this because this runs against the Bible because Jesus Christ would never have allowed this to happen in his day.

*Aside.*

Mr. D. St. E. KELLMAN: To say that Jesus Christ liked justice is blaspheming. That is why I know that the Lord will look after the Honourable Member for St. Michael South because he sees no good in the Lord. Mr. Deputy Speaker, examples like that must be made because Jesus Christ came to this world to uplift the underprivileged and everybody else. This must be recognised in this Parliament. It is not fair to divide the gentiles among themselves but it is good to bring the gentiles together as one unit.

Sir, we must understand that this Parliament cannot be seen as a Parliament to divide the masses but must be seen as a Parliament to bring the masses together. What we need at this time Sir, is not to keep the land ownership among the masses at the same amount but have policies to expand the land ownership of the masses. That is why I feel that the suggestion that I made to this Government is the right one. If they only follow that suggestion what will happen is that we will have a larger portion of land available to the masses.

If you take an acre and shift it from one hand to the other it is still an acre but if you take an acre and you add 52 acres to it you have 53 acres and that is the problem with the Government. They cannot understand the importance of expanding the land base of the masses. They feel that the land base of the masses should remain constant and the only thing that should change is the ownership. The Democratic Labour Party must be a party where we oversee the land ownership of the masses increasing and the ownership not just changing hands. What is happening on the Other Side, Sir, just today in this Parliament we were told that we should not stop foreign investment. My question to you, Sir, when we encourage foreign investment and they come in and buy plantations at the rate they are buying, what will happen? They will deplete the amount of land available to the masses in this country and at the same time we are saying that we should limit the ownership of land to the masses.

How, on one hand, can you be a Government that calls itself progressive inviting people that do not know anything about Barbados to come and own all the land in Barbados but you are going to tell the masses that even though your families are expanding you can only live on a limited acreage of land? Can that be a fair policy?

Mr. Deputy Speaker, there is no way I can support this Bill unless there is an amendment to it and the amendment is that the Government must be prepared to offer the landlord an alternative piece of land. I will not support any Bill that tells me that the landlord must sell the tenant the land and just hold cash. Let me tell you something, the most precious resource in Barbados now is owning a piece of this rock. Let me tell you something, go to St. Lucy and try messing with anybody's land and you will see what happens to you. Do not even touch their landmarks because you might miss a hand and a toe. This is how seriously people see land.

*Aside.*

Mr. D. St. E. KELLMAN: It seems to me that some of your comrades do not understand that the people of Barbados, especially in St. Lucy, understand the meaning of ownership of land. This is a serious matter now. You might have been able to get away with this 20 years ago but because of the enlightening, educational processes of the Democratic Labour Party, the offspring of the people who worked in the fields would not allow you to get away with this type of policy anymore.

You have educated the grandchildren of the people who worked in the fields and do you expect these enlightened people to allow you to rush something like this through Parliament? I am saying that any self-serving soul working in Barbados who picks up this Bill will recognise that this cannot be in the interest of the masses and that they will have to write against things like this. What you are saying is that you have a grandfather who allows a grandson to have a piece of land to put a house. Let's say he did that in 1959. The grandson now can buy piece. He owns land all over the world but he still has a right, because he was living on the land for 20 years before 1980, to write the grandfather and tell the grandfather that he wants that piece of land. That same grandson could have owned plantations somewhere else or he could have had the right to own land and refused. Do you think that it is fair for the grandson to tell the grandfather that he has to sell them that piece of land when the grandfather might have had it for someone less fortunate?

I am saying to the Government of Barbados today if you feel a tenant deserves a piece of land I have no problem, I feel so too. I would like to see all poor people with land but find the alternative land so that when you tell a landlord that he has to sell his land that you can give him an alternative piece of land.

Sir, I am saying to you that the landlord has a right to have a piece of land too.  
6.20 p.m.

*Asides.*

Mr. D. St. E. KELLMAN: Let me explain to you because I feel that now you are in your new mood and if you hear it well that you will support it.

*Asides.*

Mr. D. St. E. KELLMAN: He is very much 'mass-based' now and when I get him in that mood I have to hold him.

Sir, the Act as it stands will deprive a man who has one spot of land. Do not fool yourself, somebody might have a piece of land which they are renting to someone. They could have been renting it 20 years before 1980 and might be living in a rented house somewhere else but the tenant can now write the landlord and say that he wants to buy the land. I have no problem with that. I am saying that the obligation is on the Government to make sure that the landlord is offered an alternative piece of land because it is the Government who wants the landlord to give up the land. I do not believe in this policy because the Minister of Housing believes that once he is offered money, that is the important thing.

Mr. Deputy Speaker, I am telling you that money is not as important as a piece of land in Barbados today. If we do not watch ourselves, we are going to create civil strife in this country. I have heard about too many fires in Barbados and when people question the origins of the fires, they look suspicious.

Mr. Deputy Speaker, I am saying that it is not fair, that it is not the way that the masses of people should have to live where they feel that to get what is deserving that they have to do what is not right.

It is not fair, the Government has a solution and they should follow it. Buy the land and have a land bank for those landlords who are affected. It is a simple solution but you are coming to Parliament, telling the landlord to give up his right and you will write a cheque for him as if only the Cabinet can appreciate the value of land. How insulting can the Cabinet of Barbados be? No one in the Cabinet would be prepared to give up their land to somebody else so why are you asking poor people to give up their land for somebody else? Government has an obligation to buy alternative land to make sure that nobody is deprived of that sacred right. I feel that owning land in Barbados now is a sacred right.

Sir, all day I have been hearing about investment and about foreigners having a right to come to Barbados and invest and own land but yet we cannot see that our people have the right to own some of the same land. How contradictory we can be as a Parliament? People who do not know of the building of Barbados have a right but because a landlord is poor and the only thing he owns is a piece of land, that is not important. Sir, it cannot be seen in that light.

I am calling on this Parliament and on the backbenchers especially to revolt against this unless an amendment is made. I promise the backbench one thing, that I will treat them the same way that I will treat the frontbench on this particular matter. If they do not vote on this or make the

necessary amendment, I will have to go out there and tell the constituents that they have the right to tell the Government that everybody is entitled to a piece of land and that they should have a land bank to compensate the landlord.

Mr. Deputy Speaker, I am a fair man. I feel that it is unfair to ask a tenant to remove his house which is in a poor condition. I understand the importance of leaving that house intact but at the same time you cannot only look at the tenant, you must also worry about the landlord.

Mr. Deputy Speaker, I am saying that since the landlord does not have a house on the land that it is easier for you to offer the landlord a piece of land somewhere else. I consider that to be fair providing that the piece of land is of the same value or higher. I have no problem with that but do not take from the grandfather to give the grandchild when the grandfather needs the piece of land too.

I thank you, Mr. Deputy Speaker.

Mr. T. A. PRESCOD: Mr. Deputy Speaker, unfortunately, the speech of the previous Member who spoke on this amendment leaves me very confused. The mistake is that he has jumped into the pool at the deep end and finds it extremely difficult to follow a proper and logical path in order to arrive at a sensible conclusion.

Sir, to understand the progressive nature of the amendment to the principal legislation of the 1990s, one has to examine the whole chronological evolution of the history of land that begins as far back as the 19th century as a point of reference. When the Honourable Member spoke it reminded me of the robust argument of the middle class of the 19th century who occupied some of the noble corridors of Government like Conrad Reeves and Lady Carter who put forward a strong argument for the landlords of the day and the land-owing class of the time.

I have always attributed a sense of philosophical thought to the Honourable Member for St. Lucy.

*Asides.*

Mr. T. A. PRESCOD: I believe that he was still searching to find a grounding somewhere. Every time the Honourable Member for St. Lucy comes to this Parliament he speaks about the interests of the masses but I could not believe today, to hear him consistently, in almost every line talking about the landlords.

Sir, the white plantocracy who came here had all the land and in order for the landless in this society to get land, in order to transfer title of land from one person to another, there is a necessity for someone to give up some of what they have. The Honourable Member's logic seems to suggest that there is something magical about the Tenancies Freehold Purchase Act.

Mr. D. St. E. KELLMAN: Mr. Speaker, Sir, on a point of order. The Honourable Member is misleading the House. Sir, all I said was that if you are going to take land from a poor person to give a poor person that it is the Government's obligation to make sure that the landlord has an alternative piece of land. I thought that a gentleman who spends most of his time trying to uplift the masses would have been able to connect with that statement. I said that when the land is taken from the plantations, I support that, because they can afford to lose the land. Now, I am shocked that someone whom I always thought was grounded on the mass basis is now sounding like a conservative.

6.30 p.m.

Mr. T. A. PRESCOD: It is simple under the last amendment, which can be considered the principal Act, up to 1990.

If, for 20 years, up to February 1, 1990 and persons were living on the land, those persons who were living there before this Amendment had a right, which is tantamount to a life tenancy. They could stay on the land as long as they honoured the payment of the rent. If they did not pay the rent, they would be considered a squatter and be subjected to eviction. They had no right to purchase the property as a consequence of the 1990 Amendment. They could have stayed on that land until the end of time, without the landlord having the right to evict them from the land.

All that this 1990 Amendment seeks to do now, is to give them a right to purchase the property from the landlord...

*Aside.*

Mr. T. A. PRESCOD: The landlord still would not have use of the land as long as that person is alive. You cannot understand that? It is simple. The problem with you is that you have not gone through the provisions in the Amendment, or even tried to understand what were the inconsistencies and contradictions in the various Amendments over time; the Amendment of 1980, and then, the Amendment of 1990.

You see, the problem with you Honourable Members on the Other Side, is that you have a perception of persons which you should have of yourselves. You believe that everybody who comes in here for the first time is a neophyte in relation to understanding these matters. Because they are too complexed for you, you think that they are too complexed for me.

When I speak of a fee, simple, absolute in possession, you believe that somebody told it to me. You do have that problem. When I talk to you about a good title, you believe that somebody told it to me. All that I am seeking to do, is to bring you back on track and rather than saying one thing about the masses for a number of months or years, you

suddenly then seek to protect party interest and shift your defence to the defence of the landlord, without understanding one of the objectives behind the Amendment.

Mr. D. St. E. KELLMAN: The Honourable Member is misleading the House by giving the House the impression that I am trying to play-off the landlord versus the tenant. That is not true. I have said, Sir, that both of them have rights and that instead of the landlord being played-off against the tenant, that the government must be the third party and provide the landlord with an alternative piece of land. That is all that I have said. I am shocked that this is causing a problem for the Honourable Member for St. Michael East.

Mr. T. A. PRESCOD: That is why, as I said it sounded like an advocate of the 19th Century, very much like Conrad Reeves and Lady Carter.

I want to make this point, because these were the same people who were opposed to the transfer of titles from the white planter-class to the landless proletariat. It was alright if the land was transferred to the black middle-class, but they felt that land was not to be transferred to ordinary working-class people.

This objective here is that persons living on small house-spots of less than 5,000 square feet are people from the proletariat. You deduce that from logic, you do not have to state it. It is addressing a situation where the very small at the lowest end of the social strata of the society will benefit from the Amendment. What we are saying is that there are so many landless old people in Barbados and we are seeking to put them in a position of good title.

*Asides.*

Mr. T. A. PRESCOD: The reason why I have explained to you that these difficulties do exist is that if you look back at the whole history of the struggle for property, you will see that whenever attempts were made there were always voices like his. Whenever attempts were made to transfer title to the ordinary masses, there were all types of restrictions placed in the way of the transfer of that title.

It has happened as a consequence of the investment of the silver men who came back from Panama in the 1920's and had invested their money in friendly societies and the plantation class of the day, who controlled the legislature, ensured that restrictions were put in place so only one acre of land could have been purchased by the same friendly societies.

This trouble is something that has been consistent. It has happened before in a different form when they used an Act which ought to have been positive. They used the Health Act of the 19th century to identify lands in places like Carrington's Village, at the end of the 1890's as being

properties unsuitable for human habitation. They used the Act which ought to have been positive and that is all we have witnessed throughout the history; a constant struggle and that is why I am trying to explain to you in order for you to understand. You must understand the chronological evolution of the historiography of properties in Barbados. That is the point I was trying to make to you and you need to understand that. The Masters and Servants Act is another Act which was put in place to keep black people in poverty with regard to land. They had to live on the "rab" land of plantations and if they wanted to go to work on another plantation, they had to put the little chattel house on their back and move.

Mr. D. St. E. KELLMAN: The Honourable Member is misleading the House again, Sir, because the majority of these land lots are tilled and to give the impression, Sir, that the land that we speak of is quite different from the "rab" land of the plantation, is to mislead this House and not to have an understanding of this life in Barbados.

Mr. T. A. PRESCOD: Sir, our philosophy is very clear. There was no altruistic effort in the 19th Century to enfranchise black people. The intention was to disenfranchise them. The comparative analysis of the 19th, 20th and 21st Century is that we seek to put in place a more egalitarian, a more altruistic approach to the transfer of that title to ordinary working-class people.

It is clear that the phenomenon of land is tantamount to persistent poverty and if we have a programme where we are talking about the eradication of poverty, then we must seek to empower the landless in society who worked for centuries to build this nation. When you do not have any land, in this country, you are perceived as a subordinate, an inferior; you have no power. Land is power.  
6.40 p.m.

In the 1950s as a consequence of the adult franchise, you had to be in possession, prior to that, of property or born white, in order to exercise the right to vote. Land has always been powerful and that is what we are talking about.

You know how it is, I do not know if you know because you are probably part of the middle-class, land-owning type in Barbados and that is where your problem exists. But you know how it is to be at home and face the harassment of the landlord that you now seek to defend? Do you know the type of subservience that a tenant has to put up with when a landlord comes a morning for rent and because you are unemployed temporarily, the landlord shows no kind of social conscience whatsoever and the eviction notice that is given sometimes is in obscene language? Do you understand that?

Do you know how it is when the Urban Development Commission which has been seeking to transform these people's lives, go to a tenant and tells the tenant that 'we are

willing to replace this home and put contemporary conditions in place with a toilet and bath'. And the landlord who has been renting that person that property for over 30 years, simply because they hear that the State is going to improve the quality of life of that person, refuses to sign and allow that person to put a water toilet, so to speak, on the back of a chattel house, in order to improve the condition of life. Those are everyday experiences.

The legislation you see today is a consequence of the experiences that we are having in bringing about the transformation from poverty to a higher standard of life. These legal norms emerge as a consequence of the social norms in this country today. He has to understand that and that is what is happening. There is a need for us to bring the required legislation in place to address and redress those conditions within the society. This is easy to understand. This is nothing complex.

I cannot understand how you could go down the line, according to Mark, about the landlord's rights will be taken away. The word, 'rights' is relative in these circumstances because rights at some point, when the British Crown came here and claimed all the land, some kind of rights, somebody even had permanent rights in the circumstances. Now, when the British came here, they did not purchase the land, they claimed the land and all over this country was divided up in plantations and they became the owners of the land. Sir, had not for the changes of legislation over the last few years, very few of us would be owners of land.

Sir, at the end of the 19th century, between 1880 and 1890, a man by the name of C. H. Greenidge purchased the land in the Ivy with the intentions of subdividing the Ivy in 1890. His intention was to create a middle-class enclave, not for the masses of the people. If you look at the houses in the early part of Ivy, you will see middle-class housing. There were very few people, in the Legislature fighting to get housing and better conditions for the broad masses of people. He has to understand that.

The health legislation which I spoke about, they were talking of Conrad Reeves, if you read the history. Go back and read Woodville Marshall and you will see what this consistent struggle has always been all about. So there is provision in this legislation which can be very helpful to the improvement of the standard of life for working-class people that are landless in the urban communities especially.

Although we already have provisions in place for land on the plantation tenancies to be purchased at \$0.10 per square foot, what will happen in all of these amendments is that the landlord will be compensated. As long as the lot is less than 5 000 square feet, the State is prepared to pay the balance over the \$2.50 per square foot which the tenant will pay. The State will pay the additional sum of money as a

form of compensation for the loss of real property which the landlord will have to give up.

Sir, we will look at the market value of the property. The tenant will pay \$2.50 for the property and the State will pay the remainder. If the land costs \$6.00 per square foot, the tenant will pay \$2.50 and the State will pay \$3.50. There is a comprehensive way of arriving at that because what you normally do in the process is to indicate your interest as a tenant in the purchase of the land by forwarding a Form I to the Ministry of Housing and Lands showing your intentions to purchase that land.

I think if there is a delay for an unreasonable period, then you forward the Form II and indicate your interest. Then the Ministry of Housing and Lands will take a decision in deciding how that land should be disbursed of. Sir, what is so complex about that.

What it is in the legislation that makes you believe that the landlord will be disenfranchised – that his land will be taken away from him and that there will be a loss in succession rights to the offspring of the landlord? It has to happen that way and all that you have to do is if you get \$6.00 or \$7.00 per square foot for the land, go and purchase land somewhere else for your offspring.

Sir, we must extend the democracy in Barbados to the point where the landless must come in possession of property. If you know the struggles of lands throughout the world where a large mass at the bottom has been landless, there have been consistent conflict and wars. Go and look at the struggles of Guinea-Bissau with Amilcar Cabral, the struggles of the African people against the Portuguese, go and look at the struggles in Kenya with Jomo Kenyatta and Kiribati against the British. Go and study those struggles and you will see the conflict came as a consequence of the broad masses of people remaining landless all the time.

There are many other examples where land has been central to the social conflicts that exist within a society. Whether you are conscious of it or not, when you have a landless population, you are talking about instability.

*Asides.*

Mr. T. A. PRESCOD: The problem which you have is that you do not understand progressive, social engineering.

*Asides.*

Mr. T. A. PRESCOD: I do not give credit easily.

Sir, this piece of legislation is an attempt, and that is why I label it 'egalitarianism', to expand a democracy to a wider percentage of the population.



*Asides.*

Mr. T. A. PRESCOD: We seek to enfranchise the poor in these circumstances.

Although you are on the Other Side, I look forward to seeing you improving in one way because it is a great opportunity for you in the future and if you would listen and learn, even from those whom you believe are not knowledgeable enough to enlighten you, I believe that you would go a long way.

*Asides.*

Mr. T. A. PRESCOD: I know for sure, out of this legislation that the people of St. Michael East will be extremely grateful.

I have a tenantry in Martinique Road. It is called Tudor's Land, some call it Sealy's Land. It has over 46 tenants on the parcel of land in Martinique Tenantry who will rejoice at the provisions that are in this amendment. Most of them have no title to the property but as a consequence of this amendment they will be entitled very soon to good tidings.  
6.50 p.m.

*Asides.*

Mr. T. A. PRESCOD: They will have a document, a piece of real property in their hand, just like you, when they want to go to the bank to borrow money they can use it as security. Provisions are already in place. I am sure that the record of the Urban Development Commission (UDC) will clearly indicate that the people of Martinique Road, who are living on those tenancies will soon be in possession of those titles.

I also have a piece of land in Barkers Tenantry Road in an area called Hollywood that has on 23 units and is owned by a landlord from St. George who wants to sell poor people the land at \$20 per square foot as though the land is on the West Coast and he has been changing from one Attorney to the next.

*Asides.*

Mr. T. A. PRESCOD: I know that my constituents would be extremely happy because they now have access to the Urban Development Commission and the National Housing Corporation where they can go and get a loan to cover the cost of purchasing those properties.

I also know of single tenants in my constituency who for quite a long time would like to improve the structure of their homes but the landlord refused to even give them a note

saying he has granted them permission to refurbish or improve the house. They do not even have a toilet and bath, sometimes not even a proper pit toilet and they now have to venture 70 yards from the little unit...

*Asides.*

Mr. T. A. PRESCOD: Do you understand those conditions? Do you understand the importance of this amendment? Those single tenants can now, without having to depend on the landlord holding them in a state of subjection, purchase the property and make all the necessary improvements that are required.

*Asides.*

Mr. T. A. PRESCOD: You do not want them to purchase the property. You are saying that it is disenfranchising the landlord. That is what you are saying.

Mr. D. St. E. KELLMAN: Mr. Deputy Speaker, on a point of order, Sir. The Honourable Member is misleading the House by giving the impression that I do not want the tenants to have the land. I have said on more than one occasion during the debate that I agree with the tenants having the right to purchase the land, but that the landlord must also be given the right to get a piece of land back from the Government. That is all I am saying, as simple as that.

Mr. T. A. PRESCOD: Mr. Deputy Speaker, it is not an organ system, that we take land from a man and pay back the man piece of land. What they are given is money. Money is a medium of exchange. They are paid in liquid cash, if you want to put it that way, for the actual land. They can take that money and decide whether they want to purchase land somewhere else or not. They have an option of doing whatever they like with the money they receive for the purchase of the land. The option is there for them.

*Asides.*

Mr. T. A. PRESCOD: But they can purchase land if they want to because they are compensated at the market-value of the land.

*Asides.*

Mr. T. A. PRESCOD: Mr. Deputy Speaker, I hope that despite the reluctance in trying to understand the points which I was making that Honourable Members who listen to me, including the Honourable Member for St. Lucy, would be much clearer on the objective of the amendment of this Tenancies Freehold Purchase Act and understand that all we are seeking to do is to redress certain imbalances in the society and to extend the democracy so we can include the

ordinary working-class landless people in the share of the wealth of this nation.

I thank you very much, Mr. Deputy Speaker.

#### SUSPENSION OF SITTING

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I am proposing that we could probably take another two to three speakers on this matter and then adjourn the House later on. We would not be able to do the Post Office (Amendment) Bill tonight but I would wish to do it next Tuesday. There is every likelihood that we will meet next Tuesday and possibly next Friday because we have a lot of business still on the Order Paper. Government is just churning out measures.

I would move now, Sir, that we suspend for the dinner break until 7.45 p.m. and thereafter we will continue with the debate on this Item which we will not finish tonight and that we will keep this going and hopefully next week we will be able to finish it.

I beg to move that this House do now suspend until 7.45 p.m.

Hon. R. N. GREENIDGE: I beg to second that.

*The question that the Sitting do now suspend until 7.45 p.m. was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER suspended the Sitting accordingly.*  
7.00 p.m.

#### RESUMPTION

Mr. DEPUTY SPEAKER: This Sitting is resumed.

Mr. M. Z. WILLIAMS: It is but fair that I too should lend a voice at this time to this debate and with a bit of pride since I will probably be able to boast in this Chamber that under the Tenancies Freehold Purchase Act the Constituency of St. Michael North West stands to benefit. In so doing, it would be fair for me as the voice of the people of St. Michael North West to be able to say thank you to this Honourable Chamber and to the Minister responsible for bringing this amendment to this Chamber.

It is quite strange when I listen to the voice of the Honourable Member for St. Lucy putting his case. He also must relate to the fact that this is not Barbados of the forties and of 1937. That this is a progressive Barbados where every single person, young and middle-aged, thinks in terms of upward mobility and that is to be owners of property. That is something that we must all understand clearly.

The youngest Barbadian from the time he has a job the first thing on his or her mind is to be in possession of a

property. The Honourable Member for St. Lucy would also know that St. Lucy can be said to be the parish where there have been more land disputes in the law courts of Barbados than in any other parish in Barbados. I believe the records of the law courts will probably attest to this.

What is extremely important here, Sir, is that even though you may be putting a case for the landlords you must also understand that the landlords in many cases in urban Barbados are difficult to trace because of what may be considered to be family disputes. You may have a situation where wills have not been made and where, in many cases, the person who is executor of the will has passed on. You find that there have been lots of problems in terms of land ownership in urban Barbados. You find in certain districts and in certain communities people who will be living on land for more than 15 or 20 years and still do not know their landlords, have not been able to pay rent because the landlord does not exist.

It is also a case where in some cases the related family might be paying rent to a particular family member over a certain amount of years and then at a given time a letter appears from an attorney who states that relatives living outside of Barbados have given indication that they are not the owners of the land, so more rent must be paid to that particular family. I say that to say this. It is not fair in this modern Barbados for families who have been living on tenantry land for so many years to be subject to the humiliation and the situation which they face in terms of improving their lot.

If you look at some of the tenancies across Barbados you will find that as soon the youngster starts to work one of the first things that that person does is probably look for some sort of transportation and then that transportation cannot get up the gap because the gap is not suitable. The reason why it has not been done is because for years that family has not been able to improve the surroundings of that household and have not been in a position to make the individual members of that family feel as though something is in it for them at a later date. As long as there is established ownership – my mother or my father have owned this property – then somewhere along the line they will go to their graves without being in possession of a piece of property.

I am very happy to say that under the Tenancies Freehold Purchase Act that I can use the area of Strakers Tenantry in my constituency as an example. You had a situation where there was a dispute, which I do not want to go into in detail in this Honourable Chamber. A particular member of the family decided to offer the land for sale after some people had lived on that land for some 45 to 50 years. The price that was being asked, and the Honourable

Minister of Housing can attest to this, because he was drawn into the matter extremely early, was \$7.50 a square foot.

Mr. Deputy Speaker, when you look at the situation and you relate to it, here are families who have been living in a tenantry for many years and out of the blue the agent decides, on the instructions of a family member, that the land is up for sale. The price that was being asked turned out to be a price that we understood clearly could not be a proper asking price.

I am proud to say in this Honourable Chamber that because of the intervention of the Ministry of Housing and Lands that under the Tenancies Freehold Purchase Act the residents of Strakers Tenantry today are on the road to owning their properties, not at \$7.50 a square foot but at \$5 a square foot, with a contribution of \$2.50 coming from the Government. That goes to show you the importance and the role of the Tenancies Freehold Purchase Act working within urban Barbados.

It is all right to talk about rural Barbados but in some cases of rural Barbados we know it was plantation land and we know the situation where the Tenancies Freehold Purchase Act has already been passed. When we come to urban Barbados in the communities across Barbados then one must understand clearly that somewhere along the line in order for those families to have a sense of independence, to be able to get to and from their homes without having to put on plastic shoes or three shoes, as I have heard the Honourable Member for St. Lucy mention, must have access to better roads, access to owning their homes and have the utilities that are necessary to improve the living condition in that household.

Gone are the days, Mr. Deputy Speaker, when you could bring up young children to cross the yard or ask the old lady who might have arthritis or ask the old gentleman who might have suffered from some sickness, to get up at twelve o'clock at night and cross the yard to do what they have to do.

The reason why under the Tenancies Freehold Purchase Act that these people can benefit is because they do not have to take a piece of paper to a landlord to sign, who will tell them he is not giving them permission to dig a well because somewhere along the line he is owner of the land and he has a right to give them a turn-around at that point.

Under the Tenancies Freehold Purchase Act and that person purchases that land, then they have the right to improve their living conditions. So I must support this Act and the amendment in a sense that it gives better standards of living to the average Barbadian within urban Barbados who is highly affected in terms of the disputes that exist over ownership of the land he is living on.

I am quite surprised at the Honourable Member for St. Lucy and also the Leader of the Opposition when I can take their Manifesto of 1999 on page 15 and in it they said clearly:

"... revise the Tenancies Freehold Purchase Act to ensure that the descendants of qualified tenants are not disadvantaged and that Barbadians can have access to the idle land around them."

8.00 p.m.

Mr. Deputy Speaker, how can the Honourable Member for St. Lucy stand in this Chamber and prevent people from owning something that can be passed on to another generation. They have alluded to it in their Manifesto. I will repeat it for the Honourable Member for St. Lucy:

"Revise the Tenancies Freehold Purchase Act to ensure that the descendants of qualified tenants are not disadvantaged and that Barbadians can have access to idle land around them."

They also went further:

"We will acquire the land on either side of the plantation tenantry road to provide lots for housing for the children of the existing owner."

How can you stand in this Honourable Chamber today and not support the amendment? Are you telling me that families that live in Half Moon Fort, Crab Hill and all of those places who have been living on tenancies all those years should not be in a position to go towards ownership? The Honourable Member knows well that in the parish of St. Lucy people do not move, that they live on the land from seed to seed but they are not the owners of the land.

Mr. Deputy Speaker, this amendment has nothing to do with the landlord. In some cases the landlord can be grateful for Government's involvement because there are many things that the landlord would not be able to do to improve the living conditions of those families. But with the assistance of Government, under the Tenancies Freehold Purchase Act, these people can be sure that their lifestyle will improve.

The Honourable Member for St. Lucy has been telling the Backbenchers that they should not support this amendment but I would like to tell you why we have to support this. I will put a case for one Member of Parliament who is now a Minister, under the Tenancies Freehold Purchase Act. There are families in the area of St. Michael West Central like the Leacocks, who lived on that land for many years and that land has just been offered to them under the Tenancies Freehold Purchase Act at \$3.00 per square foot. This means that the property will be owned by the family and the father or mother will now be in a position to pass that land on to their children. We know that some people make improvement to

their house because it is on tenantry land and no sooner than the improvement is made, the landlord raises the rent.

*Asides.*

Mr. M. Z. WILLIAMS: Yes, we know that the landlord has a right to raise the rent because the law provides for that.

The Honourable Member for St. Michael East brought the issue of colour into the debate and we know for a fact that some of these tenancies in Barbados are owned by black Barbadians and they make life hard for some of those tenants.

How many of you can attest to the fact that almost every Sunday you would see trucks moving houses from one part of Barbados to another part. Every Sunday you would have to stop on the road because a truck would be passing with a house overhanging on the road with the carpenter and everything else on the truck. Mr. Deputy Speaker, those days are long gone.

Mr. Deputy Speaker, people who live on tenancies used to be squatters at the mercy of the landlord and if there was a situation where the landlord did not get his own way, you would have to take up your house and move. Sir, those days are long gone. This is why I have to support the amendment to the Tenancies Freehold Purchase Act.

Sir, the Honourable Member for St. Michael West might not be acquainted with this but I can tell him of a case in Headleys Land in Deacons Road where there is a family living for 40 years and there was a dispute and the land was sold to another landlord. This is a case where the family was living on the land for 45 years but because of the number of houses on the land, it did not justify the help of the Tenancies Freehold Purchase Act and the land was sold. There were only three houses on that land and after all those years that the people lived on that land the new landlord gave them notice. They had to move and they were scattered all over the place. Honourable Members would have read about it because it appeared in the newspapers sometime back.

Sir, under the Tenancies Freehold Purchase Act there is protection not only for the landlord but for the tenant which enables the tenant to benefit.

I would like at this point to ask the Honourable Minister responsible, to see if the conveyance can be speeded up. The delay is caused by the research which has to be done by the Land Registry and also the legal end of it which takes up a lot of time. I am concerned about this and I would like the Minister to look at it to see if there is a quicker way for the people owning their properties under the Tenancies Freehold Purchase Act to be able to obtain those properties without waiting for a long time.

I think this is extremely important because of the amount of tenancies in existence. When we look at the amount of tenancies in urban Barbados from the City of Bridgetown to parts of St. James, South... When you look as far as Christ Church West and see the amount of work and the amount of research that have to be done in order for these tenants to obtain ownership of these properties, I think, it is only fair that some faster process be carried out so that those properties which are set aside by the Urban Development Commission for ownership, can be speedily owned by the tenants.

8.10 p.m.

Mr. Deputy Speaker, I do not think we need to prolong the argument that this present Government has made it possible for more people to have access to properties. We have made it possible for more people to have access to properties by way of land and under the same Tenancies Freehold Purchase Act. Where there is unoccupied land in a tenantry, in some cases, family members who live next to that open tenantry stand to benefit.

Mr. Deputy Speaker, I will like to see the day, under this Tenancies Freehold Purchase Act, when the Amendment will be made so that those people will not be placed at a disadvantage and they too will have the rights to purchase their properties.

That is what I would like to see at a later date in this Chamber because, the Honourable Member for St. Lucy knows as well as I do – I am a North man like him – that the people of St. Lucy are people who believe in ownership. In some cases, they believe they own the very properties that they are living on, when in truth and in fact, they do not. Because they do not own it they do not want to give it up when the time comes and it ends up in the law courts.

There are some cases which, as far as that parish of St. Lucy is concerned, are still in the process of being settled.

I think there is a shortcut under the Tenancies Freehold Purchase Act because, it says clearly, that if you have been living on land for more than 20 years, that by a particular date you can have access to owning that land. One of the things that I would also like to draw to the Minister's attention, is that it is alright for us to say that we would allow the tenants to obtain the land that they are living on, but I am sure that when the survey has been done on some of those lots they will be more than 5,000 square feet. We know for a fact that Government will only contribute to the first 3,000 square feet. Some of the lots are less than that, and if we are thinking of putting an adequate house on land space, we have to think in terms of giving the correct square footage. I know for a fact that there are some people

who build houses at the back of their families, or next door to their families. That is alright, Sir, but, because that is done, it is seen as occupying the space.

It so boils down, Mr. Speaker, that if we are thinking of giving people adequate space to improve their surroundings, they must have the best facilities that are necessary. I think that in all fairness, under the Tenancies Freehold Purchase Act, each person should be given the adequate requirement of space for the development of their properties.

As I said earlier, there are some cases where people occupy two or three lots, and because they occupy two or three lots, they have the right to own those lots, because they have been living on them for more than twenty years.

I think we need to even up the scale. I think we need to look at the situation where those persons who would be placed at a disadvantage would be better off. The same goes for those persons who own more than what they should really own. There should be a clear understanding for better organisation in those tenancies.

In closing, I would have to support the Amendment and I will, once again, like to say a very special thank you to the Ministry of Housing and Lands and also to the Urban Development Commission for what will be done in the Constituency of St. Michael North West.

Personally, Sir, when I check those tenancies in St. Michael North West which stand to benefit under the Tenancies Freehold Purchase Act, there are some seventeen households and I think that by the year 2004, that, I, as their Parliamentary Representative, will feel extremely proud to know that I can go to homes, within certain tenancies, and feel proud to know that those residents are now the rightful owners of those properties. I thank you, Sir.

Mr. D. T. GILL: Mr. Deputy Speaker, I rise to make my contribution to this Bill, which seeks to amend the principal Tenancies Freehold Purchase Act.

I would like to preface my contribution by stating that this Act shows great respect for both landlord and tenant and at times, Sir, the Government does have restraints on itself.

Mr. Deputy Speaker, this Bill seeks to bring some socio-economic equilibrium between those tenants from rural Barbados who have benefited significantly from the Tenancies Freehold Purchase Act of 1980, which I must remind the members of the Opposition, was also the works of an earlier Barbados Labour Party Administration.

That Act, Sir, was and still is here as a wonderful and exciting Act, which in its entirety, represents the final link

between the days of slavery and what is obtained here today. It has certain objectives which have fed into recent legislations, particularly this Bill which we are debating here this evening.

Sir, I would like to mention just a few of them. It sought and it did, the objective:

- c. To transfer legal title in respect of lands under the Tenancy Freehold Purchase Act to the tenant.
- d. To provide essential services in tenancies such as water, electricity, and roads.
- e. To improve community facilities and services; health, education, sanitation, community centres and playing fields.
- f. To increase agricultural output and raise productivity.
- g. To upgrade housing and environmental sanitation.
- h. To create new avenues of employment in the rural sector, which, eventually lead to the creation of the Rural Development Commission in 1995.

Sir, this shows you that in 1980, the seeds were sown for the present-day Rural Development Commission, as well as the Urban Development Commission.

No one, Opposition, or otherwise, can see this Bill, Amendment, the Urban Development Commission, or the Rural Development Commission Acts, as being Acts of circumstances, or serendipitous. It shows continuance, it shows long-term strategic policies and sustainability.

Mr. Deputy Speaker, further to the passage of the Act to which I referred earlier, an initial survey was taken in the urban area. As it were, the rural area was selected in the 80s, and shortly thereafter, research was done in the urban area to discover that there were some 3,000 tenants renting on some 200 spots.  
8.20 p.m.

However, those initial figures, when compared with today's statistics are really and truly very conservative. You will see later on in my discourse how conservative they are. Sir, there was a variance between the rural tenancies and the urban tenancies – and there still is – and that is the price of 10 cents per square foot which the plantation tenancies had to pay, *vis-a-vis*, what the market value of the urban tenancies would determine to be the price of the land in the urban tenancies so something had to be done.

Sir, again to show you that this Administration is an administration which sees its Manifesto as a social contract and does not abandon it, in 1999 it was clearly stated in our

Manifesto, and to be precise, at page 26 that a Barbados Labour Party, if returned to Government, would:

- “Subsidise the price of urban land so that low income groups will pay no more than **\$2.50 per square foot** for land irrespective of open market value.”

It was clearly stated up-front with no hoodwinking or no retroactive.

Moreover, Sir, at the same time there was a pledge which promised – and not to discriminate against the landowners that is why I preface my contribution by stating that it had been fair for both landlord and tenant – to provide funding to ensure that landlords receive the difference between the fair market share and the statutory price of \$2.50.

Sir, our Manifesto pledge went on further, to promise the urban poor that particular amendments would be brought. These amendments that are coming down here today have been promised. We have not reneged on our Manifesto pledge. It is a continuity and what I refer to as part of our continuum. We pledged that we would bring this amendment to expand the definition of qualified tenants to include persons who have been renting individual house spots for more than 20 years.

Sir, there was some change where we went from five to two. We have not interfered with that but superimposed on that we are saying that if you have been there for more than 20 years, then you are entitled. Sir, that seemed to have given the Honourable Member for St. Lucy great difficulty to digest. Why? I do not know because there are lots of instances, and I can speak about areas in my constituency, where the landlord seems to gain great delight in seeing his tenant remain in the most dilapidated state. I would be ashamed to tell you of a condition which my good friend the Honourable Member for St. Michael East told me about where he tried to enlighten a constituent in such dilapidated state and her landlord literally poured blows on her when she...

*Aside.*

Mr. D. T. GILL: ...A hammer? He beat her with a hammer, Mr. Deputy Speaker, when she sought to get improvement of that abject state in which she existed, the morass in which she lived. She lived there for many years but it seems, Sir, it brings some degree of delight and satisfaction for some landlords to see his or her tenant live at a subliminal level. Furthermore, Sir, the present Government has given grants of up to \$15 000 per household, in order to assist households in relocation programmes.

Mr. Deputy Speaker, this is a sequence which we are following. It is no mix and match. It forms a continuum and

a sequence. When you are speaking, Sir, about empowerment, this is real empowerment. Never before, has any Government of Barbados given a direct subsidy to would-be owners in order to ensure land distribution in Barbados and thereby create a new class of landowner.

This something which the people in Eastern Europe are now struggling to achieve, something which people in Latin America know nothing about and something, Sir, which others closer to home, until today, have not been able to even conceptualise, hence, the Amendment before this House this evening. I would like to hail this Amendment, as a new period of economic emancipation in our nation.

Sir, this Act serves to uplift by the bootstraps, thousands who live in this social morale, since they cannot improve themselves on lands owned by others. When one considers that the urban tenants cannot provide themselves with the basic things like water-borne toilet facilities, they cannot improve themselves by using a stone structure, even if they are able to own the land, they find it very difficult – and I will give you some statistics to support this. A survey in recent times has shown that there are still some 5 000 houses in urban Barbados with dry pit latrines and they have shown, Sir, that another 300 have to endure makeshift facilities.

Only this morning my niece was speaking with me about an elderly lady who worships with her and who resides in a constituency close to mine and she has told her that at her age of 72, she does not have a dry pit latrine, let alone a water-borne facility. She was at tears asking her if she could ask me to ask her representative to see if we could do something for her by Christmas.

Sir, at the end of the day and you meet these cases, you must be a man like Job to carry on the good fight. And the Honourable Member for St. Lucy has the audacity to get up in here and say that those people should be denied, by extension of his argument...  
8.30 p.m.

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is misleading the House, Sir. I have never said anything in my speech in here today that the tenants should be deprived of the right to have land, Sir. So I am seeking, Sir, that you will ask the Honourable Member to withdraw those remarks because I never said any such thing, Sir.

Mr. D. T. GILL: Sir, I said by extension of his argument.

*Asides.*

Mr. D. T. GILL: Well, you do not have an argument, then I am very sorry. You do not have an argument,

Honourable Member. You do not have any facts, so I cannot extend them, so I tend to agree with you.

Sir, this reluctance of landlords to permit tenants to sink wells..., because in some cases the basic cost is \$3 000, but if at all you get a substrata with quite a bit of water and constantly collapsing, it can get into yet another \$3 000... So if they find the money to do the basic sinking of the well, then, Sir, to go even further and to case up it will probably cost another \$3 000.

Mr. Deputy Speaker, once the tenants have been able to purchase and own and be titled, then as my learned friend from St. Michael North West said, he or she is now able to bargain and is now able to go to the bank. Sir, this is a funny thing. A bank would lend a young man living in an urban tenantry in a dilapidated state \$30 000 to buy a new car but would not lend him that sort of money to purchase the land in the tenantry because he does not qualify, strange as it may seem.

Sir, the tenants have been put into a bind. You know why? A survey has shown that 50 per cent of all the households in urban Barbados earn less than \$10 000 per annum and another 35 per cent earn less than \$5 000. Therefore, you cannot go and bargain with any bank to purchase, you have to wait for the Government of the day...

*Asides.*

Mr. D. T. GILL: You want me to repeat it. I am saying that half of the households in urban Barbados earns less than \$10 000 per annum and 35 per cent earns less than \$5 000. Mr. Deputy Speaker, this means that the Government must come to their aid and empower them. If we are talking about empowerment, this is real empowerment. The Government must come to their rescue, and in this financial year Government has set aside \$900 000 in subsidies to those qualified tenants through the Urban Development Commission.

Sir, since the Urban Development Commission has set up its public relations programme which is done on both the electronic and the print media, the print media on weekends and the electronic media on Mondays and Tuesdays, we have seen an avalanche of tenants coming in and an avalanche of tenancies and other lands being identified.

Sir, there is still further assistance available to those who do not have that basic \$2.50. We have reduced that \$2.50 per square foot even further and Government is prepared to assist by way of a grant to those persons who cannot pay. This, Sir, comes in addition to the General Workers' Housing Loan Scheme beneficiaries who were able to use that facility under the Tenancies Freehold Purchase Act.

Sir, that facility to which I have just referred is set up in the Urban Housing Loan Scheme at the Urban Development Commission. Sir, right now the Urban Development Commission is working with the people in some 86 tenancies in purchasing their lots out of some 312 lots which are earmarked for transfer. That comes to a total of \$1.756 million. Government has allocated over \$900 000 but in effect it is \$1.756 million. In all of these tenancies including Well Gap; Alleyne's Land; Straker's Land; London Road; Plum Tree; the Garden Land; Gwendolyn Gibbs; Betty Roberts; Pleasant Hall Land and St. Matthais, already some 500 persons have been titled. At every meeting we go out there and meet with them and the numbers have been multiplying. This is what you call empowerment.

Sir, the Urban Development Commission is nonetheless experiencing some hindrances. The full implementation of this is being held up in the Ministry of Housing and Lands, I have been told, by some rubber stamp that cost \$10. Therefore, I am asking my good friend, the Honourable Member for St. George North, to investigate why should a stamp costing \$10 be holding up people receiving titles to these lands.

Notwithstanding all the beautiful, exciting and interesting legislation that we may get in here and passed people are getting frustrated and want to know why is it that they have filled out Form 1 and they cannot get their hands on the titles. I have been made to understand that this is due to some rubber stamp to stamp Form 1 for the Minister to sign and they told me it goes back to the days of a former minister of Housing and Lands before our administration.

Section 10.2 of the Act required tenants to forward two copies of the Form 1 Notice to the Minister responsible for lands within seven days of the date of which the notice has been given to the landlord.

Section 10.3 requires the Minister of Housing and Lands to retain one copy of the Notice referred to in subsection 2, stamp the other as having been received by him and return that stamped copy to the tenant.

Subsection 4 states that no conveyance shall be registered or recorded within the meaning of the Property Transfer Tax Act unless the copy of the notice given to the tenant pursuant to subsection 3 is produced at the time the conveyance is presented for registration..

Sir, since 1991 there have been problems and I would like, as I have said already, to have them alleviated. Right now in my constituency, I have to tell the people to hold on, the problem is somewhere in the Ministry of Housing and Lands and that it is not my problem.

There are some 65 qualified tenants in the Simpson Land Tenantry at Halls Road; 35 tenants in Scott's Gap Tenantry; along with those in Gerald Callender Tenantry just outside my constituency, McClean's Gap Tenantry which is sometimes referred to as Maughan's Tenantry; Cummins Road Tenantry; Simeon Jordan Tenantry; Delamere land Tenantry; Campaign Land Tenantry and Brathwaite's Tenantry are being held up, I have been made to understand, because of this rubber stamp and a signature.

*Asides.*

Mr. D. T. GILL: I do not know. It does not seem true but this is what I am hearing.

Sir, when I asked about finding spots, I am told that there are lots of derelict buildings and spots in your constituency. Get them cleared man and your people can get them. Today, this evening as we speak, there are 34 such derelict properties which again are being held up by something bureaucratic. I think this may call for an amendment to the Act, where at that point in time the Minister responsible was the Minister for Housing but today the Minister is another Minister, the Minister of Social Transformation. There are 34 and I can attest to that. I can make this a document of the House.

8.40 p.m.

*Aside.*

Mr. D. T. GILL: There are 36, an extra two. It sounds like the American election. Another two have come in. The beautiful thing about this Act today which we are looking at are some of the parts which bring gratification and I have mentioned them in passing earlier. Section 3 which says:

"Section 8 of the principal Act, notwithstanding Section 5(1) where a tenant referred to in Section 7 is residing on a lot for a period of 20 years or more at the 1<sup>st</sup> of February, 1990 that tenant shall from the date of the commencement of this section be regarded as a qualified tenant of that lot for the purposes of this Act."

Sir, virtually everyday an old person is pushed off the land on which he was living for more than 20 years. The younger generation of landlord is just getting rid of them.

There is a tenantry in St. Michael South Central where the practice is to deal with one every six months and you keep quiet and six months go by and you take every legal procedure. Then you go and you smile and you go and you deal with another one. Thank God when this Bill is fully established no matter how much the Honourable Member for

St. Lucy talks, that type of behaviour where old people are put out in the cold of the night will no longer be a thing of the present but a thing of the past.

Sir, I spoke about some equity being established between the tenant and the landlord and this amendment seeks, no matter how much you talk, to make this a thing of the past. This seeks, Sir, to bring some equity between the tenant and the landlord. This is what section 10(a) says:

"A person who is a qualified tenant of a lot at the commencement of this section and who has exercised the right conferred on him by this Act shall complete the purchase of the lot within a period of 5 years from the date of the receipt of the notice referred to in section 10(6)."

Sir, that, to use the modern day phrase, is "tenant-friendly or compliant". Sir, also no matter what the Honourable Member for St. Lucy says the Bill is also very considerate with respect to the landlord. It goes on to say in section 10(A)(2) the following:

"A person who becomes a qualified tenant after the commencement of this section and has exercised the right conferred on him by this Act shall complete the purchase of the lot within a period of 3 years from the date of the exercise of that right."

Sir, this shows some sort of respect for the landlord. Again, what I prefaced my contribution in saying is that it has taken into consideration both landlord and tenant.

Sir, you go through these tenancies and people seem confused. They do not know to whom they should pay their pittance. They do not know if it is Mr. Scott, if it is the bailiff down in Pickwick Gap or if it is somebody who is deceased. They set aside a little money and they do not touch it. Only last week a tenant came to me and said that a man came to her for some money but she did not know him. The lady who used to collect her rent has come back in and she told me to send it by him, but she did not send it by him. She was going to her and pay it to her. She has not seen that woman for over 10 years and she has 10 years of rent put down.

Section 6 says:

"The Registrar shall notwithstanding the fact that no rent has been paid by the tenant as a result of the inability of the tenant to find or ascertain the identity of the landlord, proceed under section 13(1) to give the tenant a good title in accordance with this Act."



That means that man or woman can take those papers to any bank and transact business. They could pass it down. They could bequeath or they could do anything thereafter. So gone are the days that somebody can hide away and then all of a sudden you hear – look, you have not been paying your rent so therefore get off, or the person will come up and say that he or she is the owner.

Sir, this is what you call progressive legislation. This is legislation for the 21<sup>st</sup> century which removes and detaches modern day Barbados from early post-emancipation Barbados. I have also said, Sir, in my opening remarks that the Government itself has not hurt or disenfranchised or marginalised itself. At the same time, Sir, it has taken into consideration the landlord.

I am winding up now, Sir. In Part II, it says where the lot referred to in paragraph I exceeds 5,000 square feet, because some tenants can be very tricky, they want what is theirs and what is not theirs. Part 2 states:

“Where the lot referred to in paragraph I exceeds 5,000 square feet, no subsidy is payable in respect of the excess.”

Mr. Deputy Speaker, I feel proud to be associated with this Bill which is a Bill to take Barbados into the 21<sup>st</sup> century and beyond. I am grateful, Sir.

Mr. DEPUTY SPEAKER: The Honourable Member for St. Michael West.

Rev. J. J. S. ATHERLEY: Mr. Deputy Speaker, thank you for your ear. The hour is long and I would want to be as brief as possible but certainly pertinent to the relevant measure before the House at this time. I feel that I must make a contribution. I heard the Honourable Member for St. Michael North West allude to the fact that in his constituency there are 17 identified urban tenancies. In fact, in St. Michael West there are over 20 such tenancies and some of them are substantially large tenancies as well. In Haywood Land just off lower Bank Hall area/Eagle Hall area, there are 37 lots and also Hinckson Tenantry in Goodland, just off the St. Michael North West constituency there is a tenantry of 42 lots. Dr. Kerr's Land on Hindsbury Road – 59 lots, Lemon Grove Tenantry off Westbury Road – 74 lots; Garden Land Tenantry off Country Road and Bank Hall – 129 lots. I am reliably told that the Garden Land tenantry is the largest urban tenantry in Barbados. I must therefore make an input on this issue.  
8.50 p.m.

The Honourable Member for St. Lucy presumes my discomfort, and inaccurately so, with this measure. I am not at all uncomfortable with supporting the measure which is before us. The Honourable Member also initially built his

argument upon a premise which he associated with a biblical concept of social justice and social relations and challenged me on that basis to support this measure in the face of that reference.

The Bible, of course, does speak to issues of social justice and social relations but I think the Honourable Member inaccurately represented the teachings of Christ and the biblical position. In fact, Christ is the best model when one thinks of what reflects social justice and proper social relations. The position that Christ took, for the better information of the Honourable Member for St. Lucy, is that he believed in a concept or philosophy of surrendering one's established rights in the wider public interest. That is a concept that the Honourable Member needs to grasp. The capacity to surrender one's established rights to the wider public interest.

Jesus also held a view and, in fact, made it clear in very public terms that if your neighbour makes a claim on your cloak let him have your coat also. When it comes to neighbourliness, there is a story to be told of a Samaritan, the moral of which is basically this. One must be possessed of a ready willingness to divest oneself of one's resources in the interest of meeting the needs of the neighbour. If you talk about social relations and social justice and you want to use a biblical premise, I invite the Honourable Member for St. Lucy to come to terms with some of those things.

Beyond that, there is a principle of democracy which suggests that policy making should be attempted always in the interest of the majority. It is unfortunate that we would want to politicise an issue which in all honesty does revolve around a clash of interests of two classes of people, a land-owning class and a landless class, both of whom in Barbadian context today, are poor persons.

It is unfortunate therefore that we would want to politicise an issue that brings together two groups of poor, largely black persons in Barbadian society. I do not think that that is the way to go. I would invite Honourable Members on the other Side who might be so disposed to reconsider that position.

I believe a proper expression of democracy as well mandates that tangibles must be associated with the practice of that democracy. We must, as a government, seek to ensure that persons in whose interest we govern are made to benefit in tangible ways bearing in mind the principle that we make policy in the interest of the majority in general terms so to speak.

Mr. D. St. E. KELLMAN: On a point of order. The Honourable Member is giving the impression that when you have cash, that is tangible, and that it is right to take a

tangible asset from a landlord, give it to a tenant and then take from the tenant cash; and then he speaks as if the cash is tangible. I want to correct him on an accounting term. That is not true.

Rev. J. J. S. ATHERLEY: Mr. Deputy Speaker, I would have the Honourable Member for St. Lucy to understand that I am not in the business of impressions and that cash is tangible. In this case, I speak with reference to land and not cash. We must make our democracy to have meaningful expression by ensuring that tangible benefits come into the possession of the majority. It is a question of shared privileges. I think that is the type of democratic culture that we have fostered and developed in this country. I think this measure seeks in a very meaningful way to ensure that a class of people long deprived in this regard are brought into the sharing of privileges.

I agree with the Honourable Member for St. Lucy that there is a very high premium attached to the business of ownership of land in Barbados and I could not understand why he would have offered that point in support of his argument. In fact, that point could be used to support either side of this issue. A very high premium is attached to ownership of land. Whether you are part of the traditional land-owning class in Barbados or whether or not through Government's good policy you are brought into ownership of land and property in Barbados, there is a very high premium attached to the business of ownership.

I support the view that this measure enables the offspring of landlords in whose interests the argument on the other Side has been put, to having benefited through sale of these lands to come into a position where income derived from sale of that property may in fact be invested in other or perhaps even better properties. I see it as having an enabling value with respect to the interests of those represented more so than by the argument on the other Side.  
9.00 p.m.

Sir, I strongly support the view that persons who have lost the right of title to their land, who perhaps, had intention to pass it onto their offsprings, that priority must be given by Government to allow those persons to benefit from purchase of Government land. My understanding is that provision is made for this and I support that view.

Landlessness is associated with the perpetuation of a cycle of poverty. I think that as this Government, through policy formulation, seeks to break the cycle of poverty in this country, that this is the type of policy initiative which must be pursued because landlessness is one of those features which significantly contribute to the whole business of sustained poverty in the traditional context and as we have known it in Barbados until recent times.

The business of security of tenure is not only the right of ownership and the tangible value attached, but the whole psychology wrapped up in the business of being secured in your circumstances. This brings people to a position where they can be securely lodged on lands on which they had been living for some time.

The business of access to credit or capital has already been mentioned and we do not need to spend too much time on that. All of these are tangible and meaningful ways in which our people in Barbados are being brought into benefits of democracy through policies on the part of this Government.

The impact on an individual's life is radical and the experience is certainly uplifting when one comes into ownership of this sort. This is not owning a car which is basically an item of consumption and which from the moment of purchase starts to depreciate. This is empowering people and changing the whole ethos and culture of their lives. This is about the business of transforming the profile of slums in urban Barbados.

People, when they come into ownership, take special pride in what they own and they maintain it and improve it. This whole business has within it that inherent capacity to change the profile of what we now regard as slum area across St. Michael. The Honourable Member for St. Lucy might be a bit removed from that type of situation but when you travel urban Barbados and live and walk among the people you know what you are talking about. This type of policy has that capability to totally transform that kind of situation.

It has been represented by the argument on the other Side that the average Barbadian landlord in urban Barbados is a gentleman. My experience is, that the profile of the average landlord in urban Barbados is not one hundred per cent Christian. Mr. Deputy Speaker, these landlords are known for the business of unscrupulous practices and exploitation of poor and unfortunate people. There are too many instances of landlords collecting rents without proper title. I can point to an instance in Parris Gap in St. Michael West, where a landlord, now deceased, for many years collected rent without proper title. His spouse now collects rent and still no clear title has been established. Mr. Deputy Speaker, as I have said, the profile of the landlord in Barbados is not one hundred per cent Christian.

Mr. Deputy Speaker, conflict is very much a part of the property culture across urban Barbados. We talk of situations where landlords are being robbed of their lands which they intended to pass on to their children but the truth of the matter is that in many of these instances, owners of lands have difficulty as to how to dispose of their land because of conflict amongst family members. A lot of property disputes

are evident across urban St. Michael and a lot of land is the centre of this type of dispute. In fact, the facility to sell the land might be offered as a solution to many who find themselves in situations where there are three or four children who want to fight for the few plots of land which may become available at the demise of parents.

Mr. Deputy Speaker, I think that this Government has done and continues to do a tremendous job in terms of development of policy with reference to land across Barbados. I think that much more needs to be done with respect to housing because people cannot live on land without access to proper housing.

This Government does much more in terms of housing policy and housing development than the administration represented by Members on the other Side in their time. I think that a lot of what is done with reference to housing is concentrated in certain rural areas of Barbados and I think more needs to be done in urban Barbados. It is inaccurate to suggest that there is no land available in urban Barbados for the building of houses. I can point to three or four large tracks of land in the St. Michael West constituency where houses could easily be provided for poor and working class people in Barbados. Mr. Deputy Speaker, I would like to implore the Honourable Minister of Housing, the Minister for St. George North, to recognize that a very good urban housing policy would be very much complementary to this urban land policy and that, one without the other, is insufficient.

9.10 p.m.

They make these land spots available to people, but the houses which they presently occupy, is far from adequate, is still demoralizing and certainly very painful. Members of the urban area – St. Michael constituency – can testify, when faced with demands from constituents who lack proper housing.

I think it is a move in the right direction with respect to lands, because we have got to come up to speed in respect of lands in urban Barbados and I would like to make that appeal. Thank you.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I beg to move that further consideration of this Bill be postponed.

I beg to move, Sir, that on the conclusion of Government's Business, that this House do now adjourned.

Rev. J. J. S. ATHERLEY: I beg to second that.

*Asides.*

Hon. D. A. C. SIMMONS: We have to recommit item Reports from Select Committee, Sir.

#### REPORTS FROM SELECT COMMITTEES

Hon. R. St. C. TOPPIN: Mr. Deputy Speaker, Sir, on our behalf, I wish to raise before this Honourable Chamber the Report of the Joint Select Committee of the Fair Trading Commission and Utilities Regulation Bill, 2000.

At an appropriate date, I will ask for the adoption of the Report.

Hon. D. A. C. SIMMONS: Sir, that concludes Government's Business for the day.

#### ADJOURNMENT

I beg to move that this Honourable House do now adjourned until Tuesday, 12<sup>th</sup> December, 2000, at 11.00 a.m.

*On the motion of Hon. D. A. C. SIMMONS, seconded by Rev. J. J. S. ATHERLEY, the question was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER adjourned the House accordingly.*

9.17 p.m.

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