



MINUTES OF PROCEEDINGS

OF

The Honourable The Senate

The Senate met in the Senate Chamber, Parliament at the Worthing Corporate Centre on Wednesday the 18th day of August, 2021, at 11.00 o'clock a.m.

PRESENT

His Honour Senator R. R. Farley, B.Sc., C.P.A., C.M.A., J.P. (*President*)

His Honour Senator R. N. Greenidge, LL.B. (*Deputy President*)

Senator the Hon. Mr. J. X. Walcott, M.B., B.S.,
F.R.C.S. (Edin.), J.P. (*Minister of Foreign
Affairs and Foreign Trade*) (*Leader of the
Senate*)

Senator the Hon. Ms. L. R. Cummins, B.Sc., M.Sc.
(*Minister of Tourism and International
Transport*)

Senator Dr. R. O. Springer, Ph.D. (*Parliamentary
Secretary, Ministry of Education, Tech-
nological and Vocational Training*)

Senator R. W. Grant, J.P., B.A. (Econ.), LL.B.,
PG Dip. MA

Senator Dr. L. P. Holder, M.B.A., M.Sc., M.Th.,
D.Th.

Senator Dr. C. K. M. Haynes, M.B.B.S.

Senator D. R. Sands, LL.B. (Hons.)

Senator R. J. H. Adams, B.Sc. (Econ.), M.Sc.
(Political Sociology)

Senator C. A. Franklyn, J.P.

Senator Miss C. N. Drakes, B.Sc. (Econ. & Mgmt),
M.Phil Econ.

Senator Mr. C. A. Maynard, M.B.B.S., F.R.C.S.
(ENT)

Senator Rev. Dr. J. A. Rogers, B.Sc., B.A. (Hons.),
M.Phil., Ph.D.

Senator K. J. Boyce, LL.B. (Hons.), L.E.C.
and

Senator Miss A. M. Wiggins, J.P., B.Sc.

ABSENT

Senator the Hon. Miss K. S. McConney (*Minister of Innovation, Science and Smart Technology*), Senator Miss L. C. Moe, Senator the Hon. L. E. Nurse, F.C.A., F.C.C.A., Senator Ms. M. C. Taitt, Q.C., LL.B. (Hons.), M.B.A. and Senator J. A. Hunte, B.Sc., B.A.

Prayers were led by Rev. Father Wayne Kirton.

MESSAGES FROM HER EXCELLENCY THE GOVERNOR-GENERAL

Mr. President read the following:



GOVERNMENT HOUSE
BARBADOS

Ref. No. GG: 2/S. 1A Vol. II

31st July, 2021

Dear Mr. President,

I have the honour to inform that I shall be away from office during the period 4th to 31st August, 2021 on vacation leave.

In accordance with the provisions of Section 29(1)(a) of the Constitution, the Very Reverend Dr. Jeffrey Douglas Gibson will perform the functions of the Office of Governor-General during my absence.

As The Honourable The Senate will not be meeting prior to the start of my vacation leave, it will not be possible for the usual formal Message to be sent to your Chamber. Will you, therefore, please bring my absence formally to the attention of The Honourable The Senate when next it meets.

*I have the honour to be,
Yours faithfully,*

A handwritten signature in black ink, appearing to be 'J. Douglas Gibson'.

GOVERNOR-GENERAL

*His Honour
The President of the Senate*

**ANNOUNCEMENTS BY HIS HONOUR THE PRESIDENT
MINUTES**

Mr. President spoke and on the motion of Senator the Hon. Mr. J. X. Walcott the Minutes of the meetings of Wednesday, 21st July, 2021 and Wednesday, 28th July, 2021 with amendment were taken as read and confirmed.

EXCUSES

Mr. President announced that he was in receipt of excuses for absence from Senators the Hon. Miss K. S. McConney, J. A. Hunte and Miss L. C. Moe; and for lateness from Senators Dr. C. K. M. Haynes and Ms. M. C. Taitt.

Senator C. A. Franklyn spoke re the absence of Senator Miss L. C. Moe.

Mr. President spoke.

PRESENTATION OF PAPERS

Senator the Hon. Mr. J. X. Walcott by command laid:-

The Barbados Fiscal Framework 2022 – 2023 to 2024 – 2025.

QUESTIONS TO MINISTERS

Senator Mr. C. A. Maynard asked a question concerning Environmental Studies on the Louis Lynch Secondary School.

MOTIONS RELATING TO THE BUSINESS OF THE SENATE

On the motion of Senator the Hon. Mr. J. X. Walcott Standing Order 45(2) was suspended for the remainder of the Sitting.

INTRODUCTION OF BILLS

On the motion of Senator the Hon. Mr. J. X. Walcott the following Bills were read a first time:

1. Corporate (Miscellaneous Provisions) Bill, 2021.
2. Statistics (Validation of Listing Exercise) Bill, 2021.

PUBLIC BUSINESS

ORDER NO. 2

CORPORATE (MISCELLANEOUS PROVISIONS) BILL, 2021

On the Order being called for Senator the Hon. Mr. J. X. Walcott to move the second reading of the Bill entitled an Act to amend certain enactments relating to corporate bodies primarily to strengthen the regulatory framework for such bodies,

the Hon. Member spoke and moved, that the Bill be read a second time.

Senator Miss C. N. Drakes spoke.

His Honour Senator R. N. Greenidge spoke.

Senator R. J. H. Adams spoke.

Senator Dr. L. P. Holder spoke.

Senator the Hon. Mr. J. X. Walcott spoke in reply.

The Bill was read a second time.

On the motion of Senator the Hon. Mr. J. X. Walcott the Honourable the Senate resolved itself into Committee on the Bill, His Honour the Deputy President in the Chair.

Clauses 1 to 2 and the Schedule were called and passed on the separate motion of Senator the Hon. Mr. J. X. Walcott.

On the motion of Senator the Hon. Mr. J. X. Walcott the Chairman of Committees reported the passing of the Bill in Committee to the President who resumed the Chair and reported accordingly.

On the separate motion of Senator the Hon. Mr. J. X. Walcott the Bill was read a third time and passed and the title read and agreed to.

ORDER NO. 1

On the Order being called for Senator the Hon. Mr. J. X. Walcott to move the passing of the following Resolution:

RESOLVED that Parliament in accordance with section 5 of the *Crown Lands (Vesting and Disposal) Act*, Cap. 225, approve the vesting in the National Housing Corporation of the parcel of land situate at Whitepark Road and Country Road in the parish of Saint Michael in this Island and more particularly described in the *Schedule*.

APPROVED by the House of Assembly on the 27th day of July, Two thousand and twenty-one.

SCHEDULE

ALL THAT land the property of the Crown situate at Whitepark Road and Country Road in the parish of Saint Michael in this Island namely Lot 1 (together with the buildings thereon) containing by admeasurement 11400.0 square metres (inclusive of 15.0 square metres in road reserve) abutting and bounding on lands now or formerly of The Wesleyan Holiness Church, on lands now or formerly of the Barbados Government, on lands now or formerly of Economical Homes Company Ltd. on lands now or formerly of the Barbados Government (Lot 2) on lands now or formerly of Country Road Investments Ltd. on lands now or formerly of the National Housing Corporation, on other lands of the Barbados Government (Drain) and on a road known as Whitepark Road which leads to Bridgetown in one direction and Bank Hall in the other direction or however else the same may abut and bound as shown and delineated on a plan certified on the 13th day of October, 2020 by Samuel N. Taylor, Land Surveyor and recorded on the 10th day of November, 2020 in the Lands and Surveys Department as Plan No. 1354/2020,

the Hon. Member spoke and moved that the Resolution be approved.

Senator C. A. Franklyn began to speak.

Senator the Hon. Mr. J. X. Walcott spoke on a point of order.

Senator C. A. Franklyn concluded his speech.

Senator Mr. C. A. Maynard spoke.

His Honour Senator R. N. Greenidge began to speak.

Senator C. A. Franklyn spoke on a point of order.

Mr. President spoke.

His Honour Senator R. N. Greenidge concluded his speech.

Senator the Hon. Mr. J. X. Walcott began his reply.

Senator C. A. Franklyn spoke on a point of order.

Senator the Hon. Mr. J. X. Walcott concluded his reply.

The Resolution was passed.

ORDER NO. 4

On the Order being called for Senator the Hon. Mr. J. X. Walcott to move the passing of the following Resolution:

WHEREAS a Resolution was passed by the Honourable House of Assembly on the 7th day of May, 2019 and by the Honourable Senate on the 31st day of May, 2019, was assented to by Her Excellency the Governor-General on the 5th day of June, 2019 and was published in the *Official Gazette* as Resolution No. 10/2019 on the 10th day of June, 2019 approving the lease to The Maria Holder Memorial Trust of a parcel of land the property of the Crown situate at Upton in the parish of Christ Church in this Island for the purpose of constructing a skatepark for public use;

AND WHEREAS it has been determined that Resolution No. 10/2019 should be rescinded;

BE IT RESOLVED that Parliament approve the rescission of Resolution No. 10/2019.

APPROVED by the House of Assembly the 10th day of August, Two thousand and twenty-one,

the Hon. Member sought and obtained leave to introduce the Resolution in a cognate debate with Orders Nos. 4, 5, 6 and 7.

Senator the Hon. Mr. J. X. Walcott spoke and moved that the Resolution be approved.

The motion was passed.

ORDER NO. 5

On the Order being called for Senator the Hon. Mr. J. X. Walcott to move the passing of the following Resolution:

RESOLVED that Parliament in accordance with section 5 of the *Crown Lands (Vesting and Disposal) Act*, Cap. 225 approve the lease to The Maria Holder Memorial Trust of the parcel of land the property of the Crown situate at Upton in the parish of Christ Church in this Island and more particularly described in the *First Schedule* on the terms and conditions set out in the *Second Schedule* for the purpose of constructing a skatepark for public use.

APPROVED by the House of Assembly the 10th day of August, Two thousand and twenty-one.

FIRST SCHEDULE

ALL THAT land the property of the Crown situate at Upton in the parish of Christ Church in this Island containing by admeasurement 9111.1 square metres or thereabouts abutting and bounding on lands of the Barbados Government (Barbados Hockey Federation Inc.) on a drain on a right of way to an access road leading to a cul-de-sac in one direction on a drain and on a road reserve or however else the same may abut and bound as shown and delineated on a plan certified on the 27th day of March, 2019 by Samuel N. Taylor, Land Surveyor and recorded on the 28th day of March, 2019 in the Lands and Surveys Department as Plan No. 368/2019.

SECOND SCHEDULE

TERMS AND CONDITIONS

The lease to The Maria Holder Memorial Trust of the parcel of land, the property of the Crown, situate at Upton in the parish of Christ Church in this Island and more particularly described in the *First Schedule* is subject to the following terms and conditions:

- (a) the premises are being leased for the purpose of the construction of a skatepark;
- (b) the lease to be for a term of 20 years with an option to renew for a further term of 20 years;

SECOND SCHEDULE – *Cont'd*TERMS AND CONDITIONS – *Cont'd*

- (c) the lessee shall pay as a rent a one-time payment of \$200.00 plus value added tax, payable in advance;
- (d) the lessor shall review the rent at the end of the first term;
- (e) the lessee shall be responsible for the costs of development of the site;
- (f) the lessee shall comply with the requirements of all planning, building, safety and health and related legislation throughout the term;
- (g) the lessee shall indemnify the lessor against all actions arising from its use of the premises;
- (h) the lessee shall not use, permit or suffer the demised premises or any part thereof to be used for any purpose other than a skatepark except with the permission of the lessor first obtained in writing, such permission not to be unreasonably withheld;
- (i) the lessee shall not assign, mortgage, demise, underlet or otherwise part with possession of any part of the demised premises without the prior written consent of the lessor;
- (j) the lessee reserves the right to surrender the lease with improvements to the premises at any time by giving 8 months' notice;
- (k) the lease shall terminate on the transfer of the ownership of the skatepark to Crown;
- (l) the premises shall revert to the Crown for nil consideration at the end of the lease or its sooner determination; and
- (m) The Maria Holder Memorial Trust shall grant to the Crown, through National Sports Council, a licence in respect of the demised premises on the following terms and conditions:
 - (i) the licence shall be for a term of 20 years less one day with an option to renew for a further term of 20 years less one day;
 - (ii) the licence fee shall be \$1,500.00 plus value added tax, payable annually in advance;
 - (iii) the Crown as licensee acting through National Sports Council shall be responsible for keeping the premises insured under a comprehensive policy in the joint names of the Crown and the Trust;

SECOND SCHEDULE – *Concl'd*TERMS AND CONDITIONS – *Concl'd*

- (iv) the Crown shall be responsible for the maintenance and upkeep of the premises and in particular shall keep the interior and exterior of the premises, inclusive of drains, sanitary and water apparatus, gates and fences in good and tenantable repair;
- (v) the Trust as licensor shall be responsible for the repair of any latent defect in the structure of the premises or repairs arising therefrom;
- (vi) the Crown shall not carry out any additions or extensions to the premises without the approval of the Trust;
- (vii) the Crown shall not use, permit or suffer the premises or any part thereof to be used for any purpose other than as a skatepark or for ancillary sporting purposes, except with the written permission of the Trust, such permission not to be unreasonably withheld;
- (viii) the Crown shall not assign, sublet or further licence any part of the premises;
- (ix) the Crown shall permit the Trust or its authorized agent, upon receipt of 2 days' written notice to inspect the premises and, thereafter, the Trust may give written specifications of any repairs, maintenance and replacement necessary and require the Crown to execute the repairs within 21 days;
- (x) where the Crown is unable to execute the repairs within the time specified in sub-paragraph (ix), the Trust shall execute the repairs and the costs of those repairs shall be treated as a debt to the Trust as an additional licence fee and shall be settled within 2 months of the date of the Trust's invoice for the work undertaken;
- (xi) the Crown shall be responsible for maintaining public liability insurance of not less than \$2,000,000.00, subject to an annual review by the Trust's brokers, and indemnify the Trust in the event of any liability;
- (xii) the Crown shall be responsible for all outgoings arising from the use of the site as a skatepark; and
- (xiii) the Crown shall give 8 months' notice should it wish to terminate the licence before its expiry date,

the Hon. Member moved that the Resolution be approved.
The motion was passed.

ORDER NO. 6

The following Resolution was passed on the motion of Senator the Hon. Mr. J. X. Walcott:

WHEREAS a Resolution was passed by the Honourable House of Assembly on the 30th day of April, 2019 and by the Honourable Senate on the 31st day of May, 2019, was assented to by Her Excellency the Governor-General on the 5th day of June, 2019 and was published in the *Official Gazette* as Resolution No. 11/2019 on the 10th day of June, 2019 approving the lease to The Maria Holder Memorial Trust of a parcel of land the property of the Crown situate at Government Hill in the parish of Saint Michael in this Island for the purpose of constructing a nursery school.

AND WHEREAS it has been determined that Resolution No. 11/2019 should be rescinded;

BE IT RESOLVED that Parliament approve the rescission of Resolution No. 11/2019.

APPROVED by the House of Assembly the 10th day of August, Two thousand and twenty-one.

ORDER NO. 7

The following Resolution was passed on the motion of Senator the Hon. Mr. J. X. Walcott:

RESOLVED that Parliament in accordance with section 5 of the *Crown Lands (Vesting and Disposal) Act*, Cap. 225 approve the lease to The Maria Holder Memorial Trust of the parcel of land the property of the Crown situate at Government Hill in the parish of Saint Michael in this Island and more particularly described in the *First Schedule* on the terms and conditions set out in the *Second Schedule* for the purpose of constructing a nursery school.

APPROVED by the House of Assembly the 10th day of August, Two thousand and twenty-one.

FIRST SCHEDULE

ALL THAT land the property of the Crown known as Grand View situate at Government Hill in the parish of Saint Michael in this Island containing by admeasurement 5957.1 square metres (inclusive of an easement of 457.0 square metres (water main)) or thereabouts abutting and bounding on an access road leading to Highway 5 on lands now or formerly of the Barbados Government (Charles F. Broome Memorial Primary School) on an easement (water main) on other lands now or formerly of the Barbados Government (Barbados Water Authority) on other lands now or formerly of the Barbados Government (The Gordon Corbin Studios) and on the public road known as Highway 5 or however else the same may abut and bound as delineated and shown on a plan certified on the 24th day of August, 2018 by Samuel N. Taylor, Land Surveyor and recorded on the 17th day of April, 2019 in the Lands and Surveys Department as Plan No. 469/2019.

SECOND SCHEDULE – *Cont'd*TERMS AND CONDITIONS – *Cont'd*

The lease to The Maria Holder Memorial Trust of the parcel of land, the property of the Crown, known as Grand View, situate at Government Hill in the parish of Saint Michael in this Island and more particularly described in the *First Schedule* is subject to the following terms and conditions:

- (a) the premises are being leased for the purpose of construction of a nursery school;
- (b) the lease shall be for a term of 30 years;
- (c) the rent shall be a one-time payment of \$200.00 plus value added tax, payable in advance;
- (d) the lessee shall be responsible for the costs of development of the site;
- (e) the lessee shall comply with the requirements of all planning, building, safety and health and related legislation throughout the term;
- (f) the lessee shall indemnify the lessor against all actions arising from its use of the premises;
- (g) the lessee shall not use, permit or suffer the demised premises or any part thereof to be used for any purpose other than a nursery school except with the permission of the lessor first obtained in writing, such permission not to be unreasonably withheld;
- (h) the lessee shall not assign, mortgage, demise, underlet or otherwise part with possession of any part of the demised premises without the prior written consent of the lessor;
- (i) the lessee reserves the right to surrender the lease with improvements to the premises at any time by giving 8 months' notice;
- (j) the lease shall terminate on the transfer of the ownership of the nursery school to the Crown;
- (k) the lessee shall, at the expiration or sooner determination of the lease, quietly yield up the premises for nil consideration; and
- (l) The Maria Holder Memorial Trust shall grant to the Crown a licence of the developed nursery school on the following terms and conditions:
 - (i) the licence shall be for a term of 30 years less one day;
 - (ii) the licence fee shall be \$1,500.00 plus value added tax, payable annually in advance;

SECOND SCHEDULE – *Concl'd*TERMS AND CONDITIONS – *Concl'd*

- (iii) the Crown as the licensee shall be responsible for keeping the premises insured under a comprehensive policy in the joint names of the Crown and the Trust;
- (iv) the Crown shall be responsible for the maintenance and upkeep of the premises and in particular shall keep the interior and exterior of the premises, inclusive of drains, sanitary and water apparatus, gates and fences in good and tenantable repair;
- (v) the Trust as licensor shall be responsible for the repair of any latent defect in the structure of the premises or repairs arising therefrom;
- (vi) the Crown shall not carry out any additions or extensions to the premises without the approval of the Trust;
- (vii) the Crown shall use the premises as a nursery school and for ancillary educational purposes, unless written consent by the Trust is given to do otherwise, such consent not to be unreasonably withheld;
- (viii) the Crown shall not assign, sublet or further licence any part of the premises;
- (ix) the Crown shall permit the Trust or its authorized agent, upon receipt of 2 days' written notice to inspect the premises and, thereafter, the Trust may give written specifications of any repairs, maintenance and replacement necessary and require the Crown to execute the repairs within 21 days;
- (x) where the Crown is unable to execute the repairs within the time specified in subparagraph (ix), the Trust shall execute the repairs and the costs of those repairs shall be treated as a debt to the Trust as an additional licence fee and shall be settled within 2 months of the date of the Trust's invoice for the work undertaken;
- (xi) the Crown shall be responsible for maintaining public liability insurance of not less than \$2,000,000.00, subject to an annual review by the Trust's brokers, and indemnify the Trust in the event of any liability;
- (xii) the Crown shall be responsible for all outgoings arising from the use of the site as a nursery school;
- (xiii) the Crown shall give 8 months' notice should it wish to terminate the licence before its expiry date.

ORDER NO. 3**STATISTICS (VALIDATION OF LISTING EXERCISE) BILL, 2021**

On the Order being called for Senator the Hon. Mr. J. X. Walcott to move the second reading of the Bill entitled an Act to validate the conduct of a listing exercise during the periods 7th June, 2021 to 11th June, 2021 and 1st July, 2021 to 6th July, 2021, the Hon. Member spoke and moved, that the Bill be read a second time.

Senator Miss C. N. Drakes spoke.

Senator Mr. C. A. Maynard spoke.

Senator the Hon. Mr. J. X. Walcott spoke in reply.

The Bill was read a second time.

On the motion of Senator the Hon. Mr. J. X. Walcott the Honourable the Senate resolved itself into Committee on the Bill, His Honour the Deputy President in the Chair.

Clauses 1 to 2 were called and passed on the separate motion of Senator the Hon. Mr. J. X. Walcott.

On the motion of Senator the Hon. Mr. J. X. Walcott the Chairman of Committees reported the passing of the Bill in Committee to the President who resumed the Chair and reported accordingly.

On the separate motion of Senator the Hon. Mr. J. X. Walcott the Bill was read a third time and passed and the title read and agreed to.

ADJOURNMENT

On the motion of Senator the Hon. Mr. J. X. Walcott the Senate was adjourned *sine die*.

At 1.30 p.m. Mr. President adjourned the Sitting.

N. R. JONES, Q.C.
Deputy Clerk of Parliament.

The Minutes were certified correct and confirmed the _____ day of _____, 2021.

President.

SENATE CHAMBERS
WORTHING CORPORATE CENTRE
WORTHING
CHRIST CHURCH.

SENATE

SECOND SESSION OF 2018 – 2023

MINUTES

Wednesday, 18th August, 2021.
