



MINUTES OF PROCEEDINGS

OF

The Honourable the House of Assembly

At a hybrid meeting of the House of Assembly at the Worthing Corporate Centre on Tuesday the 10th day of August, 2021, at 10.00 a.m. pursuant to the adjournment.

PRESENT

His Honour A. E. Holder, B.Sc. (Hons.), MSW, LL.B. (Hons.), L.E.C. (*Speaker*)

His Honour N. G. H. Rowe, J.P. (*Deputy Speaker*)

Mr. G. W. Payne, Q.C.

Hon. Miss C. Y. Forde, J.P., L.C.P. (*Minister of People Empowerment and Elder Affairs*)

Mr. T. A. Prescod, J.P., B.A.

Hon. K. D. Symmonds, B.A., LL.B. (*Minister of Energy, Small Business and Entrepreneurship*) (**Online**)

Lt. Col. the Hon. J. D. Bostic, MVO, B.A. (Hons.) (*Minister of Health and Wellness*)

Mr. E. G. Hinkson, LL.B. (Hons.), L.E.C., LL.M.

Hon. D. G. Sutherland, B.Sc., M.Sc., M.B.A. (Dist.) (*Minister of Youth, Sports and Community Empowerment*)

Hon. Miss S. J. O. Bradshaw, LL.B. (Hons.), L.E.C. (*Minister of Education, Technological and Vocational Training*)

Bishop J. J. S. Atherley, J.P., B.A., B.Sc., PgD. (*Leader of the Opposition*)

Dr. the Hon. W. F. Duguid, J.P., B.D.S., F.D.S., F.D.R.C.S., M. Min. (*Minister of Housing, Lands and Maintenance*)

Hon. W. A. Abrahams, LL.B. (*Minister of Home Affairs, Information and Public Affairs*)

Hon. I. A. Weir, M.B.A. (*Minister of Agriculture and Food Security*)

Hon. A. R. Forde, RPh. (*Minister of Environment and National Beautification*)

Hon. C. McD. Griffith, B.Sc. (*Minister in the Ministry of Water Resources*)

Hon. P. R. Phillips (*Minister in the Ministry of Agriculture and Food Security*)

Hon. G. P. I. Gooding-Edghill (*Minister of Transport, Works and Water Resources*)

Hon. C. E. Jordan, B.Sc. (Hons.) (*Minister of Labour and Social Partnership Relations and the Third Sector*)

Dr. S. E. Browne, M.B.B.S. (*Chairman of Committees*)

Hon. K. D. M. Humphrey, B.Sc., M.Sc., M.P.A. (*Minister of Maritime Affairs and the Blue Economy*)

Hon. R. R. Straughn, B.Sc., M.Sc. (*Minister in the Ministry of Finance*)

Hon. Ms. M. K-A. Caddle, B.A., M.Sc. (*Minister in the Ministry of Economic Affairs and Investment*)

and

Ms. T. N. S-A. Moore, M.B.A. (**Online**)

ABSENT

Hon. R. St. C. Toppin, LL.B. (Hons.) (*Minister of International Business and Industry*), Hon. Miss M. A. Mottley, Q.C., LL.B. (*Prime Minister, Minister of Finance, Economic Affairs and Investment, Minister of National Security and the Civil Service*), Hon. D. D. Marshall, Q.C., LL.B. (Hons.), L.E.C. (*Attorney General and Minister of Legal Affairs*), Hon. Ms. C. S. V. Husbands, B.A. (Hons.), M.Sc. (*Minister in the Ministry of Foreign Affairs and Foreign Trade*), Mr. R. A. Thorne, Q.C., LL.B., L.E.C., Dip. Theology, and Hon. J. A. King, BSS (*Minister in the Prime Minister's Office with Responsibility for Culture and the National Development Commission*).

Prayers were taken by Rev. Father Mark Harewood.

MINUTES

The Minutes of the meeting of Tuesday, 27th July, 2021 were taken as read and were confirmed on the motion of Hon. Miss S. J. O. Bradshaw seconded by Hon. K. D. M. Humphrey.

ANNOUNCEMENTS BY HIS HONOUR THE SPEAKER

Mr. Speaker recognised the presence of and welcomed Ms. Reaiah Harris and other members of the St. Michael Parish Ambassadors.

MESSAGES FROM HER EXCELLENCY THE GOVERNOR-GENERAL
Mr. Speaker read the following:



GOVERNMENT HOUSE
BARBADOS

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

31st July, 2021

Dear Mr. Speaker,

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 House of Assembly 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 House of Assembly when next it meets.

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

A handwritten signature in black ink, appearing to be 'S. L. S.'.

GOVERNOR-GENERAL

PAPERS

Hon. Miss S. J. O. Bradshaw by command laid:-
Barbados Fiscal Framework 2022/23 – 2024/25.

FIRST READINGS OF BILLS

On the motion of Hon. Miss S. J. O. Bradshaw seconded by Hon. K. D. M. Humphrey the Statistics (Validation of Listing Exercise) Bill, 2021 was read a first time.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

On the motion of Hon. Miss S. J. O. Bradshaw seconded by Hon. K. D. M. Humphrey, Standing Orders 6, 16, 18, 20, 42(5), 43 and 44 were suspended for the remainder of the Sitting.

GOVERNMENT BUSINESS

ORDER NO. 4

STATISTICS (VALIDATION OF LISTING EXERCISE) BILL, 2021

On the Order being called for Hon. Ms. M. K-A. Caddle 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, seconded by Hon. K. D. M. Humphrey who spoke that the Bill be read a second time.

Bishop J. J. S. Atherley spoke.

Hon. Ms. M. K-A. Caddle spoke in reply.

The Bill was read a second time.

On the motion of Hon. Ms. M. K-A. Caddle seconded by Hon. K. D. M. Humphrey the House went into Committee, Dr. S. E. Browne in the Chair.

Clauses 1 to 2 were called and passed on the separate motion of Hon. Ms. M. K-A. Caddle seconded by Hon. K. D. M. Humphrey.

On the motion of Hon. Ms. M. K-A. Caddle seconded by Hon. K. D. M. Humphrey the Chairman reported the passing of the Bill in Committee to Mr. Speaker who resumed the Chair and reported accordingly.

On the separate motion of Hon. Ms. M. K-A. Caddle seconded by Hon. K. D. M. Humphrey the Bill was read a third time and passed and the title read and agreed to.

ORDER NO. 3

CORPORATE (MISCELLANEOUS PROVISIONS) BILL, 2021

On the Order being called for Hon. W. A. Abrahams 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, seconded by Hon. C. E. Jordan that the Bill be read a second time.

Bishop J. J. S. Atherley spoke.

Hon. Ms. M. K-A. Caddle spoke.

Hon. Miss S. J. O. Bradshaw spoke.

Hon. W. A. Abrahams spoke in reply.

The Bill was read a second time.

On the motion of Hon. W. A. Abrahams seconded by Hon. K. D. M. Humphrey the House went into Committee, Dr. S. E. Browne in the Chair.

Clauses 1 to 2 and the Schedule were called and passed on the separate motion of Hon. W. A. Abrahams seconded by Hon. P. R. Phillips.

On the motion of Hon. W. A. Abrahams seconded by Hon. Miss C. Y. Forde the Chairman reported the passing of the Bill in Committee to Mr. Speaker who resumed the Chair and reported accordingly.

On the separate motion of Hon. W. A. Abrahams seconded by Hon. K. D. M. Humphrey the Bill was read a third time and passed and the title read and agreed to.

ORDER NO. 5

Dr. the Hon. W. F. Duguid spoke on 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.

and moved, seconded by Hon. Miss C. Y. Forde that the Resolution be passed.

Mr. Speaker spoke and directed that from the introduction of Dr. the Hon. W. F. Duguid that Orders Nos. 5, 6, 7 and 8 be considered together in a cognate debate.

Hon. D. G. Sutherland spoke.

Hon. E. G. Hinkson spoke.

Hon. Miss S. J. O. Bradshaw spoke.

Dr. the Hon. W. F. Duguid spoke in reply.

The Resolution was passed.

ORDER NO. 6

Dr. the Hon. W. F. Duguid spoke on the following Resolution which was passed on his motion seconded by Hon. W. A. Abrahams:

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.

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;
- (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:

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

- (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;
- (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;

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

(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.

ORDER NO. 7

The following Resolution was passed on the motion of Dr. the Hon. W. F. Duguid who spoke seconded by Hon. Miss C. Y. Forde:

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 of 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.

ORDER NO. 8

The following Resolution was passed on the motion of Dr. the Hon. W. F. Duguid who spoke seconded by Hon. W. A. Abrahams:

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.

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

TERMS AND CONDITIONS

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 – *Cont'd*TERMS AND CONDITIONS – *Cont'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.

ADJOURNMENT

On the motion of Hon. Miss S. J. O. Bradshaw who spoke seconded by Hon. W. A. Abrahams the House was adjourned to Tuesday, 24th August, 2021 at 10.00 a.m.

At 1.55 p.m. Mr. Speaker adjourned the Sitting.

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

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

Speaker.

HOUSE OF ASSEMBLY
WORTHING CORPORATE CENTRE
WORTHING
CHRIST CHURCH

HOUSE OF ASSEMBLY

SECOND SESSION OF 2018 – 2023

MINUTES

Tuesday, 10th August, 2021.

Government Printing Department.