



MINUTES OF PROCEEDINGS

OF

The Honourable The Senate

The Senate met in the Senate Chamber, Parliament at the Worthing Corporate Centre on Wednesday the 9th day of December, 2020, 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. Miss K. S. McConney (*Minister of Innovation, Science and Smart Technology*)

Senator the Hon. Miss 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, Technological 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 the Hon. L. E. Nurse, F.C.A., F.C.C.A.

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

Senator Ms. M. C. Taitt, Q.C., LL.B. (Hons.), M.B.A.

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.

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

Senator J. A. Hunte, B.Sc., B.A.

ABSENT

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*) and Senator Miss L. C. Moe.

Prayers were taken by Senator Dr. L. P. Holder.

EXCUSES

Senator Miss L. C. Moe.

MESSAGES FROM HER EXCELLENCY THE GOVERNOR-GENERAL

Mr. President read the following:



GOVERNMENT HOUSE
BARBADOS

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

10th November, 2020

Dear Mr. President,

I have the honour to inform that I shall be away from office during the period 14th to 21st November, 2020 on vacation leave.

In accordance with the provisions of Section 29(1)(a) of the Constitution, Sir Kenneth Rudolph Hewitt, KA, CBE, BJH, 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,*

GOVERNOR-GENERAL

*His Honour
The President of the Senate*



GOVERNMENT HOUSE
BARBADOS

MESSAGE No. /2020

HER EXCELLENCY THE GOVERNOR-GENERAL

TO

THE HONOURABLE THE SENATE

Her Excellency the Governor-General has the honour to inform The Honourable The Senate that, in accordance with Section 36(4) of the Constitution, Mr. Julian Alvin Hunte, has been appointed to be a member of the Senate, with effect from 16th October, 2020.

GOVERNOR-GENERAL

GOVERNMENT HOUSE
BARBADOS

15th October, 2020

Mr. President having been advised that Senator Julian Alvin Hunte was present and waiting outwith, gave instructions for him to enter the Senate Chamber and take his place.

Mr. President extended a welcome to Senator J. A. Hunte.

Senator the Hon. Miss K. S. McConney spoke.

Senator C. A. Franklyn spoke.

Senator K. J. Boyce spoke.

Mr. President interjected.

Senator J. A. Hunte spoke.

Mr. President spoke.

ANNOUNCEMENTS BY HIS HONOUR THE PRESIDENT

Mr. President announced that he was in receipt of excuses for lateness from Senators the Hon. Mr. J. X. Walcott and R. W. Grant.

He also announced that he was in receipt of excuses for absence from Senator Miss L. C. Moe and Rev. Father Wayne Kirton.

MINUTES

The Minutes of the meetings of Tuesday, 15th September, 2020; Wednesday, 30th September, 2020, and Friday, 16th October, 2020 were taken as read and confirmed on the motion of Senator the Hon. Miss K. S. McConney.

PRESENTATION OF PAPERS

Senator the Hon. Miss K. S. McConney by command laid the following:

1. Annual Report and Audited Financial Statement of the Barbados Port Inc. for the Financial Year ended March 31, 2018.
2. Annual Report and Audited Financial Statement of the Barbados Port Inc. for the Financial Year ended March 31, 2019.
3. Audited Financial Statements of the Caribbean Aircraft Handling Company Limited for the Financial Year ended March 31, 2018.
4. Audited Financial Statements of the Caribbean International Airways Limited for the Financial Year ended March 31, 2019.

MOTIONS RELATING TO THE BUSINESS OF THE SENATE

On the motion of Senator the Hon. Miss K. S. McConney Standing Order 45(2) was suspended for the remainder of the Sitting.

INTRODUCTION OF BILLS

Senator the Hon. Miss K. S. McConney gave notice of the following:

1. Resolution to approve in accordance with Section 5 of the *Crown Lands (Vesting and Disposal) Act*, Cap. 225, the vesting in the Barbados Tourism Investment Inc. a company incorporated under the *Companies Act*, Cap. 308 of the parcel of land, the property of the Crown situate at Bay Street in the parish of Saint Michael in this Island, more particularly described in the *Schedule* to this Resolution for the public purpose of tourism development.
2. Pesticides Control (Amendment) Bill, 2020.

FIRST READINGS OF BILLS

On the motion of Senator the Hon. Miss K. S. McConney the following Bills were read a first time:

1. Pesticides Control (Amendment) Bill, 2020.
2. Central Bank of Barbados Bill, 2020.

PUBLIC BUSINESS

ORDER NO. 3

CENTRAL BANK OF BARBADOS BILL, 2020

On the Order being called for Senator the Hon. Miss K. S. McConney to move the second reading of the Bill entitled an Act to revise the Central Bank of Barbados Act, Cap. 323C to strengthen the Central Bank's governance and independence while maintaining accountability, to ensure the compliance of the Central Bank with internationally recognised accounting standards and for other related matters, the Hon. Member spoke and moved, that the Bill be read a second time.

Senator Miss C. N. Drakes began to speak.

Senator the Hon. Miss L. R. Cummins spoke on a point of order.

Senator Miss C. N. Drakes resumed her speech.

Senator the Hon. Miss L. R. Cummins spoke on a point of order.

Senator Miss C. N. Drakes concluded her speech.

Senator Dr. L. P. Holder spoke.

His Honour R. N. Greenidge spoke.

SUSPENSION

On the motion of Senator the Hon. Miss K. S. McConney the Sitting was suspended until 2.30 p.m. At 1.15 p.m. Mr. President suspended the Sitting.

RESUMPTION

On resumption Mr. President resumed the Chair.

Senator Miss A. M. Wiggins spoke.

Senator R. J. H. Adams spoke.

Senator C. A. Franklyn spoke.

Senator the Hon. Miss K. S. McConney spoke in reply.

The Bill was read a second time.

On the motion of Senator the Hon. Miss K. S. McConney the Honourable the Senate resolved itself into Committee on the Bill, His Honour the Deputy President in the Chair.

Part 1 (Clauses 1 to 2); Part 2 (Clauses 3 to 6); Part 3 (Clauses 7 to 10); Part 4 (Clauses 11 to 32); Part 5 (Clauses 33 to 39); Part 6 (Clause 40); Part 7 (Clauses 41 to 43); Part 8 (Clauses 44 to 55); Part 9 (Clauses 56 to 63); Part 10 (Clauses 64 to 68); Part 11 (Clauses 69 to 79); and the Schedule were called and passed on the separate motion of Senator the Hon. Miss K. S. McConney.

On the motion of Senator the Hon. Miss K. S. McConney 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. Miss K. S. McConney the Bill was read a third time and passed and the title read and agreed to.

ORDER NO. 2

Senator the Hon. Miss L. R. Cummins spoke on the following Resolution:

RESOLVED that Parliament in accordance with section 5 of the *Land Acquisition Act*, Cap. 228 approve the compulsory acquisition by the Crown of the parcels of land situate at Gemswick in the parish of Saint Philip in this Island and more particularly described in the *Schedules* hereto for the public purpose, namely enhancing public safety and national security.

APPROVED by the House of Assembly the 17th day of November, Two thousand and Twenty.

FIRST SCHEDULE

ALL THAT land the property of Balmoral Investments Limited situate at Gemswick in the parish of Saint Philip in this Island containing by admeasurement 13.110 hectares or thereabouts (inclusive of 0.003 hectares (25.3 square metres) in road) Abutting and Bounding on lands now or formerly of The Maria Holder Memorial Trust (The Maria Holder Nursery School Olbury) on the Lot 15 on lands now or late of Clairmonte Yarde (Lot 14) on lands now or late of Henderson Rowe (Lot 10) on lands now or late of Susan Patterson (Lot 9) on lands now or late of Lucy Chalon (Lot 8) on lands now or late of Albertine Callender (Lot 7) on lands now or late of Osbourne Brathwaite (Lot 6) on lands now or late of Ermento Callender (Lot 5) on lands now or late of Myrtle Callender (Lot 4) on lands now or late of Gregory Jackman (Lot 3) on the Lot 2 on lands now or late of Eric Hinds (Lot 1) on a road which leads to Seaview Drive in one direction and to Aerowoods Development in the other direction on (Lot 6) on lands now or formerly of Massy Properties (Barbados) Ltd. (Drainage Reserve) on lands now or late of Edmund Parris (Lot 8) on lands now or formerly of Grantley Adams International Airport Inc. (Grantley Adams International Airport) on a road on lands now or late of Janis Clarke (Lot 20) on lands now or late of Rhonda Rollins (Lot 19) on lands now or late of Marcus Brathwaite (Lot 18) on lands now or late of Uriel Clarke (Lot 17) on lands now or late of Albert Mapp (Lot 16) on lands now or late of Basil Clarke (Lot 21) on a public road known as Highway N which leads to Grantley Adams International Airport in one direction and to St. Martins in the other direction or however else

the same may abut and bound as shown and delineated on a Plan certified on the 7th day of July, 2020 by Samuel N. Taylor, Land Surveyor and recorded in the Lands and Surveys Department on the 23rd day of July, 2020 as Plan No. 791/2020.

SECOND SCHEDULE

ALL THAT land the property of Balmoral Investments Limited situate at Gemswick in the parish of Saint Philip in this Island containing by admeasurement 5.667 hectares or thereabouts (inclusive of 0.171 hectares in Right of Way) Abutting and Bounding on lands now or formerly of other lands of Massy Properties (Barbados) Ltd. on lands now or late of Angela Howard (Lot A1) on lands now or late of Mary Forde (Lot A2) on lands now or formerly of Odriect Greaves on lands now or formerly of Milton Brathwaite on lands now or formerly of Paragon Holdings Ltd. on lands now or Grantley Adams International Airport Inc. (Grantley Adams International Airport) on lands now or late of Paula Gall (Lot 13) on a road which leads to Rock Hall and on lands now or late of Sasha Grant (Lot 14) or however else the same may abut and bound as shown and delineated on a Plan certified on the 7th day of July, 2020 by Samuel N. Taylor, Land Surveyor and recorded in the Lands and Surveys Department on the 23rd day of July, 2020 as Plan No. 791/2020.

and moved that the Resolution be approved.

Senator C. A. Franklyn began to speak.

Senator the Hon. Miss L. R. Cummins spoke on a point of order.

Senator C. A. Franklyn concluded his speech.

His Honour Senator R. N. Greenidge spoke.

Senator R. W. Grant spoke.

Senator Mr. C. A. Maynard spoke.

Senator Rev. Dr. J. A. Rogers spoke.

Senator the Hon. Miss L. R. Cummins spoke in reply.

The Resolution was passed.

ORDER NO. 1

Senator the Hon. Miss L. R. Cummins spoke on 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 certain parcels of land, the properties of the Crown, and more particularly described in the *First* and *Second Schedules* to this Resolution on the terms and conditions set out in the *Third Schedule* to this Resolution for the purpose of the construction of nursery schools.

APPROVED by the House of Assembly the 27th day of October, Two thousand and twenty.

FIRST SCHEDULE

ALL THAT certain piece or parcel of land, the property of the Crown, situate at Sayes Court in the parish of Christ Church in this Island containing by admeasurement 6270.3 square metres (inclusive of a road reserve of 230.5 square metres) or thereabouts Abutting and Bounding on lands now or formerly of the Barbados Government on other lands now or formerly of the Barbados Government (Skills Training) on two sides and on a public road known as Highway U leading to Oistins in one direction and to Ealing Grove in the other direction or however else

the same may abut and bound as delineated and shown on a Plan certified on the 2nd day of April, 2019 by Michael L. Banfield, Land Surveyor and recorded in the Lands and Surveys Department on the 11th day of April, 2019 as Plan No. 446/2019.

SECOND SCHEDULE

ALL THAT certain piece or parcel of land, the property of the Crown, situate at Holders Hill and Durants Village in the parish of Saint James in this Island containing by admeasurement 5785.3 square metres (inclusive of 46.7 square metres in sidewalk) or thereabouts Abutting and Bounding on a private road (which is on lands now or formerly of Wilfred Harewood and on lands now or formerly of Dennis Worrell) on lands now or formerly of Cecil Browne on lands now or formerly of James Wilson on lands now or formerly of Samuel Brathwaite on lands now or formerly of Lisetta Vaughn on lands now or formerly of Mary Allamby on lands now or formerly of Stevenson Headley on lands now or formerly of George Bellamy on lands now or formerly of Victor Johnson on lands now or formerly of Helena Harewood on a public road known as Durants Village Road leading to Holders Hill on lands now or formerly of Fitz Blenman on lands now or formerly of Charles Coward (Lot 2) on a car park on a driveway on lands now or formerly of Owen Coward (Lot 1) and on a sidewalk which is on a public road known as Holders Hill leading to Highway #1 in one direction and to Thorpes in the other direction or however else the same may abut and bound as delineated and shown on a Plan certified on the 9th day of July, 2019 by Samuel N. Taylor, Land Surveyor and recorded in the Lands and Surveys Department on the 15th day of July, 2019 as Plan No. 887/2019.

THIRD SCHEDULE

Terms and Conditions

- (a) The lease of 2 parcels of Crown land at Sayes Court, in the parish of Christ Church and Holders Hill and Durants Village in the parish of Saint James containing by admeasurement 6,720.3 square metres and 5,785.3 square metres respectively to the Maria Holder Memorial Trust (the Trust) under the following terms and conditions:
 - (i) each lease to be for a term of 30 years;
 - (ii) the rent for each site shall be a one-time payment of \$200.00 plus Value Added Tax, payable in advance;
 - (iii) the premises are being leased for the purpose of the construction of nursery schools;
 - (iv) the lands, together with all improvements shall be handed over and licensed to the Crown for operation by the Ministry responsible for Education and Technological and Vocational Training as nursery schools;
 - (v) the lessee shall be responsible for the costs of development of the site;
 - (vi) the lessee shall comply with the requirements of all planning, building, safety and health and related legislation throughout the term;

- (vii) the lessee shall indemnify the Crown from all actions arising from its use of the premises;
 - (viii) the lessee shall not assign, mortgage, demise, underlet or otherwise part with possession of the demised premises or any part thereof without the lessor's consent;
 - (ix) the lessee reserves the right to surrender its lease with improvements thereon at any time by giving 8 months' notice;
 - (x) each lease shall terminate on the transfer of the Trust's interests in the developed nursery school to the Crown;
 - (xi) the premises with improvements thereon shall revert to the Crown for nil consideration at the end of the lease or its sooner determination; and
 - (xii) 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.
- (b) The licences of the land from the Trust shall be to the Crown for the purpose of allowing the Ministry responsible for Education and Technological and Vocational Training to operate nursery schools developed by The Maria Holder Memorial Trust on the following terms and conditions:
- (i) the licence to be for a term of 30 years less one day;
 - (ii) the licence fee shall be \$1 500.00 plus Value Added Tax per annum per site, payable annually in advance;
 - (iii) the Crown as licensee shall be responsible for keeping the demised premises insured for their full re-instatement value under a comprehensive policy in the joint names of the Crown and the Trust;
 - (iv) the Crown as licensee shall keep the interior and exterior of the premises, inclusive of drains, sanitary and water apparatus, gates and fences in good and tenable repair;
 - (v) the Trust shall be responsible for the repair of any latent defect in the structure of the premises or repairs arising therefrom;
 - (vi) the Crown as licensee shall not carry out any additions or extensions to the demised premises without the approval of the Trust;
 - (vii) the Crown as licensee shall use the demised premises as nursery schools and for ancillary education purposes, unless written consent by the Trust is given to do otherwise;
 - (viii) the Crown as licensee shall not share nor part with possession of the demised premises or any part thereof;

- (ix) the Crown as licensee shall permit the Trust with 2 days' written notice, to inspect the premises, and thereafter giving the licensee written notice specifying any repairs, maintenance and replacement necessary to be done and require the licensee to execute said repairs within 21 days;
- (x) if the licensee is unable to execute the repairs within 21 days as set out in paragraph (ix), the Trust will execute the repairs and the costs thereof are to be treated as a debt due to the Trust that is to be settled within 2 months of the date of the Trust's invoice for the work undertaken;
- (xi) the Crown as licensee through the occupying agency shall be responsible for maintaining Public Liability Insurance of not less than \$2 000 000.00 per site, subject to an annual review by the Trust's Brokers and indemnify the Trust in the event of any liability;
- (xii) the Crown, through the occupying agency shall be responsible for all outgoings arising from the use of the sites as nursery schools;
- (xiii) the Crown is bound to give 8 months' notice should it wish to terminate the licence of any nursery school site before its expiry date; and
- (xiv) the Crown, through the occupying agency shall be responsible for the maintenance and upkeep of the premises.

and moved that the Resolution be approved.
The motion was passed.

ADJOURNMENT

On the motion of Senator the Hon. Miss K. S. McConney the Senate was adjourned to Friday,
18th December, 2020 at 11.00 a.m.
At 4.44 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 _____, 2020.

President.

SENATE CHAMBERS
WORTHING CORPORATE CENTRE
WORTHING
CHRIST CHURCH.

SENATE

SECOND SESSION OF 2018 – 2023

MINUTES

Wednesday, 9th December, 2020.

Government Printing Department