



# MINUTES OF PROCEEDINGS

## OF

### The Honourable The Senate

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The Senate met in the Senate Chamber, Parliament at the Worthing Corporate Centre on Wednesday the 29th day of September, 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. Miss K. S. McConney (*Minister of  
Innovation, Science and Smart Technology*)

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 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 the Hon. L. E. Nurse, F.C.A., F.C.C.A

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 Miss L. C. Moe, Senator Dr. C. K. M. Haynes, M.B.B.S., 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 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.

Prayers were taken by Rev. Father Wayne Kirton.

**MESSAGES FROM HER EXCELLENCY THE GOVERNOR-GENERAL**

Mr. President read the following:



GOVERNMENT HOUSE  
BARBADOS

MESSAGE No. /2021

*HER EXCELLENCY THE GOVERNOR-GENERAL*

*TO*

*THE HONOURABLE THE SENATE*

*Her Excellency, The Governor-General has the honour to inform  
The Honourable The Senate of the following:*

*Section 28A.(1) of the Emergency Management Act, CAP. 160A  
states that:*

*Where the Governor General is satisfied that an emergency has  
arisen as a result of a person or an animal having a communicable  
disease or a notifiable disease, the Governor-General may by  
proclamation, on the advice of the Prime Minister after the Prime  
Minister has consulted or has been advised by the Chief Medical  
Officer, declare that a public health emergency exists.*

*Her Excellency further has the honour to inform The Honourable The  
Senate that in accordance with Section 28A.(3) of the said CAP. 160A,  
she has declared a Public Health Emergency.*

GOVERNOR-GENERAL

GOVERNMENT HOUSE  
BARBADOS

28<sup>th</sup> SEPTEMBER, 2021

### ANNOUNCEMENTS BY HIS HONOUR THE PRESIDENT

Mr. President announced that he was in receipt of excuses for absence from Senators Dr. C. K. M. Haynes, Miss C. N. Drakes and Ms. M. C. Taitt and excuses for lateness from Senators Miss L. C. Moe and R. J. H. Adams.

Mr. President read the attached Ruling concerning the absence of Senator Miss L. C. Moe from the Sitting of the Senate raised by Senator C. A. Franklyn.

Section 39 (1) of the Constitution of Barbados provides as follows;

*The seat of a Senator shall become vacant*

(a) ... ..

(b) ... ..

(c) *if he is absent from Barbados for a period exceeding forty days at any time when the Senate is Sitting, without the leave of the President given in accordance with the provisions of subsection (2);*

Section 39 (2) *The President of the Senate may grant leave to any Senator to be absent from Barbados for any period not exceeding six months at any one time.*

The records indicate that Senator Lucille Moe attended the Sitting of the Senate on 18th December, 2020. The House of Assembly had earlier sat on the 15th December, 2020 and thereafter went on annual recess, returning on 12th January, 2021, so when the Senate met on the 18th December, 2020 it thereafter followed suit and went on recess until that day, when the Sitting adjourned *sine die*.

This fact is important as in the calculation of time towards the forty (40) days mentioned in the Constitution, days when the Senate is on recess are not to be taken into account in that calculation.

Our information is that Senator Lucille Moe was in Barbados on the following dates: January 5th, February 20th and 21st and May 16th to May 20th, 2021. These days are also important as the Constitution references absence from Barbados. When the periods are taken together; that is when the Senate was on recess and when Senator Moe was in Barbados during the period that Senate was sitting, the limit of forty (40) days was not breached.

The House of Assembly went on the usual break after the Estimates and returned on the 23rd April, 2021. So when the Senate met for the Estimates on the 24th March it would thereafter have gone on recess as well. That recess ending on the 23rd April, 2021.

Senator Moe applied for leave on the 19th May, 2021 and leave was granted for three (3) months expiring on the 18th August, 2021.

It should be noted that on every occasion when Senator Moe was not able to attend Senate her absence was communicated to the Clerk and to the President.

However, Senator Moe was informed by the Clerk that whilst she acted in accordance with the Standing Orders of the Senate and notified both the Clerk and the President of her inability to attend Senate she was made aware that such

correspondence did not escape the operation of section 39(1) of the Constitution and she was reminded she should follow the prescription of Section 39 (2).

As I indicated earlier Senator Moe did follow this advice in May and sought leave from the President which was granted for 3 months expiring on the 18th August, 2021. It should be pointed out that Senator Moe attended Senate on the 8th September, 2021.

I hope this satisfies the Senator and I want to thank him for bringing this matter to the attention of the Senate and to assure him that between the Clerk and myself we are meticulous to ensure that the laws which govern this place are followed.

### **MINUTES**

The Minutes of the meeting of Wednesday the 8th of September, 2021 were taken as read and were confirmed on the motion of Senator the Hon. Mr. J. X. Walcott.

### **PRESENTATION OF PAPERS**

Senator the Hon. Mr. J. X. Walcott by command laid a Statement in the matter of the National Vaccination Fund and Barbados' Acquisition of Vaccines.

### **GOVERNMENT NOTICES**

Senator the Hon. Mr. J. X. Walcott gave notice of:  
The Constitution (Amendment) (No. 2) Bill, 2021.

### **FIRST READING OF BILLS**

On the motion of Senator the Hon. Mr. J. X. Walcott the Constitution (Amendment) (No. 2) Bill was read a first time.

### **PUBLIC BUSINESS**

Senator the Hon. Mr. J. X. Walcott advised that the Constitution (Amendment) (No. 2) Bill would be debated at the next Sitting of the Senate.

### **ADJOURNMENT**

On the motion of Senator the Hon. Mr. J. X. Walcott the Senate was adjourned to Wednesday, 6th October, 2021 at 11.00 a.m.

At 11.45 a.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**

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### **MINUTES**

Wednesday, 29th September, 2021.

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Government Printing Department