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Friday

Fourth Session

23rd October, 2009

Eighth Parliament

SAINT VINCENT AND THE GRENADINES

THE

PARLIAMENTARY DEBATES

(HANSARD)

ADVANCE COPY

OFFICIAL REPORT

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THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

PROCEEDINGS AND DEBATES OF THE ELEVENTH MEETING, FOURTH SESSION OF THE EIGHTH PARLIAMENT OF SAINT VINCENT AND THE GRENADINES CONSTITUTED AS SET OUT IN SCHEDULE 2 TO THE SAINT VINCENT AND THE GRENADINES ORDER, 1979.

EIGHTEENTH SITTING

23rd October, 2009

HOUSE OF ASSEMBLY

The Honourable House of Assembly met at 10:25 a.m. in the Assembly Chamber, Court House, Kingstown.

PRAYERS

MR. SPEAKER IN THE CHAIR

Honourable Hendrick Alexander

Present

MEMBERS OF CABINET

Prime Minister, Minister of Finance,
Economic Planning, National Security,
Grenadines and Legal Affairs
Dr. the Honourable Ralph Gonsalves

Member for North Central Windward

Attorney General
Honourable Judith Jones-Morgan

Deputy Prime Minister, Minister of Foreign
Affairs, Commerce and Trade
Honourable Louis Straker

Member for Central Leeward

Minister of National Mobilisation,
Social Development, Gender Affairs,
Non-Governmental Organisations,
Local Government, Persons with Disabilities,
Youths and Sports
Honourable Michael Browne

Member for West St. George

Minister of Education
Honourable Girlyn Miguel

Member for Marriaqua

Minister of Health and the Environment
Honourable Dr. Douglas Slater

Member for South Leeward

Minister of Urban Development, Culture,
Labour and Electoral Matters
Honourable Rene Baptiste

Member for West Kingstown

Minister of Transport and Works
Honourable Clayton Burgin

Member for East St. George

Minister of Telecommunications, Science
Technology and Industry
Honourable Dr. Jerrol Thompson

Member for North Leeward

Minister of Housing, Informal Human,
Settlements, Physical Planning, Lands
and Survey and Local Government
Honourable Julian Francis

Government Senator

Minister of State, Ministry of Agriculture,
Forestry and Fisheries, Parliamentary Secretary
Honourable Saboto Caesar

Government Senator

Minister of the State in the Prime Minister's
Office with Responsibility for the Public Service
Honourable Conrad Sayers

Member for Central Kingstown

Minister of Tourism
Honourable Glen Beache

Member for South Windward

Honourable Rochelle Forde

Government Senator/ Deputy Speaker

Honourable Richard Williams

Government Senator

OTHER MEMBERS OF THE HOUSE

Honourable Arnhim Eustace

Leader of the Opposition
Member for East Kingstown

Dr. the Honourable Godwin Friday

Member for Northern Grenadines

Honourable Terrence Ollivierre

Member for Southern Grenadines

Honourable Major St. Claire Leacock

Opposition Senator

Honourable Daniel Cummings

Opposition Senator

ABSENT

Minister of Rural Transformation, Information,
Postal Service and Ecclesiastical Affairs
Honourable Selmon Walters

Member for Central South Windward

Minister of Agriculture,
Forestry and Fisheries
Honourable Montgomery Daniel

Member for North Windward

ST. VINCENT AND THE GRENADINES

HOUSE OF ASSEMBLY

23rd October, 2009

PRAYERS

Honourable Mr. Speaker, Hendrick Alexander read the Prayer of the House.

HONOURABLE MR. SPEAKER: Could the technician please give me some power in my microphone.

Normally, I would do this during my announcements but I wish to acknowledge the presence of students from the Community College who are engaged in Communication Studies that particular programme, you are here this morning with Miss Williams your teacher, we want to welcome you to Parliament and also visiting with us those persons as well from the Technical College, the Hospitality Division; we have 40 students here with us this morning and we want to welcome you along with your teacher, Miss Hazel Roberts and the Deputy Prime Minister seemed to be indicating that he will pay for lunch. [Laughs] I have a note here on the Community College but it seems that they are not present. [Interjection] Yes, they are down there? Okay, okay. We want to welcome you to Parliament this morning and we trust that these proceedings would prove beneficial to you. We see the Chairman of the CRSC and a member of the YES Vote Committee here with us this morning, Mr. Parnel Campbell, we want to welcome you here as well and all other persons who are visiting us in Parliament this morning.

The Honourable Minister Selmon Walters will be absent because he is ill and would not be able to make it to Parliament this morning. The Honourable Montgomery Daniels I think is travelling and also will not be able to make it this morning. That is it for the announcements.

OBITUARIES

HONOURABLE MR. SPEAKER: Honourable Minister for Transport and Works.

HONOURABLE CLAYTON BURGIN: Thank you very much, Mr. Speaker. Mr. Speaker, I want at this time to express sincere condolence to the family of the late Mrs. Jessica Bobb. Mrs. Jessica Bobb as most persons may know by now as the oldest person living at the time; a few weeks ago she was 107 years and this morning one of my parliamentary colleagues said like I am losing my centenarians; but she was a wonderful lady, Mr. Speaker, made her contribution to the State and I want at this point and time say to the family that the Parliament and the rest of St Vincent and the Grenadines express their sympathy in her passing and may her

soul rest in peace. Also, I have another centenarian that passed just about a week or so ago her funeral will be this evening, Mrs. Millicent Browne who was a 105 years and I also want to express to the family and [inaudible] Minister Browne relative, you know, his aunt. So sympathy goes out to Minister Browne as well. On behalf from this House and my own self I want to express our sincere condolence to the bereaved family and at the same time, Mr. Speaker, I want to ask your permission and the Leader of the House to be at that funeral this evening.

Also, finally a relative of mine, Mr. Wilfred Burgin Belvedere passed away as well and his funeral is tomorrow and I want to express my condolences to the family. And I want to assure my good friend Senator Leacock, Mr. Speaker that come the 1st November all being equal I will have another centenarian to add to the list even though I have two passed from the 5 that are in East St George and I am sure that my constituent the Honourable Leader of the Opposition would bear testament to that so if [inaudible] what is that? If I want him live that long I want everyone to live a long life including myself. Those persons, for the young ones in the audience Mr. Speaker, the recipe that those persons say that caused them to live so long, they rest well, they eat well and they give thanks to the Lord and they do not over indulge in anything of the world. That is the recipe they say for good living. Thank you very much Mr. Speaker.

HONOURABLE MR. SPEAKER: Honourable Leader of the Opposition.

HONOURABLE ARNIHIM EUSTACE: Mr. Speaker, I wish to join with the Honourable Minister in offering condolences particularly to mother Browne who I know quite well, when she was 105 when she passed this week and she always amaze me by her powers of recall. She seemed to have suffered no defects despite the fact that she had gone well passed a 100 years and I want to say to her daughter-in-law who I also call mother Browne that I offer my sincerest condolences. And Mr. Speaker, like the Honourable Minister I would like leave to attend her funeral this afternoon.

HONOURABLE MR. SPEAKER: Alright.

HONOURABLE ARNHIM EUSTACE: Mr. Speaker, I also want to briefly offer condolences to Bassy Alexander whose mother was laid to rest earlier this week. Bassy is a well known figure in our society for various reasons and I simply want to recall in this Parliament that his mother Mrs. Medford did pass and was buried, I think it was on Tuesday and we just want to wish him and his relatives our deepest condolences. Much oblige Mr. Speaker.

HONOURABLE MR. SPEAKER: Thank you Honourable Senator Leacock.

HONOURABLE SENATOR LEACOCK: Mr. Speaker, thank you very much. I just want to join with the Honourable Leader of the Opposition and Member for East St George in their expression of condolence to the centenarians and to Bassy Alexander on the passing of his mom. Clearly Mr. Speaker, the centenarians they are five scores and some and clearly that must be very touching to the family and friends associated with them but I rise Mr. Speaker, to express condolence on the passing of one who did not make his first score that is a Mr. Agassi Fraser, the young man from Green Hill who was snuffed out just over two weeks ago, you cannot even say in the prime of his life because he has hardly began to see, know and understand life and as you would

appreciate Mr. Speaker, no parent looks forward to burying their children and especially when the circumstances in which he died was so tragic and heinous it must have brought great pain and suffering in a family where this young man Agassi seemed to have offered so much hope to Barbara and Puntzy very prominent citizens in the Green Hill area and from very distinguished family, the Robinsons, the Winds and Frasers.

This matter of course, Mr. Speaker is before the law enforcement agencies and on behalf of the grieving family we expect that in the passage of time that the perpetrators will be brought to justice but we just want to extend from this side of the House our sympathies to the sorrowing relatives and friends. And maybe take the opportunity to make an appeal to all and sundry but specifically to our young people who may be tempted or to be provoked to this undesirable lifestyle to allow our young people to grow and to flourish and to prosper. Mr. Speaker: to the sorrowing relatives our deepest condolence. Much obliged.

HONOURABLE MR. SPEAKER: Honourable Member for Northern Grenadines, sorry, North Leeward. [Laughs] [Interjection]

DR. THE HONOURABLE GODWIN FRIDAY: You [inaudible] say from Fancy in the North to North Leeward in the South. [Laughter]

HONOURABLE DR. JERROL THOMPSON: Mr. Speaker, I rise for some brief condolences. A member of a very prominent family in Chateaubelair, Mr. Henry Tucker passed last week, he basically had developed two trades, he came from a musical family but he was also known to have been a builder having built many of the buildings in Chateaubelair as well as in Campden Park in the Industrial Estate. I want in these brief remarks to recognise his contribution to nation building and to express to his family my deepest and the deepest condolences on behalf of the Government and people of St Vincent and the Grenadines. Thank you very much.

HONOURABLE MR. SPEAKER: Honourable Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, I would like to join the Honourable Senator Leacock in the condolences to the family, mother and father, the entire extended family of Agassi Fraser. The young persons in the Stranger's Gallery here today, particularly those from the Community College would remember Agassi quite well and I am sure they still feel the pain. My own teenage children Isis and Storm knew him. In fact, I know that Isis has had to drop him home from social events and I had spoken to the family as soon as I came in from a meeting in Barbados a CSME meeting that was the first call I made upon hearing about the murder of Agassi, and I am very sorry that I was not able to attend the funeral because I had travelled that morning to go overseas. These unspeakable crimes we are still to fathom them, second Thessalonians addresses the issue of evil and I remember reading a speech by Billy Graham on the occasion of a commemoration for the evil act of the blowing up of a building in the United States by Timothy Mc Fee and company and he was addressing this question and he offered the view with the assistance of Second Thessalonians that this side of eternity it is very difficult for us to fully understand evil. We can try to, Social Sciences do not pay enough attention to it and even when the Psychologist try to probe they do not get

too far and very often we have to turn to theology and even that makes it difficult to understand evil this side ... the full extent of evil this side of eternity. We can have an approximation of an understanding this is one of the limitations of human beings. It was an unspeakable act and I hope that we find the culprit or culprits.

This was a young man of immense promise; I feel the pain for the family as if Agassi was of my own flesh and blood and I really appeal particularly at this time of our thirtieth anniversary of independence for a greater sense of love, of unity, of harmony and for us to seek to settle any disputes or problems we may have in a nonviolent manner. I was amaze when I spoke to the family the strength, may he rest in peace.

HONOURABLE MR. SPEAKER: Honourable Member for Central Kingstown.

HONOURABLE CONRAD SAYERS: Thank you Mr. Speaker, as I indicated to you some days I definitely like to say a few words on behalf of the family of Agassi Gussy Fraser who met his death so tragically last week. Mr. Speaker, I endorse the sentiment of both the Prime Minister and Senator Leacock with regards to the mystery, the cruelty, the sense of lost in the family all associated with this heinous crime. It was not an hour, within the first half of hour after hearing of this crime, Mr. Speaker, I headed straight to the home of the family and when the Prime Minister told you that he was impressed with the strength they were indeed surrounded by a number of persons from within the community sitting there with them sometimes speechless; and it is difficult to find words in times like these when people go through such serious crisis in their life. But you can feel the pain, you can feel the hurt, you can feel the heart screaming out for justice. Mr. Speaker, I too felt very hurt, very depressed on that day and I would like to reassure the family that by the help of Almighty God justice would be meted out to the perpetrators of that heinous crime. We cannot afford to have a society in which people and particularly young people are snuffed out as wild animals, with all that dream to study aviation, and to fly high and to be of service to humanity their lies his remains. Mr. Speaker, it is really hurting and I really want to trust that the comfort of God will be upon the hearts and minds of all the relatives; Barbara, Cauldric and the rest of the family; may his soul rest in peace. I thank you.

CONGRATULATORY REMARKS

HONOURABLE MR. SPEAKER: Honourable Minister, go ahead.

HONOURABLE GIRLYN MIGUEL: Mr. Speaker, Honourable Members it is with a deep sense of joy that I stand this morning to congratulate the 18 students of the Division of Arts, Sciences and General Studies of the St Vincent and the Grenadines Community College who have satisfied the criteria for the nation's top awards for academic excellence in the Caribbean Advanced Proficiency Examinations: CAPE and the Cambridge International GCE Examinations. I am also happy to see our students with us this morning. Additionally, two students of the Division of Technical and Vocational Education of the St Vincent and the Grenadines Community College will receive awards this year. One student has performed well in the area of Agricultural Science and the other in Hospitality. The 8 top ranked students are National Scholars; the students who ranked

9th to 15th will receive Exhibitions and the students who ranked 16th to 18th will receive Bursaries of \$20,000 each. The 8 National Scholars are:-

Aljay Massiah
Zeon Billy
Kisha Sutherland
Peter Marshall

Veronique Walker
Kimroy Walters
Alkeem Alexander
Rohan Daniel

Of these, four (4) are in the areas of Natural Sciences; three (3) in the Social Sciences and one (1) in Humanities.

Recipients of the Exhibition Awards are:-

Nikon Evans
Giann Thomas
Shurnel Hadaway
Kisheanna Hazell

Vadisha John
Lizanne Pollard
Shamira Francios

The recipients of the Bursaries are:-

Leon Walters
Anasa Simmons
Kywama Edwards

All students who would have passed 5 or more CXC subjects including English and Math will receive \$500 next week as was promised by the Government. Congratulations to all.

HONOURABLE MR. SPEAKER: Honourable Senator Leacock.

HONOURABLE ST CLAIR LEACOCK: Speaker, thank you very much. Mr. Speaker, let me just quickly identify with the congratulatory sentiments of the Honourable Minister of Education on the outstanding performance of our young people specifically in the Community College. However, Mr. Speaker on this occasion I will ask for your indulgence, my focus of congratulations is directed to the Nation State of St Vincent and the Grenadines on the occasion of the Thirtieth Anniversary of our Independence. I want to sincerely and wholeheartedly congratulate the people of this blessed land of ours; I consider it a distinct privilege to be in this country's Parliament at this time to be able to offer this congratulation. It is a momentous occasion, Mr. Speaker, as I stand to extend and, Mr. Speaker, if you would allow me just to reflect briefly I would not overdo it and I look around the portals of this Assembly and I see the portraits of past Heads of State: Sir Sydney, Sir David and behind me I think Sir Charles, Sir Lambert and Sir Rupert all Heads of State no longer here with us today but who have played their part in nation building and there are a number of pictures unfortunately, there is none for this Parliament and we must really work hard on getting one there. But there are more deceased members hanging on the walls in this Parliament than there are alive, perhaps in a sense reminding us of our mortality.

Speaker if you will even allow me to say it; it is not among people only because I see in our audience our young people from the Community College and our Technical College the vast majority of them may be under the age of 20; young people. This is a young country and a young nation, Mr. Speaker, in fact, I went back to be very certain of my facts that two thirds of this country are under the age of 30; two thirds of this country are under the age of 30 and 75% under the age of 45 that is how young this country is. So that when we speak about independence Mr. Speaker, to some it is an abstraction because all of them would not have been here in 1979 when this country went into nationhood. Speaker, as I was reflecting on what I would say at this occasion I could not resist the observation because as I have said in this Parliament before it is not only people that died but institutions and business. If they stepped out of the courthouse yard right across what is now called the Central Market that building did not exist 30 years ago at independence and if they proceed from there all the way down Back Street to the Gas Station on the left hand side none of the business places existed. In fact, the only one that comes to my memory is Star Garage at that time. There is no Hadley's Brothers, no Roach, no J.B. Joseph, no Webb, no Sprott Brothers and we could make the same journey up town and we will see just only one or two are alive. I am told I should say there is no Bata where most people got their shoes at the time.

In fact, what is now JAXS was De Passos Layne at the time and the troops would gather there for the Parade; Mr. Speaker, in 1979 and I look across to my colleagues on the other side; Honourable Douglas Slater had just completed his first degree in 1978, I would know that because we bought got scholarship at the same time from the Commonwealth Fund for Technical Corporation. He, Dr. Samuels and I went off on scholarships at the same time and the young Honourable Rene Baptiste had just returned home to begin to get her feet wet in legal practice. She too was at St Augustine when I was there at the time. Mr. Speaker, '79, I do not know what has contributed so much to the convergence of events and history, it is perhaps one of the richest areas of history after perhaps 1933 of the riots of Latte and '51 when we got Adult Suffrage. It is not just that we became independent in that year Mr. Speaker, but it was the year of the volcanic eruption of Soufriere, it was the year of momentous political changes. For a fleeting moment the Honourable Prime Minister and myself were in the same political party; but for a time and so too was the Honourable Member Parnel Campbell in the audience in the Strangers Gallery and it only leaves here today Renwick Rose to complete a cycle of events.

But 30 years after we are blessed we are privileged to be on different side of the fence additions, subtractions, multiplications and divisions and we are here. The only thing certain in life, Mr. Speaker, is perhaps uncertainty, I pretty sure we will not be here ...

HONOURABLE RENE BAPTISTE: Change, change.

HONOURABLE ST CLAIR LEACOCK: You say change, I say uncertainty, and I am very deliberate when I speak. The only thing certain in life is uncertainty that is what I want to say. But Mr. Speaker, The News Newspaper today, I looked at it briefly reflected on many who have given great service in '79 and it singles out the performance of our National Football team at the time. I was a member of the Executive of the Football Federation that year and I remember what joy that victory brought to us as we placed second in the Caribbean Football, today we are tenth in the world, we have slipped badly. Mr. Speaker, in that year as a young person and I have spoken about this on the political platform and you would allow me to say it because it was not an

easy responsibility then for a young person then to take responsibility for some 20,000 fleeing their homes and to be in charge of that exercise, Mr. Speaker because there are young people in this Parliament who needed to be reminded of this country's history. Because just as I am standing on the shoulders of others who have gone before Kemuel Tannis and others, you know, we need to be reminded from whence we came. My own son was born in that year; he comes back to St Vincent today that is a particular joy to me to be here to be able to say that.

Mr. Speaker, I have to regret that 30 years after and at the time we go into our independence we are perhaps more divided now than we were then; perhaps more divided now than we were then. Is that a failure of us as individuals, or as politicians or is there a failure of the system or should we put it in the positive to indicate that we have to do more to focus on the things that unite us as a nation and as a people as we go forward. I really hope, Mr. Speaker that those of us who enjoy this privilege at this time when we do our sober reflection and the journey from which we have come, when we wrap the cloak of patriotism around us that remember time is fleeting, Mr. Speaker, that remember that the privilege that we are given to serve here as Parliamentarians is for a public good and that history [long pause] history will measure us by our service to humanity [sobbing] Oblige.

HONOURABLE MR. SPEAKER: Thank you; Honourable Member for the Southern Grenadines.

HONOURABLE TERRANCE OLLIVIERRE: Mr. Speaker, Honourable Members, I wish to identify with the congratulatory remarks made by the Honourable Minister of Education towards the students from the Community College who did so well in their exams. Mr. Speaker, I would like them to know that when you perform creditably that your performance would not go unrewarded and we hope that they continue the good work which they have started. Also, Mr. Speaker that very emotional congratulatory remarks on our Thirtieth Anniversary of Independence made by Mr. Leacock, I wish to wish the people of St Vincent and the Grenadines, Honourable Senator, sorry all the best. And Mr. Speaker, we indeed were given a history lesson today and I think the young people who are here would be more the wiser of some of the things, which he said this morning. Also, I wish to congratulate the students that participated in the Public Speaking last night, the winners from: Grammar School, Girls High, and Georgetown Secondary and also our own Myra Adams of the Union Island Secondary although she did not place she put in a very creditable performance.

And Mr. Speaker, I am glad that in celebrating on the anniversary of our Thirtieth Anniversary of our Independence that the First Caribbean International Bank unsung hero 2009 is from the Grenadine Island of Mayreau, Mr. John Roach [knocking of desk]. Mr. Roach and I, I have known him a very long time he has been my classmate, not that I attended primary school in Mayreau; we were brought at the Canouan Government School. So, and you know it is heartening to see that some one at that age can be awarded such a prestigious award. He has no doubt given much to his community, to its development even in terms of health when there is no nurse he stepped, in education and other social work; someone giving so selflessly to the development of his community putting himself aside and looking much to the betterment of others. And I wish to congratulate the Bank in helping to promote this type of award within our community, very much when in these days people tend to look at self and not look at the development of the community but there are still a number of persons out there who would work to ensure that this country in which we live is a better place for all us.

And it is indeed heartening because it is the second time within 2 years that the Southern Grenadines is coming away with such an award and it shows that the people in the Grenadines we are closely knitted and we work together to support the communities in which we live, so Mr. Speaker, on that note I wish to congratulate Mr. Roach once more and hope that he does well at the regional level. Thank you.

HONOURABLE MR. SPEAKER: Honourable Member for the Northern Grenadines.

DR. THE HONOURABLE GODWIN FRIDAY: Thank you, Mr. Speaker. Mr. Speaker, I wish to associate myself with remarks of other persons who have spoken before with respect to congratulations and particularly the remarks of Senator Leacock and my colleague the Honourable Terrance Ollivierre concerning the celebration of our Thirtieth Anniversary [laughter] my fiftieth [laughs] of St Vincent and the Grenadines and to share with Senator Leacock the passion and love for our country, hopefully this would inspire those who come behind us to take the business of nation building very seriously and as an obligation and a duty of citizenship.

Mr. Speaker, I wish also to extend congratulatory remarks to the cricketers who recently participated in the Neil Williams 20/20 Tournament and to congratulate the eventual winners, NBC Rivals for their outstanding performance throughout the competition, I think they were unbeaten throughout and for all the teams who participated especially those who did for the first time. Particularly, I want to recognise the progress of the Bequia combined team which participated in the competition and this is the third year and the first year they were eliminated in the first round the second year they made it to the quarter finals and this year they made it to the semi final stage and felt that with a little luck they should have gone on further. So, my congratulations to the ultimate winners the Rivals and the runner ups; for our last year's winners Victors won and for all the players. You know when we see the heroic serve to Trinidad and Tobago team in the Champion League Competition it really inspires us to try and do better here ourselves and also to encourage those who participate in the sport by attendance and by funding and support so that we could bring cricket back to the level where it has been in the past in our country and certainly in the Caribbean.

I also wish to congratulate Sir John Roach on the award that he received the Unsung Hero Award from First Caribbean Bank, it is proof that good works you know, sometimes it takes a while to be recognised; but in the end people are watching and the good that you do it is in its own reward but will get recognition and John Roach certainly deserves the support and the congratulations that he received here today; but most of all I know that he has received the thanks of his community in Mayreau and that when he did what he has been doing for many years that he did so not expecting anything in return but just simply to contribute to his community. Again it is the spirit which we should applaud and encourage especially at this time of the Thirtieth Anniversary of Independence and hope to emulate. Mr. Speaker thanks.

HONOURABLE MR. SPEAKER: Honourable Prime Minister

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, I would like very much to offer the Nation congratulations on our Thirtieth Anniversary of Independence. I shall of course be speaking on independence morning at the Parade and therefore my congratulatory remarks at this moment by

their nature would be very brief simply to put the matter on record and to express my joy at this time of our nationhood. Mr. Speaker, a few days ago on October 21st the Legislative Council during the colonial period they were meeting in this Honourable House, one of the Bills before the House concerned the increase in Custom Duties on a number of items. Among them being kerosene and matches. Today, where we are talking about LPG: liquefied petrol gas or cooking gas and where you have stoves if you are using electricity or even some others where you can self ignite them; the idea of the price of kerosene or matches being something of seriousness would not really be considered today. In those days in the country side we cooked with coals and firewood and therefore you needed a lot of kerosene to douse the firewood or the coals in order to cook.

1935 had the nation, the country the territory St Vincent and the Grenadines in an awfully difficult situation. The economic depression worldwide between 1929 and 1931 had affected this country very terribly in the very same way that we have an economic tsunami from last September affecting us this year. The difference is that we are today in control of our own affairs and we have been able to find instruments to better manage this crisis and to hold our own than during this colonial period when Great Britain was directing the affairs of this country. In the Legislative Council there was not a Speaker in 1935, there was a colonial administrator who was head of the Executive but also the man who was regulating the Debate in the House; clearly there was very little separation of powers. The Tribune of the people George Augustus Mc Intosh was outside of the Legislative Council, there was no one man one vote; that was to come in 1951. Outside in the courthouse yard ordinary people led by Sherriff Sallassie Lewis and a woman named Bertha Mutt a spark came from them and a social uprising against colonialism ensued this building had its windows smashed, a few cars outside overturned. Bertha Mutt went to the prison around there and released the prisoners, yes, and between 1935 and 1951 we began to see significant devolution of authority first by way of a liberalization of the Constitution and then by Adult Suffrage in 1951 moving all the way down to independence in 1979.

George Augustus Mc Intosh was put on trial where he was charged for treason/felony for instigating this uprising. The Magistrate that was presiding at the preliminary inquiry set him free quite rightly because there was insufficient evidence to proffer a charge of indictment against him to go before the High Court. And then the era of George Hamilton Charles and Ebenezer Theodore Joshua emerged with the 8th Army of Liberation. Interestingly, Mc Intosh who struggled very hard and long for one man, one vote; when one person one vote came he could not hold his seat in Kingstown, a new comer Rudolph Baines defeated him as a member of the 8th Army of Liberation; metaphorically Mc Intosh was the midwife but he was not there to actually take care of the baby this infant with Universal Adult Suffrage. Ministerial Government came and Joshua became the first Chief Minister in 1961 January; then internal Self Government came in 1969 under Robert Milton Cato the first Premier and then subsequently the first Prime Minister in October 27th, 1979.

Mr. Speaker, all this of this modern period for the modern social democratic revolution which is yet to be completed, which is yet to be completed which the new Constitution is seeking to complete we have stood and we do stand on the heroic efforts of our forebears and those who go back from the time of Chatoyer our first National Hero and only National Hero; very interestingly, Mr. Speaker, I discovered just about a week ago that Chatoyer is not only a National Hero here; but he is one of the three National Heroes in Honduras even though he never set foot in Honduras and in 1998 a statute in his honour was built. They call him in Honduras Sat-to-

yea and his name is spelt X-a-t-a-y-u-e: Xatayue and that statue in 1998 commemorated the Two Hundredth Anniversary of the arrival of the Garifuna, in Honduras. So, when we are talking about our independence we have to remember the Garifuna in Honduras, in Belize, in Nicaragua, in Guatemala and we have to remember the 60,000 of them in the Bronx and elsewhere in the United States and we have to remember our Diaspora who are celebrating all over the world from this time into early November. I have spoken earlier this week at the opening of the Homecoming Conference and gave an historical survey and review; I do not want to repeat that here, Mr. Speaker. The speech would be available hopefully on the Government Web Site but simply to say that we must honour and respect the work of ordinary people who have struggled and we must say thanks since independence to those who have led us Robert Milton Cato, Sir James Mitchell and Mr. Arnhim Eustace. Those are the ones who have led prior to my assumption of the Prime Ministership and we must honour and respect appropriately.

In 1979 we got independence when between one 1/5 and 1/3 of our population were living in camps. I recalled the night when the volcano blew, I was in Barbados driving and the ash came on the vehicle I was driving when other people were running from St Vincent, the next day I came home because I wanted to see my friends, my family and my mother and father and I spend some time going around the camps then and subsequently; when I finally came home in July of that year to participate in political activities. Those who did human work in that period starting with the Premier as he was at the time of the volcano; Robert Milton Cato and subsequently as Prime Minister and all those who did work selflessly, I want to thank them and congratulate them for their efforts.

Mr. Speaker, I would like to join the Honourable Minister of Education in congratulating the students who have performed excellently in the A Levels and the CAPE Exams and the CXC examinations and to add from the standpoint of the Ministry of Finance that the bursaries, the students who are receiving bursaries when the Honourable Minister of Education said \$20,000 as she has said publicly before and is quite correct, it is \$20,000 for a year every single year. When you get a bursary and you go to the University of West Indies it is just a little short of a full scholarship because we pay your economic cost which amounts to about \$20,000 and when you get the \$20,000 a year you pay about \$9,000 out of that for your tuition, so you have \$11,000 to live for the year, you need a little bit more to top you up but basically a bursary is almost an Exhibition Scholarship. And of course, the difference between the Exhibition Scholarship and a National Scholarship is that the National Scholarship is 5 years and the Exhibition is 3 years. We have increased these numbers hugely and we will always do more the students simply have to produce the results for us.

You do results that I would offer \$40,000, I will do that because last year we offered \$34,000 just produce the results. You do your part and I promise you that I will do my part, so help me God despite the limited resources of our country. I want also to add again from the standpoint of the Ministry of Finance, it is not just the students who got the 5 CXC's including English and mathematics who will get the \$500 next week but all those who got 2 A' levels and the Communication Studies that is the policy which we have established. I want to congratulate, Mr. John Roach, John is simply a splendid selfless human being; he is doing wonderful work in Mayreau and we thank him, and we congratulate him and we ask for continued blessings of Almighty God. The emotion which Senator Leacock showed a short while ago it is heartfelt, I know that he and his cadets in going through

looking for people with their Security Forces, those who did not come into the Camp that they would have inhaled a lot of ash and sulphur, who is to know what damage that has done to their beings. I know at the time many persons who inhaled a lot of the ash ended up when they were urinating, urinated blood and that is not a matter on which we must joke that is a matter for which we should say thanks to good National Service and it ought not to be used in order to humiliate or to bring somebody in contempt or ridicule and I thank them all as the Prime Minister of this country and on behalf of the people as a whole. I am obliged.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, May I just make one - I rather do it now rather than at the time of the Ministerial Statement. Mr. Speaker, I want to indicate that the Cabinet has decided to continue the process of honouring distinguish nationals, to appoint 9 of them as Goodwill Ambassadors; 5 men and 4 women: Slyvester Mc Intosh and Frankie Mc Intosh we know they are musical genius; Glenroy Sulle Ceasar, calypsonian, drummer, artist, teacher in the Creative Arts; Adonal Foyle, whom we know as a patriot who lives in the United States and who has excelled at basketball; Reginald Da Silva, recently honoured for his service to business and Gloria Ballanytyne a Leader of sport, particularly netball; Anne Anderson retired distinguished nurse; Nelcia Robinson Hazell, many sided Leader and patriot and Genita Lewis for her work after her retirement heading the National Commission on Crime Prevention and also for her work in sports. And stamps are being issued to 9 nationals 4 men and 5 women: Sandra Little, Sophia Young, Phyllis Burnette, Grace Eustace, Kenneth Vibrating Skakes Alleyne, Joel Miguel, Delroy Fireman Hooper, Festus Tony and Dr. Edgar Adams.

We are currently, Mr. Speaker, seeing to fashion ways in which we can honour the football team of 1979. I am obliged.

CONFIRMATION OF MINUTES

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, I beg to move that the Minutes of the Meeting of the Sitting held on the 16th September, 2009 be confirmed.

Question put and agreed.

ANNOUNCEMENTS

HONOURABLE MR. SPEAKER: I made my announcements already; but except to say that I recognised in the Strangers Gallery, I thought I saw him a while ago the Ambassador to the United Nations, it seems like he is no longer there; but I wish to recognise that he at one time was present here in the meeting. Thank you.

STATEMENTS BY MINISTERS

DR. THE HONOURBLE RALPH GONSALVES: Mr. Speaker, Honourable Members before I commence a Ministerial Statement and a few announcements I would like very much to say to the Teachers who are here with the students that given this is independence time and students come from all over the country, I assume from my personal responsibility not as Prime Minister but as Ralph Gonsalves the payment of your lunch today. [Applause] Mr. Speaker, I was minded to ask the Honourable Leader of the Opposition to join me in as much as the Technical College is in his constituency and to insist that the Honourable Member for East St George where the Community College is located, Minister of Works; but I thought in the uniting spirit in which we have been going along this morning that I thought that I should assume not just the burden but the real joy and to have the benefit of providing lunch for the students whom I love very dearly as though they are my own.

Mr. Speaker, I would like first of all to announce that today at the moment that I speak the National Insurance Services will be paying out to nearly 5,000 persons NIS pensioners who contributed, the Non-contributory Assistance Age Pensioners, and those who are in receipt of the recently constructed Elderly Assistance Benefit that each of them today will be receiving an additional \$200 as an Independence gift to them from the NIS and the people of this country to say thanks to them for the work they have done to have brought us the foundation upon which we now stand and we say thanks to them from the bottom of our heart [Applause] This \$1 million or so approximately is part of a package of \$30 million: \$1 million for each year of independence which the Government will announce in my speech on the morning of independence. So, I will like you to listen to that speech and to hear the thanks that we are giving and this is but a symbolic and material gesture to various groups in our country. Thanks very much the elderly we love you dearly and this is today one contribution.

As I said for 30 years: \$30 million; \$1 million for each year and the first million for this particular category of persons about 5,000 close to 5,000 is being paid out today with the regular cheques for the NIS pensioners; those on the Non Contributory Assistance Age Pension and those on the Elderly Assistance Benefit. Mr. Speaker, I would also want to inform this Honourable House that I am at the moment giving active consideration to provide for a few Parliamentarians who demitted office prior to when the pension arrangements came into being. There are two of them who come clearly to mind one of them is Afflick Haynes who was a Minister in the Joshua's government in the St George constituency and he did 2 terms and there is someone who left teaching after serving about 27 years though he served only one term, I speak of Mr. Alphonso Dennie and these gentlemen who are in the autumn of their years I believe in the spirit of healing at this time of joy of our independence I think we ought to make some provision and it is a matter for us simply to finalise but it is important that at this juncture that I announce that gesture. [Clapping]

Mr. Speaker, there is one matter before I make the Ministerial Statement which I would like to speak here formally, I have spoken it 3 or 4 times 5 times perhaps. We are involved in a very fascinating National Campaign on the new Constitution and we have those who are campaigning for 'Yes' and those who are campaigning for 'No' it is acknowledged that on the 'Yes' side that I am the leading campaigner and that on the 'No' side the former Prime Ministers, Sir James Mitchell and Mr. Arnhim Eustace; Mr. Arnhim Eustace is now

the Leader of the Opposition so that no one will think ... the Honourable Leader of the Opposition ... so no one would think that my request, my challenge, my urgings be seen as political posturing. With the solemnity of this House I would like them to respond, I will make the offer again for both of them to debate me anytime, anyplace in this country to be questioned by journalist and intellectuals from this country and the Caribbean on the proposed new Constitution, for it to be broadcast live on television and on every single radio station. I do not know whether the Honourable Leader of the Opposition would indicate now or he would have to give further study to it if he hadn't heard me on it before; but I make it with all the solemnity with which I make pronouncements in this Honourable House. I do not know if the Honourable Leader of the Opposition would like to respond or if he would like to have some time to consider. You are not responding; at all?

HONOURABLE MR. SPEAKER: Now.

DR. THE HONOURABLE RALPH GONSALVES: Oh now! Fine; thank you. Well, there is some hope not responding now I take that we may get a response hopefully, positively in the future. Well of course it has to be sooner rather than later because the 25th as I understand what the Rastafarian brethren are saying now, Mr. Speaker, for the 25th November, the name is changed to the "25th of Yes member": Yes member, but we will see. Mr. Speaker, I want to address a matter on which there has been a phenomenal amount of misinformation; indeed a great deal of irresponsibility and it concerns the discussion on the Public Account on the Accounts published on the National Commercial Bank the State owned bank. Mr. Speaker, this Government believes on openness and transparency and there are some people at some time may not have wanted accounts to be published of the National Commercial Bank publicly as required by the Regulations; but we do so every single time. The accounts are audited every year and they are audited on time, I hold the shareholders meeting on time of which I am Chairman to receive among other things the Audited Accounts and to direct their prompt publication; that took place recently.

Mr. Speaker, the Accounts showed that the Earnings before tax amounted to \$5.42 million there was a provision for income tax of \$4.31 million and Net Earnings of \$1.1 million and that last year the Earnings before tax was \$20.71 million, provision for income tax of \$4.89 million Net Earnings of \$15.8 million and one would see in the accounts that there is a provision where losses on loans and advances Net moved from \$193,000.00 in 2008 to \$10.6 million in 2009. And on the basis of that scaremongering headlines were drawn that the NCB is in decline and fascinatingly, interestingly Journalist would not call the National Commercial Bank or the Minister responsible, the principal shareholder nominally: the Minister of Finance for any explanations at all. Now this is the height of irresponsibility, I want to set the record straight and gave what the facts are. Mr. Speaker, even on the face of it you must expect that there would be some sort of explanation which would be forthcoming rather than for people to go about saying "well, you don't see things are so hard people not paying their loans and therefore look at all the vehicles out by the yard somewhere out at Arnos Vale they are being repossessed, they all parked up; people's private vehicles, you know, which they ordered they turned into NCB vehicles which are repossessed.

And then Mr. Speaker, if you had Earnings before income tax last year of \$20.7 and the provision for taxes was \$4.8 million but that the Earnings before tax this year is \$5.4 million; but there is a provision of \$4.3 million for

taxes it must tell somebody that this does not make any sense on the face of it: \$4.8 million taxes on \$20.7 million earnings before tax and \$4.3 million on earnings of \$5.4 million before tax that alone will tell you that there is something involved with the taxes. And to move from \$193,000.00 to \$10.66 million will tell you that there must be some provisioning for historically bad loans, must common sense will tell you that but no what persons are interesting in is being irresponsible on this matter. I do not say uninformed there are some people who have commented may well be uninformed because this is a matter commented upon by a perennial caller who is a vendor in some little shop who does not really understand banking. This is a matter for experts to look at and then a whole train of propaganda follows, we got do better that this. This is an institution which has served us well, it has had its challenges but we have got to be responsible and I want to provide the facts.

Mr. Speaker, first of all I must make the statement to appreciate what is happening that in modern economies the banking and insurance sectors form the pillars for economic growth and stability and we have been clearly reminded in the recent global economic meltdown known as the Subprime crises in the United States. In the late 1920's and early 1930's the world went through similar challenges to those which we are recently experiencing; but because various institutional mechanisms and tools have evolved from then and until now we have been spared the worst of that period, I intimated that when I made my congratulatory remarks to St Vincent and the Grenadines. And because of the far reaching macroeconomic implications of the banking and insurance sectors certain regulatory agencies and statutory requirements have been developed to control and regulate the activities of such entities. Commentators because of the sensitive nature of these sectors, banking sectors for instance ought generally to be responsible in their commentaries. The oversight and management of the banking sector is generally entrusted to well trained, experienced and prudential individuals and that has been the case with the National Commercial Bank.

In light of the recent commentaries on the performance of the NCB it would be irresponsible of me not to put the record straight. The NCB was established by and out of the sound vision and foresight of the former Labour Administration just before the dawn of our independence. Senator Leacock was talking about the businesses which have been closing along the road but in all this period the NCB has been growing, so we cannot tamper with this lightly and be irresponsible in our commentaries. Since its inception this bank has served the Government and our people pretty well and the bank was established with minimal capital injection by the Government of St Vincent and the Grenadines because a bank has to be properly capitalized; started with minimal capital injection. The most recent Audited Financial Statements the same ones from which irresponsible comments have flowed indicate that the National Commercial Bank has assets of \$813.34 million and Net Worth of \$82 million. It is here and it is in the document published in the newspapers.

Generally commercial banks fund their operations from short term deposits with prudent management banks employ their resources in a carefully mixed assortment of short term, medium term and long term investments, including loans and advances to provide a reasonable return to its varied stakeholders while meeting the liquidity needs of the depositors. Naturally because the activities of banks are so interwoven with the wider economy their performances are usually linked to the wider economy including the global economy. Like all businesses banks performances is subject to some degree of volatility; the State own Bank is no exception. The quality of a bank's management is measured by the degree with which it is capable of managing or mitigating

its downside risk which is usually linked to macroeconomic downturns in this regard our bank our National Bank is doing relatively well. A review of these same audited statistics would demonstrate it and I want to take you down a little bit in the history. Between 1996 and 1999 and I choose those years just before the Honourable Leader of the Opposition became Minister of Finance so this period covered mainly his two and a half years as Minister of Finance. These years were the years when the former administration policies would have been in full throttle. The Bank's total assets and Net Worth grew respectively by just 6.7% and 17.3% respectively. Their total assets grew by just 6.7% in that period and their Net Worth grew by 17.3%; but hear this, Mr. Speaker, Honourable Members: subject to adjustments for impairment provisions on which the Auditor's Reports were qualified. For those years the reports delivered by the Auditors, the same Auditors P.K.F; Floyd Patterson being the main man in this year's report it says; "In our opinion the Financial Statement presents fairly in all material respects the financial position of the Bank as of June 30th, 2009 and the results of its operations and cash flows for the year then ended in accordance with the International Financial Reporting Standards".

Between 1966 and 1999 in each of those years including when the Honourable Leader of the Opposition was Minister of Finance and therefore in charge overall of the Bank you got Qualified Reports. I want Honourable Members to appreciate this that the Auditors were saying we could not give you an Unqualified Report. You know why the Auditors could not give an Unqualified Report? Because of the state and condition of the Bank; not in a good condition and if the Auditor gave an Unqualified report and anything untowards happened the Auditors themselves would be opened to be sued because persons would have relied on them giving an Unqualified Report when in fact, the thing is in such a mess. So, they gave a Qualified Report. In this is an Unqualified Report, in fact Mr. Speaker, we have never under this administration had an Unqualified Report, I mean a Qualified Report; every year we have had an Unqualified Report by the Auditors which is of great significance. I repeat it because sometimes the Television Stations they want the sound bite. I am saying for them between 1996 and 1999 including periods when the Honourable Leader of the Opposition was Minister of Finance the Auditors Reports were Qualified because of the mess the Bank was in and since this Minister of Finance took office from 2001 to the present time, there has not been a Qualified Report; every report has been without qualifications: Unqualified.

I want to make that point with crystal clarity. Indeed in the last five years the total Bank Assets grew by 10.7% that is to say from 2005 to 2009 and the Net Worth grew by 22% and dividends have been paid to the shareholders. Notice that before we came to office between 1996 and 1999 assets grew by 6.7%. In the last seven years it has grown including up to '09 by 10.7% and the Net Worth has grown by 22%. A further demonstration of the confidence by the depositors during the last five years the Bank enjoyed the robust 10.7% on average growth in its deposits. Further, the strength and soundness of a bank is largely measured by the degree of capitalisation or conversely the extent to which the Bank is leveraged. Between 1997 and 2000 the Net Worth of the Bank ranged between 5.1% and 7.6% of total assets subject to the Auditors qualifications and I will talk about those a little more before I am finished.

Between 1997 and 2000, I repeat the Net Worth of the Bank ranged from between 5.1% and 7.6% of total assets subject to the Auditors qualifications. During the last five years the Banks Net Worth ranged from 7.3% to

11.1% of total assets. You noticed the improvement, Mr. Speaker, and at the close of the 2009 Financial Year after relative prudent provisioning and I will come to that the Bank's Net Worth amounted to 10.1% of total assets 33% stronger than the pre 2001 period; 33% stronger. [Clapping] Mr. Speaker, prior to 2001 the extent of nonperforming loans hovered around 20%, currently it hovers around 3%. The International Best Practice is 5% and we are below that. In fact, in the Region they will say 10% but we are below even the best of the best International Practice. During the time of the Honourable Leader of the Opposition, the nonperforming loans approached 20%. Now, let us understand this; before 2001 there were people who used the Bank as their piggy bank, Roller for example. Remember what was said in the Ottley Hall Inquiry when Mr. Brisbane gave evidence; the Manager of the Bank when he told Mr. Joachim that "no you cannot get this kind of money loaned, I need to have instructions in writing"; famously, Mr. Joachim, now of blessed memory told Mr. Brisbane as Mr. Brisbane gave in evidence, he said: "Mr. Brisbane, what happened to you; shoulder could go above head". And the Leader of the Opposition has the gall to say it is because of interference why the Bank is in this situation.

Since inception the Bank's growth has exclusively been organic in nature. The growth enjoyed particularly in the last five years is largely due to skillful prudent management and the implementation of sound creative macroeconomic initiatives which provided direct benefits to the ordinary man, while lowering the cost of borrowing. This includes initiatives such as the 100% mortgage programs for civil servants which is part of the bread and butter of the National Commercial Bank, where public servants get monies up to \$300,000 now at 7¾%. Mr. Speaker, the Honourable Leader of the Opposition at the time opposed it and when he was Minister of Finance when the teachers and the public servants raised it, he said, "You all are crazy, you all want to bust the Bank". And he was apoplectic with rage when this was announced; I happened to know that he even confronted the Auditors and asked them how can they recommend such a thing. I am making up stories eh! You have got to be responsible though, I will not allow you to be irresponsible with the Bank; I could tell you that, not what you all left there for me: never will I allow that.

Mr. Speaker, as previously indicated the growth in Net Worth and the Bank was through skillful management. This is reflected in a review of the Bank's performance. Between 1997 and 2001 the Bank's Return on Investment averaged 12.2%; during the last five years 2005 to 2009 the Bank's Return on its Investment averaged 20.5%. In 2007 the Bank's Return on Investment actually peaked at 27.9%. The recent achievements were not by chance they were largely due to a clearly defined staff training and development initiatives. During the last eight years the Bank has had as many as 22 university graduates on the staff. When I arrived they had 2 at least 1 graduate and somebody else who had training in banking, there are now 22. Currently there are 20 employees pursuing further studies in various fields of concentration which will be of future benefit to the efficient and skillful management of the Bank. Moreover, when we arrived Mr. Speaker; it was the only bank in the country which did not have a pension plan. The Unions were proposing a particular pension plan I called the Leader and told him: we will do better than what you are proposing. We funded the Pension Plan backwards in full both the employer and employee contribution up to 15 years it cost \$2.2 million. Yes, so you have the staff fully protected in their retirement years.

Mr. Speaker, Honourable Members recently, the Central Bank, the Eastern Caribbean Central Bank, which access the oversight organisation for all banks within our currency union has amended its recommended provisioning for public sector entities for their advances; before you did not have to do any provisioning for the public sector entities for any of their loans or advances; but they changed the rules so that the bulk of the \$10.6 million which is in the accounts for losses on loans and advances is because of the public sector enterprises \$9.3 million has been provided; there is a provisioning for that: losses which started to accumulate even before we had come to office. The Bank's independent management in its wisdom believes it prudent that consistent with the ECCB guidelines that provisions be made in the light of all the factors including the general economic downturn to make the provisioning in the 2009 Statements. If we did not make the provisioning you would have had pretax profits \$9.3 million higher or if you did not make any at all \$10.6 million higher. I want to emphasize Mr. Speaker, the \$9.3 million public sector charge it is not a write off, if all the surrounding factors relating to those advances change these provisions for the public sector may be reversed. And very important to mention the provisioning has not impaired the capital of the Bank.

Generally the Bank is in compliance with all statutory and regulatory requirements. The Bank has met its reporting deadlines under the Company's Act and to the Central Bank. Given the history of the Bank that is a remarkable achievement. Mr. Speaker, I want Honourable Members to listen carefully. During the period 2001 to the present I repeat all Auditors' Reports have been unqualified opinions. Between 1996 and 1999 the audit opinion was qualified: why because the bank had failed to make provision as high as \$13 million which the Auditors thought was necessary. In other words, when the Auditors saw the extent of some debts which were not being service; they said you have to make provision for it; the shareholder at the time said, "No the figures would look too bad". Yes that is what the then Government said. So, the Auditors said okay you are not agreeing to that we are not putting our neck out on the line we are going to give a Qualified report and they gave Qualified reports from '96 to '99. Had those provisions been booked in the accounts at the time when the Auditors thought that it was necessary the Capitalisation statistics previously mentioned would have been worst, and under the NDP had they made those provisions at the time the Bank's Capital would have been impaired.

The Bank like any independent entity has had different views as to the interpretation and application of various Income Tax Laws including the Income Tax Act. The Bank and its independent advisors have had differences with the Tax Department over the Income Tax Act interpretation but during the year the Bank and the Revenue Authorities have resolved their differences which have resulted in a charge of \$4.3 million in taxes which relate to the preceding years. So, what you see here when you look at it you see the \$10.6 million that is for provisioning and notice the tax that is not tax for this year that is tax where we had a problem with the interpretation, they had conflicts; businesses all about town have problems with income tax and they have to resolve them. I have been assured, Mr. Speaker, by the management of the bank and experts in the area that the position of our bank is stable. This confidence has also been demonstrated by the Central Bank when the Bank was requested to participate in a joint venture surrounding another Regional bank. 2010 also is expected to be challenging; but we believe that the worst is behind us and we look forward to 2010 with cautious optimism.

Mr. Speaker, let me say this and I leave this I want the people of St Vincent and the Grenadines to know that provisioning has been made over the years for bad debts at the Bank in relation to Ottley Hall and the failed

Union Island project in excess of \$30 million; I want that to sink in. We did not have to make the provisioning but I said let us make the provisioning because in these difficulty periods, I want the bank to be lean and strong and to put it in a position to assume even greater responsibilities in the future, and that is what this is about. And the press could have simply call me and I would have told them, rather than writing sensational stuff, coming from the Leader of the Opposition who was obviously misadvised on this subject. It is very difficult for me to believe that someone as experienced as he is, who has been Minister of Finance for two and half years could not understand that there could have been certain things underlined. But I read his statement very carefully. After he has given all the dooms day scenarios; do you know what he said, he said well there may be something else which I do not know, which I would like an explanation. He has gotten his explanation. The press did not pick that up. I am asking the Leader of the Opposition on these matters to cease his irresponsibility, cease it! And I am asking the press, because he has been repeatedly irresponsible on so many of these matters, to ask me; or if you do not want to ask me, go to the bank, or go the Director General of Finance and Planning, go to somebody and you will get the simple straightforward explanation what you have received here. I am obliged, Mr. Speaker.

REPORTS FROM SELECT COMMITTEES

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, the Honourable Minister of Ecclesiastical Affairs is not here, and I lay the relevant documents in relation to his bills on the Table and also lay on the Table the select committee report and the minutes concerning the select committee on the Rehabilitation of Offenders Bill. I am obliged.

PAPERS

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, we have circulated as required by law the National Insurance Services financial statements for the year ended the 31st December, 2008, with comparative figures for 2007.

QUESTIONS FOR ORAL ANSWER

HONOURABLE MR. SPEAKER: Question No. 1, Honourable Leader of the Opposition.

HONOURABLE ARNHIM EUSTACE: Mr. Speaker, I want to indicate to the Prime Minister that I would respond to him very shortly. It is not possible under the Rules of the House but I would respond to him in relation to the bank.

1. ***HONOURABLE ARNHIM EUSTACE:*** *I rise to ask Question No. 1 standing in my name of the Honourable Prime Minister, Minister of Finance and Planning, the Public Service, Grenadines and Legal Affairs:*

- (a) *Could the Honourable Prime Minister indicate the public purpose for which the Ju-C building was bought some time ago; and*
- (b) *State the purchase price.*

HONOURABLE MR. SPEAKER: Honourable Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, when a question is posed about the public purpose of a public building for which a property is purchased, it normally refers to an acquisition, under I think it is section 6 of the current constitution, and also the Land Acquisition Act Chapter 241 of the Revised Laws of St. Vincent and the Grenadines, because you went and acquired it, and you have to state the public purpose in the Notice of Acquisition in the Gazette. This has not been an acquisition. This has been an arms-length transaction between a willing seller and a willing buyer.

Mr. Speaker, I saw an advertisement one Saturday morning in the Vincentian Newspaper that the Ju-C Building is up for sale, immediately I called the owners and said to them that the government is interested. He said that there were two persons who were interested as I recall and that the one that appeared more likely was someone who was not a native of St. Vincent and the Grenadines.

Mr. Speaker, some may disagree with me but I want to see a native of St. Vincent and the Grenadines owning the properties at the entrance to our city. Some people may want to put them in the hands of other people if that is their position I happen to disagree with it. I wish if there was a Vincentian coming forward to be buying it at the time. I called the Chief Surveyor who is the evaluator for the government, and I called the Chairman of National Properties, Mr. Martin and indicated that I would like them to inquire into this matter because the government is interested in purchasing it. (a) Given its prominent location, since no national was on offer to buy it and because we want to put there a building with a Caribbean esthetic done by a Caribbean architect; in this case the person whom we contacted happens to be the brother-in-law of the Leader of the Opposition, Mr. Orin Bennett. We offered on the valuation \$6 million. The building does not worth a great deal. The owners said they wanted \$6.3 million. Well, they wanted more, but we agreed finally at \$6.325 million. National Properties a state-owned company accepted this on the 14th November 2006 and the purchase transaction was consummated in August 2007 for 13,174 square feet covering what you called the Ju-C spot and where the gas station used to be.

Mr. Speaker, National Properties got around to it. In the not too distant future, [Holding up photo of proposed building] I want the camera to pick it up, this is what we intend to build there. Yes, this is what the people of St. Vincent and the Grenadines... those who do not have any vision would not understand this. Those who understand the cost of everything and the value of nothing will not understand this. I know the vast majority of the people of St. Vincent and the Grenadines will know that what we are doing is the right thing and I say this and I repeat it, I do not want in my old age when I am retired, that I am coming down there... I want Senator Leacock to see this. Because he talks about our nationals owning things,...

HONOURABLE ST. CLAIR LEACOCK: You love my name, eh?

DR. THE HONOURABLE RALPH GONSALVES: No, I... a lot of people do not love your name, so I have to defend you. You are my friend. There are some who have come from the past who are seeking to belittle you, I will not stand by and allow them to do that, I shall defend you openly. It is not because we are in different political parties; I honour you and respect you. There are some who have it in their heads that St. Clair Leacock is an uppity son of a coconut vendor, and they cannot get pass that, to me you are a professional. I will disagree with you on a number of things but you are a professional who must not be humiliated in the way some are seeking to do so on your own platform and I shall defend you in that regard with no water in my mouth. And I say that with all honesty. And I will say this and I am glad you raised it while I am doing this, after a voice from the past sought to humiliate you, your former leader came afterwards and did nothing to rebuke that former leader. I had to do it, and I will continue to do it, not for any opportunistic reason or purpose, but because you should be respected and not humiliated in this manner.

Mr. Speaker, this is what we are building at the entrance, and I repeat it what I say at a gathering at the opening of the Yes Campaign Headquarters Operation Centre, that I do not want in my old age that any of my grandchildren, I do not have any yet, but I hope to have; I am coming down there in a vehicle and they say to me, Granddad that building there, with that strange funny name from overseas, at the entrance of the city, our city, that happened during your time. I would be so ashamed if I allowed that to happen, I would be bending down to tie my shoe laces even though my shoe laces nothing is wrong with them. Now, when we build this and they would be asking me that question, I would be a proud old man. That would not mean anything to those who see the cost of everything and the value of nothing. I am not in that group. The people know who I am and they know what I would defend. And I think we have done the right thing, and I am amazed that the Leader of the Opposition could ask a question about this, and then again I should not be amazed. I am obliged.

HONOURABLE ARNHIM EUSTACE: Mr. Speaker, I have received the answer to my question. The purpose is to put down a government building. That is all I asked for. The purpose is to put down a government building and that was all the answer that was needed, because I used the word bought in my question rather than acquired. So the answer is the government is going to put down a public building. I have no problem with that. So do not try to make all these twist and turns. The public purpose is to put down a public building, and that is all that was needed to be said.

HONOURABLE MR. SPEAKER: Question No. 2.

HONOURABLE ARNHIM EUSTACE: I move to question No. 2, Mr. Speaker, all these theatrics.

HONOURABLE MR. SPEAKER: Question No. 2.

2. ***HONOURABLE ARNHIM EUSTACE:** I rise to ask Question No. 2 standing in my name of the Honourable Prime Minister, Minister of Finance and Planning, the Public Service, Grenadines and Legal Affairs:*

- (a) *Could the Honourable Prime Minister indicate whether any other public funds other than the \$4 million provided by the special warrant will be used for the “Vote Yes” campaign; and*
- (b) *if in the affirmative, state the amount.*

HONOURABLE MR. SPEAKER: Honourable Prime Minister and Minister of Finance.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, let me just say this, the Honourable Leader of the Opposition can ask a question, he cannot tell me how I must answer the question he asked. He is getting a little above of himself. Yeah, he is getting a little above of himself. You, know, I have too much sweat equity in this land, to allow backwardness to dominate my thinking. Not going to allow that to happen.

HONOURABLE MR. SPEAKER: Question 2 answer.

DR. THE HONOURABLE RALPH GONSAVLES: Mr. Speaker as it is known already, there is an account which has been opened in accordance with law for the Yes Campaign. I will add this, Mr. Speaker, the Cabinet took a decision, having considered a budget, to excise certain things from a budget, we said what would not be included in that budget for instance, t-shirts and personal apparel, but that the budget will be focused on education and providing information and encouraging people to vote yes. Educational and persuasion, the same way Barrack Obama health care bill in the United States, and all that education and promotion is done at the expense of the Federal Government, not the Democratic Party of Barrack Obama, or him personally. And Mr. Speaker, the \$4 million, any money coming out of that account, and I would say, Mr. Speaker, nobody puts \$4 million dollars one time in an account like that. You will lodge periodic sums in accordance with expenditure and that is done not by me but by officials in the Ministry of Finance. And Mr. Speaker, the dastardly lie which is propagated on the platform of the No Campaign must be rebutted here, that the money has been put from one cousin into the account of another cousin. That is the kind of rubbish being spoken. And when the Leader of the Opposition comes on afterwards he does not say that, but he has other people before him who says it, and he does not correct them in the interest of accuracy, so he endorses them by his silence and associates with that kind of a nonsense.

Mr. Speaker, there are four signatories to that account, the Accountant General, the Deputy Accountant General, the Cabinet Secretary, and the Senior Assistant Secretary. Any two of those people can sign. The accounting officer is the Cabinet Secretary, not Bernard Morgan, he was the Cabinet Secretary, he has reached retirement age, Mrs. Susan Dougan is now the Cabinet Secretary. The Cabinet Secretary is the accounting officer. And all the bills, and if you have contracts have to be submitted, everything has to be done in accordance with the regulations, because the Director of Audit also has to deal with that. The only decision we had in this regard is to take that decision in Cabinet and as the Minister of Finance under the law, to approve the special warrant and it was also countersigned by the Director General of Finance and Planning who confirmed that everything is in order.

Mr. Speaker, the Honourable Leader of the Opposition is asking me whether any other public funds other than the four million is going to be used, and he wants to know futuristically what we are going to do. What I am

saying to him, to this Honourable House there is a special warrant for a specific amount and that is the answer to the question.

HONOURABLE MR. SPEAKER: Supplementary? Question No. 3, Honourable Leader of the Opposition.

3. **HONOURABLE ARNHIM EUSTACE:** *I rise to ask Question No. 3 standing in my name of the Honourable Prime Minister, Minister of Finance and Planning, the Public Service, Grenadines and Legal Affairs:*

Will the Honourable Prime Minister provide the data on the fiscal outturn for the Government of St. Vincent and the Grenadines for the period ending September 30th 2009.

HONOURABLE MR. SPEAKER: Honourable Prime Minister, question No. 3.

DR. THE HONOURABLE RALPH GONSALVES: Current Revenue, \$355.96 million; Capital Revenue, \$15.2 million; Total Expenditure, \$407.31 million; Recurrent Expenditure, \$345.3 million; Capital Expenditure, \$62.02 million; current balance \$10.66 million; overall deficit \$36.15 million. If my Honourable friend needs me to read any other one I can do so. [Interjection] No, I am not vexed; I am answering the question that he asked me. [Interjection] That is why I asked if there is any other figure he wants me to read over. Do you want me to read over all? Fine, I shall do it with the permission of the Speaker.

HONOURABLE MR. SPEAKER: Go ahead.

DR. THE HONOURABLE RALPH GONSALVES: Total Revenue and Grants \$371.16 million; Current Revenue, \$355.96 million; Capital Revenue, \$15.2 million; Total Expenditure, \$407.31 million; Recurrent Expenditure, \$345.3 million; Capital Expenditure, \$62.02 million; current balance \$10.66 million; overall deficit \$36.15 million.

HONOURABLE MR. SPEAKER: Honourable Leader of the Opposition.

HONOURABLE ARHNIM EUSTACE: From the figures just presented, Mr. Speaker, I see there is a significant difference amounting to about \$38 million between current revenue and the figure I understand here for current expenditure of \$407 million, which suggest a very significant rate of increase for expenditure as distinct from revenue and I could only hope that this would decline before the end of the year.

HONOURABLE MR. SPEAKER: No supplementary. Okay. I thought... Question No.

4. **DR. THE HONOURABLE GODWIN FRIDAY:** *I rise to ask Question No. 4 standing in my name of the Honourable Prime Minister and Minister of Finance, economic Planning, Sea and Airports, National Security, Legal and Grenadines Affairs:*

Has the most recent national poverty assessment report prepared for your government been made available in its entirety to the public? If not, why has the report been unavailable to the public and how can members of the public obtain copies of it.

This question was asked in a previous Parliament but I was told it was misdirected to the Minister of National Mobilisation.

HONOURABLE MR. SPEAKER: Honourable Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, the KIRI Consultants Report draft was received by the Government in July, 2009. KIRI Consultants they are the firm which did the poverty reduction study under the NDP administration and reported in 1997. In that report which was submitted to us confirmed that there is a drastic decline in the levels of indigence that is to say dirty poor poverty, from 25.8% to 2.9% in 2008 and that the level of poverty itself had declined from 37.2% in 1996 to 30.2% in 2008, those are the figures in the report.

Mr. Speaker, as you would expect with any draft report you have a number of corrections to be made and the Ministry of Planning and KIRI Consultants are making those corrections. This is nothing strange, it happened in 1996, 1997; what we did is that we announced what the base data was and when that is happening we will issue the volume 1 report as was done in 1997.

HONOURABLE MR. SPEAKER: Question No. 5, Honourable Member for the Northern Grenadines.

DR. THE HONOURABLE GODWIN FRIDAY: Just a follow up, Mr. Speaker, to the Honourable Prime Minister, if there is a time frame in which this is likely to be done?

HONOURABLE MR. SPEAKER: Honourable Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: I have answered you.

DR. THE HONOURABLE GODWIN FRIDAY: I am asking you if there is a time frame Honourable Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: My answer is the answer I gave you earlier.

DR. THE HONOURABLE GODWIN FRIDAY: Thank you. I am not sure if it is deserved. Mr. Speaker, I wonder if we are wasting our time asking questions in this Parliament sometimes.

5. **DR. THE HONOURABLE GODWIN FRIDAY:** *I rise to ask Question No. 5 standing in my name of the Honourable Minister of Tourism:*

In light of the investment made in developing the Blues Fest over the years and the potential the event holds for promoting tourism in the country, will the Minister please state:

- (a) What was the objective in developing the Blues Fest and in particular whether it was to promote tourism in the country;*
- (b) Why was the festival rescheduled from its usual time in March to October 2009 and ultimately cancelled and;*
- (c) Whether the cancellation of the Blues Fest in 2009 was because of inadequate funding for the event.*

HONOURABLE MR. SPEAKER: Honourable minister of responsible for tourism, question No. 5.

HONOURABLE GLEN BEACHE: Thank you, very much, Mr. Speaker. Answer to question (a) is yes it was to promote tourism in St. Vincent and the Grenadines. (b), Mr. Speaker, when we moved the Blues Fest from the end of January to the first weekend in March initially it was to coincide with the Cricket World Cup, it was moved to October this year, because at that time we were planning on making it part of the Homecoming festivities, obviously most of you would know what is taking place this weekend and throughout the Homecoming week and therefore with so many activities we decided it would not be in our best interest to hold the Blues and Rhythm Festival at this time and (c) Mr. Speaker, no, it has nothing to do with inadequate funding for the event.

Mr. Speaker, if I can just go on to say, you know, we have had a successful Blues and Rhythm Festival over a number of years, something that this administration has taken from strength to strength to strength. This year so far we have seen the Tobago Jazz festival being cancelled, and as a matter of fact in the Jamaican Gleaner this morning online, there is an article which reads “Jazz Festival a tough sell, government not willing to support annual show without evidence of benefits.” Now I can go on to read what it says Mr. Speaker, but basically what they are getting at is that in these times and this is not something which has taken place in St. Vincent and the Grenadines, it is something that has taken place worldwide, we have to be responsible. And if countries like Trinidad and Tobago and Jamaica are postponing and looking at their festivals and seeing where they can cut cost and what they can do to improve it Mr. Speaker, I mean, we are not as wealthy as they are and we have to be responsible, we have enough activities taking place during the month of October including the International Night, and therefore Mr. Speaker, the Blues and Rhythm Festival would be back on in March of next year, the first weekend of March of 2010. Much obliged.

HONOURABLE MR. SPEAKER: Question No. 6, the Honourable Member for the Northern Grenadines.

DR. THE HONOURABLE GODWIN FRIDAY: Mr. Speaker, I would have thought the Honourable Minister would have known that activities would have been in October when they moved the date of the festival. Anyway then.

6. **DR. THE HONOURABLE GODWIN FRIDAY:** *I rise to ask Question No. 6 standing in my name of the Honourable Minister of National Mobilisation, Social Development, Gender Affairs, non-Governmental organizations Relations, Local Government, persons with Disabilities, Youth and Sports:*

In light of the fact that the lands adjacent to the landing strip of the J.F. Mitchell Airport in Bequia has been regularly used over the years for sporting activities such as basketball, rounders and football and is presently being used daily by footballers in the villages of La Pompe and Paget Farm as their practice ground and, with necessary improvements, can become very useful as a practice ground for young cricketers in the village;

Will the Minister commit the necessary attention and resources to ensure that this playing field is properly graded and grassed and to cut the grass on a regular basis so that this vitally important playing field might better serve the people of that village and other communities.

HONOURABLE MR. SPEAKER: Honourable Minister of Mobilisation, Youth and Sports.

HONOURABLE MICHAEL BROWNE: Thank you, Mr. Speaker. Mr. Speaker, colleagues, the National Sports Council has been liaising with Mr. Herman Belmar of the Grenadines Directorate Office with a view to improving the facilities not only at the Clive Tannis Playing Field and Hard Court, but also the Paget Farm Playing Field to which this question refers. It is regrettable Mr. Speaker, that with the construction of the JF Mitchell Airport which lies adjacent to the facility that at the time, requisite action was not taken to deal precisely with some of the issues that are now being raised. The playing field at the time was not properly graded by the NDP administration and as a consequence large quantities of rocks and stones were allowed to remain on the surface.

The National Sports Council in conjunction with the Mr. Belmar and Grenadines Directorate Office have been addressing the question of sourcing enough top soil, and it should be borne in mind that this is one of the largest playing areas throughout the country. So the substantial amount of top soil that has to be acquired is posing some difficulty but, we are looking at that matter. At this very moment in time, 25 playing fields and hard courts throughout the state are receiving major attention, mainly with funds administered by the Social Investment Fund and the Ministry for Rural Transformation, along with our ministry. Several other sporting facilities have either had upgrades or are completely new project, including the magnificent recreational facility at Mayreau. Although the National Sports Council is responsible for the maintenance of 56 playing fields and 62 hard courts, throughout the state and several are in need of repairs and upgrades as the public demands more and better sports facilities. We are doing our very best. We are looking at a total of nearly 120 facilities. There are quite a number which are under consideration including the one raised by the Honourable Member, some 25 we have listed here; I would not read them all out, Mr. Speaker.

Obviously, with the recent world financial meltdown fiscal conservation is advised even by the opposition NDP they have done so on numerous occasions and as a consequence the National Sports Council is operating under certain strictures. With regard a direct response, yes, Honourable Member I will commit attention to this issue,

it having been brought to my attention not only by you, but certainly forcible through this question, and I have been in some discussion both with Mr. Belmar and National Sports Council and I will give it my personal attention. With regard committing the necessary resources in the context of what I have outlined you can see a certain difficulty but we will try and address it, given the importance of it in the particular area.

I conclude again by the lamentation that the NDP including the Prime Minister then who had responsibility for that constituency had sadly neglected this facility, thank you.

HONOURABLE MR. SPEAKER: Question No. 7, the Honourable Member for the Southern Grenadines.

7. **HONOURABLE TERRANCE OLLIVIERRE:** *I rise to ask Question No. 7 standing in my name of the Honourable Prime Minister and Minister of Finance, Economic Planning, the Public Service, Grenadines and Legal Affairs:*

Repairs on the Canouan Jetty were scheduled to commence April 2009, up to this date no work has been done, please give an update as to the status of this project.

HONOURABLE MR. SPEAKER: Honourable Prime Minister and Minister of Grenadines Affairs.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, the Canouan jetty was reconstructed in 1983 and in 1997 under the Grenadines Multipurpose Project. In 1983 construction work was undertaken by a Venezuelan firm, and this portion has proven to be structurally sound. It is this portion that is presently being used by the ferry operators. While the construction of the portion 14 years later was undertaken by a local company that has proven to be problematic From the assessment undertaken to say that the work was faulty would be an understatement. There is evidence to show that there was little or no supervision especially in the use of reinforcement material. When it was announced in April 2009 that repair work will commence, the systems were in place, design and costing, the initial repair work was estimated at \$350,000.00.

As a result of the use of the substandard material and supervision, the Canouan Jetty deteriorated rapidly; resulting in the total conceptualization of the project, no longer can the issue of repair work be pursued. From the analysis of the structure it can be seen that the reinforcement present in the existing slabs are insufficient to support the load for which the present use requires. The proposal has now been submitted for a new facility in the amount of \$2.9 million. Design work is presently ongoing, along with various scenarios as to the most suitable location of this facility. As the Honourable Member would know, the Edsar Physical Plan has suggested that it be put at a particular location, and there are different views on that within the community. Currently the Ministry of Housing and Lands, through the Town Planner is undertaking a mapping exercise to assist in the determination of the location.

Mr. Speaker, if I may just read for the benefit of Honourable Members and particularly the Member for the Southern Grenadines, there is a report which I have indicated which we have done on this matter, and further study which we have to reconceptualize, it is a highly technical report but the conclusion is in understandable English.

Conclusions

The existing wharf apart from being seriously degraded and damaged, it is also under dimensioned to resist the loads to which it might be subject. To restore the stability of the horizontal elements, the beams and slabs, the solution requires an additional structure of new beams in steel to be placed above the existing slabs on which could be placed a new slab in reinforced concrete, correctly estimated to support the loads is to be placed. The described solution is not feasible (that is the one for the repairs), because the vertical elements, the pillars, are surely presently loaded to their limits as they seemed under dimensioned to resist the present loads and the weight of a new structure could take them to the point of collapse. It is therefore not feasible to overload the existing pillars, also considering at present they are seriously damaged.

In conclusion the structure cannot support the load of the transit of heavy vehicles without any possibility to adequately support it, as the existing vertical elements are insufficient and under dimensioned.

It is very interesting that a lot of money was spent on this between 1997 and 1998 but that which was done in 1983 was properly done, but that which was done under the NDP administration, I do not know who built it, just off hand I can find out, it was not properly supervised, as you can see the technical work was inadequate. So when sloppy work was done like what happen down at the school down in Union Island, that one was built in the 1990's and it is falling apart, the Mary Hutchinson Primary School, that is why we have to build these things properly and give good people these things to build, competent people. That is the problem, if it was built properly in 1998, we would not be in this problem. You think it is easy mess I have to clean up, you think it is easy mess I meet I have to clean up. I pray to Almighty God every single day to give me strength. Sometimes when I think I have cleaned up all there is to clean up, I meet more, I say heaven help us. It is a lucky thing I have a strong constitution. And that is why I need a new constitution. Thank you, very much.

HONOURABLE MR. SPEAKER: Question No. 8, Honourable Senator St. Clair Leacock, Opposition Senator.

HONOURABLE ST. CLAIR LEACOCK: Thank you, very much, Mr. Speaker, as you would see the Honourable Prime Minister is signaling that he is tired; we are applying for the job, Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I did not indicate that I was tired at all, I simply said that when you think that you have cleaned up all the mess which the NDP left, you still finding

them out in a whole set of practical ways, and I said it is a lucky thing I have a strong constitution, physically, so you heard the opposite, and all I was saying I need a new constitution, proposed constitution on the 25th of November to help me even jack the thing up better. That is the point I was making.

HONOURABLE MR. SPEAKER: Question No. 8.

8. **HONORABLE ST. CLAIR LEACOCK:** *I rise to ask Question No. 7 standing in my name of the Honourable Prime Minister and Minister of Finance, Economic Planning, the Public Service, Grenadines and Legal Affairs:*

In pursuit of previous questions submitted to this Honourable house on the completeness and effectiveness of the St. Vincent and the Grenadines Coastguard.

Will the Honourable Prime Minister please indicate;

(a) Whether the George Mc Intosh was sold, scrapped or die a natural death;

(b) If it was sold commercially, what was the sale price and to whom was it sold; if it was scrapped how much money was recovered;

(c) What is the delaying the sale or disposal of the Hugh Mulzac, is there any cost related to its non-functional upkeep; and

(d) How soon will a troop-carry-vessel with equivalent capacity of the Hugh Mulzac and George McIntosh be obtained to assist with search us with rescue.

HONOURABLE MR. SPEAKER: Honourable Prime Minister, question No. 8.

DR. THE HONOURABLE RALPH GONSALVES: I am obliged to the Honourable Senator Leacock for his question so that I can informed the nation about what is happening with these assets and where we are going with the coastguard.

The first question as to whether *the George McIntosh* was not sold scrapped or died a natural death, the first one, the (a) part, *the George McIntosh* was taken out of the water in 2008 and is presently stored at the Ottley Hall Marina. The main engines and generators were removed to lighten the vessel to aid in her removal from the water, one of the main engines and one of the generators were operational when they were removed, the vessel was not sold, scrapped nor has it died a natural death. A committee was set up to determined the future or the final resting place of the vessel and its machinery. A committee will decide whether it will be sold scrapped or allowed to die a natural death. And the members of the committee comprised the Deputy Commissioner of Police, the Coastguard Commander, the Director of Maritime Affairs, who is a former Coastguard Commander, a representative from National Properties, one from tourism and the manager of the

Ottley Hall Marina. If it were sold commercial and the sale price, well I answered that, so the (c) part, *the Hugh Mulzac*.

The Captain Mulzac was a gift from the Government of United States of America in 1986, part of the agreement was that the US government must sanction any suggestion as to the disposal of the vessel, the US Embassy in Barbados has been informed as to the operational and structural integrity of *the Hugh Mulzac* and of the government's coastguard's intention to decommissioned her. As you are aware, Honourable Members, because I have addressed this before, a survey was conducted in 2008 by a naval architect from Trinidad and Tobago who deemed *the Captain Mulzac* unsuitable to go to seas unless it is refurbished; and that the refurbishing cost would be in fact in excess of the price of a new vessel of such capacity. The coastguard was informed by the US Embassy that the situation with *the Captain Mulzac* would be communicated to the US government, both the executive and the congress and the outcome would be communicated to St. Vincent in due course. You know this is a very small matter for them, but you know, one of the things about this government, we got it as a gift and therefore, and part of it is that the US government would have to sanction any disposal of it, presumably if we dispose of it, they are not going to worry about that, but the point is this, because it is a very minor matter for them, the government cannot act like a bandit, we have an agreement so we have to wait on them.

There is no direct cost as it relates to *the Captain Mulzac* non functional upkeep. The vessel is kept clean and free of water in the bilge, these functions do not incur any direct financing.

Now as to the future, as you know, we bought a vessel for \$2.3 million from the US coastguard, the HK Tannis, and we are also bought some ribs because what we really need to do is to have craft which can move very speedily, to help us with the interdiction of drug traffickers, search and rescue and the like. And there are different people who would want to sell us different products.

There is a Dutch company which came to us and they have supplied to a few Caribbean islands, but because of the cost I wanted to wait a little while to see how they can function within the Caribbean context. It has been reported to me that, look it is better we check elsewhere particularly in some developing countries which have the kind of technology, and which have a lot of islands and which they can go through and what they use, so having done the research necessary, we settled on checking Malaysia. I have written the Prime Minister working with a company called Professional Power Craft and we are in active negotiations with them to purchase three vessels. I will give you the specifications. One is called a 2P56 each cost US \$2.5 million and 1P46 fast patrol, fast interceptor, the P56 they are fast patrol and P46 is a fast interceptor. That is US \$1 million. The delivery cost is quarter million dollars US, the maintenance programme over a seven year period is US \$750,000.00 giving the total project cost of US \$7 million, and that we will pay the money in 14 half yearly installments, in other words a million US a year. And at the end of the seven years the boats are ours. In fact, what we are discussing with them as a good faith measure that they send a P46 fast interceptor for us and that if at the end of the... when they are delivered and they are promising to deliver within nine months in two batches of signing of the contract and if at the end of it we want to keep the P46 interceptor, we can buy it from them at a discounted rate and they are looking at a discounted rate of US\$400,000.00, but we would not agree to

that, right up front, we will have to see what condition it is in, when we are finished with it. So we are really looking to develop a good fleet. As you know we bought three vessels, two for the Customs and one for the coastguard and they are operating together. The real problem is that we increasingly have challenges at the sea, well that has been so for quite some time, but we intend to spend a lot of money as you would have noticed.

I have seen something happening in Antigua, people from the Dominican Republic have been coming into Antigua by boat, some even from Jamaica and Guyana because they are finding the airport to be difficult. Once it start to happen in Antigua you would expect it is going to happen coming down the islands, so I have to be prepared for it, so it is an affordable deal, if I can get three fast vessels, plus, a fourth interceptor for just over \$7 million and I have to pay them a million dollars every year as you would see, they have made it attractive, they have not mentioned any interest rate but I did not born yesterday, obviously they have built in the interest rate in the amount itself, but I am using all the comparative data.

We want to send a team to Malaysia to inspect them but I have received... I have an advisor from outside on the subject and they have written me a memo and it says;

The proposal goes a long way towards meeting the requirements of the Ministry of National Security and the coastguard as regards the re-equipment programme for the coastguard at a reasonable cost spread over seven years, with no interest payments and the maintenance costs included.

As I said I expect that the interest payments are included, but only that they capitalized it and the advisor from outside is saying, of course provisions would still have to be made for the fuel, which we accept. So as you noticed we are treating this matter with great seriousness, and I am happy that I have the opportunity to speak to it. Normally, it is not a sexy subject, so it does... it is like the prison, so it does not get you any votes. But those of us who are serious policy makers we know that these things have to be done in order to protect our country and our people. I am obliged.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I no reason to question the Prime Minister's sincerity in the way he has answered and I acknowledge the drug interdiction and perhaps human trafficking concerns that have influence the decision. The Prime Minister is noted for reminding us that we have more seascape than landscape and as a marine society our concern is still essentially that there be a capacity for search and rescue exercise. We have regular excursions and daily commuting between the Grenadines and mainland St. Vincent, I am not going to include other areas of people who are affected by the bends and so forth, and upgrading the coastguard to provide that facility but I want to impress upon him that it does not have to be a mutually exclusive exercise and that parallel with interdictions and drug trafficking facilities, there is in fact and urgency for search and rescue and he ought not to rule out the relationship with the United States of America such that there be a presentation that they replace *the Hugh Mulzac* rather than simply seek permission for its displacement. I think that ought to be on the table at this time so that our search and rescue capacity is consistent with the needs of the society. Thank you, Mr. Speaker.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I want to say that the records will show that even in the last days of the NDP administration and into our administration that we have been trying to get a vessel in the same way of a “donation” from the US but it is like you knocking your head up against a brick wall, I mean that is why when we send Commander Robin, that is why I had to spend \$2.3 million on the HK Tannis, you know, I cannot wait for a handout and problem remains, I have to put resources to it, if something comes along well so be it. What I want to say, is that Trinidad and Tobago is getting some additional assets between now and early next year and Prime Minister Manning and I have spoken about some of those assets, helping to patrol coming up from Trinidad to Grenada through the Grenadines up to St. Vincent.

I want to point this out too, Mr. Speaker, that there are two radar sites which are being prepared currently, to see the vessels when they are coming in. We want to do one in the Grenadines, so you can get a 360 degree per mainland St. Vincent to help with the protection. It is all computerized and everything. We are sending the people to train. We are hoping that by early next year, we should have them operationalized and I want to assure Senator Leacock that the comments that I have made, I made reverence to the search and rescue and that is integral to our national emergency planning absolutely essential.

HONOURABLE MR. SPEAKER: Question No. 9.

9. **HONORABLE ST. CLAIR LEACOCK:** *I rise to ask Question No. 9 standing in my name of the Honourable Minister of Urban Development, Culture, Labour and Electoral-Affairs:*

(a) Please indicate the status of the registration exercise for new ID cards to-date; namely:

(b) The number of electorates that have been registered by constituency so far; and in particular

(c) The number of first-time registrants per constituency as at September 30th.

HONOURABLE MR. SPEAKER: Honourable Minister of Electoral Affairs.

HONOURABLE RENE BAPTISTE: Mr. Speaker, Honourable Members, the Office of the Supervisor of Elections has informed me as follows: by constituency North Windward from July, we started July 13th I think it is 91 first time registrants and 1684 re-registrations, North Central Windward; 96 first time registrants and 1700 re-registrations; South Central Windward 73 first time registrants and 1175 re-registrations; South Windward 46, this is July to September, 46 new registrants and 1217 re-registrations; Marriacqua 1650 re-registrants and 68 first time registrations; West St. George 50 first time registrants and 1411 re-registrations, East St. George 153 first time registrants and 1667 re-registrations, East Kingstown 94 first time registrants and 1239 re-registrations; Central Kingstown 92 first time registrants and 1221 re-registrations; West Kingstown 264 first time registrants and 1776 re-registrations, South Leeward 132 first time registrants and 1763 re-registrations; Central Leeward 85 first time registrants and 1434 re-registrations; North Leeward 81 first time registrants and 1709 re-registrations, Northern Grenadines, 61 first time registrants and 1300 re-registrations;

Southern Grenadines 35 first time registrants and 862 re-registrations; so the total number of voters on the list with new ID cards is 23,230 as of the 30th of September.

The voters list as of the 30th of September, the total number is 92,945. What we have discovered up to the 20th of October that is Tuesday of this week, is that we have now 92,653. What is happening is that we are getting a lot of the deaths are now coming through, so that the list is being cleaned up at the same time.

I also wish to let my Honourable friend know that we have moved the operations up town at the top of Egmont Street, the office that was the Supervisor of Elections office will remain only the production centre. So they will be moving a little faster rather than having to get up going to the counter and everybody in the same place. And we move administration down to the building formally known as Plumbers Mart. We are in the process of moving everything, they will be operational from Monday the 26th of October at Plumbers Mart so we will have the public going to that section rather than coming up to the old office to give the production people more time to work on the cards. Thank you, very much.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I need to follow up with what the Honourable Member just told us and this is without prejudice to the work that is being conducted by the electoral officials that certainly she would appreciate that we are just about one fifth or thereabout of the total number, so there is a challenge on hand to get up to speed, assuming that the existing 90,000 plus list is really still a legitimate list because we are all concerned that we cannot have 90,000 voters and a 100,000 population, so we obviously are not making progress in identifying what really is the electoral population in St. Vincent and the Grenadines and we must do some more work there.

HONOURABLE RENE BAPTISTE: Mr. Speaker, while I recognize he has made a comment and not ask a question, I wish to state that if you have 23,000 people done between July and September with new cards now the new system what they did they transported everybody who was on the list, it does not indicate that those 92,000 are in fact in St. Vincent because there are persons who left St. Vincent, they have gone to study, we have almost nearly about 1,000 students overseas and persons who have been living overseas for more than five years, so that is also on the list, and the Supervisor of Elections wants to be very clear that is why she is insisting that those persons who come through for registration must bring their birth certificates, because we want to know, you know, we had about four or five cases of persons who have attempted some forgeries of the former cards, so they have those former cards in their possession, so we want to make sure that we clean up the list at the same time. So the process would be a little uneven but she anticipates that we moving, instead of everybody being in the same space with moving people out they would be able to speed up the process with the cards.

Secondly we have encountered some problems with taking photographs. Now, we have indicated that you cannot wrap your head and do certain things to take out a photograph, so some persons would have to come back a second occasion to have their photographs taken and they asked please to check at the Electoral Office to have their photographs taken also some persons not going to have the new cards done.

HONOURABLE MR. SPEAKER: Okay, in the spirit of the 30th Anniversary of our Independence and openness and democracy, I have allowed the comments and response, but as you know what is really required are supplementary questions. So I am just making that point, in the spirit of goodwill, let us...

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, if you may crave my indulgence, I thought you were going to say that, you will take notice of a man who is being beaten upon. And therefore you must always come to his aid and protection. It is a wonderful Catholic principle.

HONOURABLE MR. SPEAKER: I am not aware of that. Question No. 10.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, the Prime Minister reminds me of a refrain of a good calypso, No, doctor, no.

10. **HONORABLE ST. CLAIR LEACOCK:** *I rise to ask Question No. 10 standing in my name of the Honourable Minister of National Mobilisation, Social Development and Youth and Sports:*

Will the Honourable Minister please indicate the new time table, if any for the commencement and completion of the national stadium at Diamond;

(a) Will the Honourable Minister please indicate the new time table, if any for the commencement and completion of the national stadium at Diamond;

(b) What is the current estimated cost of this new overdue facility; and

(c) Exactly how is it being financed.

HONOURABLE MR. SPEAKER Honourable Minister of Social Development, Youth and Sports, kindly respond to question 10.

HONOURABLE MICHAEL BROWNE: “Mr. Speaker, where do we go with sports? Have there been significant improvements in sports? The answer is yes.”

DR. THE HONOURABLE RALPH GONSALVES: And you are a party man and you would answer appropriately.

HONOURABLE MICHAEL BROWNE: I paraphrase now this famous statement from the person who poses this question, Mr. Speaker. The answer is yes. In the eight or so years that this administration has been in office, Mr. Speaker, we have been averaging about \$10 million per year on sports, this compares with less than a million per year, under the previous NDP administration, clearly this is a significant amount of money

and one of our legacies, or lack thereof was the absence of a national stadium which had been called for by people and indeed by the New Democratic Party itself; they had, what, seventeen years and they never gave us a stadium; so for us to hear that that facility is now overdue really does not resonate very well. Our administration had to make a strategic choice in sports whether we continue with the national stadium as we had promised or whether we shift the resources to the development of Arnos Vale I and other related facilities given the imperatives of Cricket World Cup 2007. As it unfolded we had to address cricket World Cup and therefore had to shift substantial resources in that direction. We had estimated the national stadium at the time figures around \$45 – \$50 million, and as you know, Mr. Speaker, Arnos Vale I to date, the tag, the bill is about \$55 million and that facility is still not completed, so it probably would round off to \$60 million. We had to decide whether we are going to put up another facility of that cost while the present one as we all acknowledge is underutilized.

This very evening, Mr. Speaker, you are going to have Miss Heritage Show and a number of other activities taking place in that facility because we are trying to increase the usage of that facility outside the parameters of sports, so we can maximize our investment. Should we invest another 50 million dollars at this point in time when a \$60 million facility is underutilized, we have to address that. We have taken that strategic decision Mr. Speaker, and in light of what had transpired since our commitment, we have had to have a new design for the stadium, that new design has been completed, and as a consequence of that we have had to revised the basis on which the stadium, the original basis on which the stadium was contemplated, so we are revising currently the new stadium given the new design and the new circumstances which have enveloped us. As a consequence Mr. Speaker, part (b) and (c) of the question which are predicated on the revised project cannot receive answers at this point in time but I give the assurance to the Honourable Member that as soon as those become available I can give those to him in writing or in this forum. Again I end as I ended the previous question from the Member from the Northern Grenadines, that it is indeed sad that the previous administration did not bequeath the sporting community of St. Vincent and the Grenadines with a stadium, which I agree with him, is overdue. Thank you.

HONOURABLE MR. SPEAKER: That brings us... Honourable Senator, do you have a supplementary?

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, if as is indicated by the Honourable Minister of Sports, the question of the construction of a national stadium is a pragmatic one of cost, vis-a-vie existing utilization of available facility, what is so wrong with us, or the administration looking serious at using the existing Grammar School Playing Field and at the very cost at least put down an athletics track there, that we could cut and contrive until such time that practically we can afford the more highfalutin upgraded facility. I mean, you have lived in North America yourself Honourable Minister and you have seen so many schools facilities around them, very basic elementary facility that can take care of them in the short term. We do not have to necessarily go at a \$40, \$50, \$60 million, we may be able to put something within the context of a school environment that still represent an upgrade on the non-existence of modern facility for our athletes, that is basically where I am coming from Mr. Speaker.

HONOURABLE MICHAEL BROWNE: Your question addresses an all weather track. That is what I am assuming. And that is under consideration for precisely those reasons that we think we can address aspects of what would have been included in a national stadium, particularly all weather track. So it is under consideration.

HONOURABLE MR. SPEAKER: That brings us to the end of question time. Honourable Prime Minister we can go to lunch now.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, if the idea is that the remaining items on the agenda we can get through them within the next hour, I am prepared for us to do that.

HONOURABLE MR. SPEAKER: I doubt it, eh.

I mean, as I understand it, the Rehabilitation of Criminal Offenders Act, is not contentious, and that is really the only matter which is before us. The resolution in relation to the Cuban Five, I have spoken to Honourable Leader of the Opposition and he has said that he would like to have some time to study it internally with his group. That is fair enough, we can leave it until the next time, it is tabled. And then the other motion on the Order Paper is really not for debate, it is for negative resolution. It is just laying it and that is that. But because of the nature of it, the Honourable Minister has spelt it out with the preamble and put the operational clause. So if the Honourable Leader of the Opposition assures that rather than coming back, well the point is this if we decide, we are all in agreement on it, we can have one from each side at most two and I certainly will assure you that I would be extremely brief. [Interjection] I assure you that by any standard I will be brief. [Interjection] You will have one speaker on that side. Fine.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, therefore I do not have any need for this...

HONOURABLE MR. SPEAKER: If we move this, then it is another story.

DR. THE HONOURABLE RALPH GONSALVES: Yes. Mr. Speaker, Honourable Members, as Honourable Members are aware, we give an opportunity for the students to go...

ORDERS OF THE DAY

REHABILITATION OF OFFENDERS BILL 2009

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, the minutes and the report from the select committee has already been tabled, I beg to move that a bill for an Act to make provisions for the rehabilitation of offenders who have not been reconvicted of any serious offence for periods of years and to provide for matters connected therewith. I beg that this bill be read a second time.

HONOURABLE SIR LOUIS STRAKER: Mr. Speaker, I beg to second the motion.

**Question put and agreed to.
Bill read a second time.**

HONOURABLE MR. SPEAKER: Debate on the bill.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, the Rehabilitation of Offenders Bill seeks to make provisions for the rehabilitation of offenders who have been reconvicted of any serious offence for periods of years and to provide for matters connected therewith. The bill provides that the conviction of an offender who has been rehabilitated is treated as spent and the offender is treated as if he had never committed that offence. The bill covers only custodian sentences up to two and a half years, 30 months, the other qualification of the bill is application, they are detailed in the bill itself.

Mr. Speaker, if one looks at clause 3, sub clause 1 provides that at the end of the rehabilitation period applicable to a conviction, the individual becomes a rehabilitated person and the conviction shall be treated as spent once the following conditions are satisfied:

- (a) That he has served or otherwise undergone or complied with the sentence imposed on him with respect that conviction;**
- (b) He did not have imposed on him in respect of that conviction a sentence which is excluded from rehabilitation under this Act; and**
- (c) During the rehabilitation period in respect to that conviction, he has not had imposed on him a sentence which is excluded from rehabilitation under this Act.**

Sub clause 2 provides among other things: that a failure to pay a fine or other sum adjudged or to be paid or imposed in respect of a conviction shall not prevent the person from being treated as a rehabilitated person.

The effect of the rehabilitation is very important to note. Sub clauses 1 to 3 of clause 4 provide that certain specified exceptions contained in the bill. The individual is treated in law as if he had not committed or being dealt with for an offence for which he was convicted in this regard. The rehabilitation means:

- (a) Evidence of the conviction or sentence is inadmissible to proceedings before a judicial authority. So that if you are rehabilitated, nobody can raise it in a court of law.**
- (b) Outside of the court you cannot raise it either; and**
- (c) A person is not required to disclose it, if you go and somebody say, have you had a conviction. You say no, because you have been rehabilitated.**

Su clause 4 allows the minister to make exception orders with respect to certain provisions under this clause. We exclude certain sentences from rehabilitation, and this is clause 5, a sentence of imprisonment for life, a sentence of imprisonment for a term exceeding 30 months, a sentence for an offence against the administration of lawful authority, whether it is under 30 months or not, in clause 5 of the criminal code or a sentence for an offence relating to the administration of justice under part 6 of the criminal code.

Sub clause 2 specifies the rehabilitation period of sentences listed in schedule 2, the duration of the rehabilitation period is as follows and as you noticed it depends on the length of the original sentence and the age of the offender. The rehabilitation periods for a sentence of imprisonment for a term exceeding six months, after seven years it is wiped out, not exceeding six months is wiped out after seven years, it is spent after seven years. A sentence of imprisonment for six months or more but not exceeding 30 months, it takes a longer period ten years to be spent. Or for a fine or a non custodian sentence subject to rehabilitation is five years. And for a child or young person and a young person is someone up to the age of 16, the rehabilitation period is half that of an adult. So in the case of a six months sentence, but it is in a sense academic because under 16, you are not sentencing somebody to jail, under the Juvenile's Act.

Sub clauses 3 to 6 for the rehabilitation period, you have much shorter periods, an order for discharging a person absolutely six months, conditionally charged, a probation order, if that is the punishment one year. An order imposing a disqualification disability and so forth, or an order under the Juvenile Act, one year that is basically the essence what it is about, the other things are sections around it, really what we are saying is well look, we need to treat our young people not forever as criminals if they make a mistake, in the same way we have brought a bill here to give businesses a second chance and a third chance with the Bankruptcy Act to modernize that, it is the same thing, it is the same idea, people must get a second chance. We are too hard on our people man. I am sorry, that sounded un-parliamentary, Mr. Speaker, but Mr. Speaker, I was speaking colloquially about man, I mean Honourable Members.

Mr. Speaker, in Britain since 1976 there is a Rehabilitation of Criminal Offenders Act, what we have done here, is try to model it, as best we can on the British Provisions and make local adaptations. A young man behind his grandmother's house, he should not be smoking a '*splif*' but you find him with a '*splif*' he is 16 years, he wants a police record, he cannot get a clean police record. I mean that is... what people do not realize that it is in this country you can be convicted of a criminal offence at the age of 10. At the age of 10 you can be convicted of a criminal offence in this country. So you have a 10 year old who is convicted for some simple thing, stealing the Bishop's mangoes round Bishop's Court during half time of a football match at Victoria Park, or you are a 12 year old Grammar School boy, I mean really you are going to put a mark on that child for life. No, we have to be very helpful. And I say this, there are a lot of people who cannot get visas, they cannot go sailing, they cannot get into the police force in St. Vincent. A person gets into a problem when he is 16 years old, he tries to go into the police force at 21, they would not allow him in.

The Commissioner says I have no elbow room in this regard. Now we have to clean the slate. And some people may say we should clean the slate for period beyond 30 months, they might say it should be 36 months, and there could be an argument, the spent period for under six months should not be seven years it should be

five years, but this is our first crack at it, we can always have arguments at that at the margin. Let us see how it is going and we can always make amendments as our experience teaches, but we are cautious at first because we want it to be fully in accord with what should be seen as some international standards. You want to help but at the same time you do not want to be so generous that it creates difficulties for you, and I think we have found the balance here. And I want to thank, the Attorney General and her staff, this has been a problematic bill to draft, not from a technical standpoint really but from the standpoint of instructions, you can imagine there be different views as to how long you should give this spent period for and so and so forth. And I think this would go a long way to solving some problems for young persons and give them a good and proper second chance. I am obliged.

HONOURABLE MR. SPEKAER: Honourable Leader of the Opposition, oh, Honourable representative for Northern Grenadines.

DR. THE HONOURABLE GODWIN FRIDAY: Thank you, Mr. Speaker. Mr. Speaker, several years ago when I used to practice in the magistrates court, doing minor criminal offences I was representing a young man who was looking forward to going overseas to do a job. But he had to go to the US Embassy two days after the trial to have a Visa interview. And I remember examining the circumstances of the offence and they seemed so ridiculous but the implications for him were so grave, because he could have been barred had he been convicted, and I do not even know if he understood the implications as well as I did because he was a little hesitant or reluctant to do what was necessary to ensure that his witnesses showed up for the trial, so I had to go around and say well, listen, you must have the persons come who you say can assist you. And after some anxious phone calls and so on and so forth they came and it was not a foregone conclusion but the outcome was that the charge was ultimately dismissed and he was able to go for the interview two days later and got the visa. And it really set me thinking about how these things come about because as well as a member in the community people come to me, as a lawyer they come to me because I am the parliamentary representative, and so on and so forth when youngsters get into trouble, and you recognize how easily mistakes can be made and minor altercations can result in a criminal record. In some jurisdictions for certain purposes rehabilitation does not necessarily mean that the criminal record is wiped out. As the Prime Minister mentioned there are certain bars that are thrown up if you have a criminal record that you cannot do certain things, that you cannot become a policeman. Well, it may well be that you can have rehabilitation and you have a certificate of rehabilitation, and it illuminates the bar but the record is there, the criminal record is there still. I understand it that in this present bill that the record would be for intense and purposes wiped out. There are two problems that still remain that I think need to be considered; one is what happens administratively after the rehabilitation takes place, what happens to the record administratively, where is it stored, who has access if any at all, is it destroyed for all intense and purposes, because you know, sometimes we get into a state of administrative inertia and even though the law has changed and the requirement for certain procedures are no longer applicable, you find that people still go on doing the same things over and over again as if there had been no change. It happens in a lot of the administrative functions that we see in our present bureaucracy, there is a reluctance to change. So there has to be a commensurate commitment on the part of those persons administering the act to ensure that the intent is carried out and that the records are not just seal but that they are wiped out for the offences where someone is rehabilitated.

I am a little uncomfortable by the automaticity, the automatic application, because again I know from other jurisdictions that there is a time line, let us say five, six years, where the person can apply to rehabilitated, or to get a certificate of rehabilitation. And base on all the surrounding factors, he may be or may not be granted, in this case however, it is automatic, once the time frame is passed there is no re-offence then the persons is deemed to be rehabilitated.

The second concern that I have to do with applications abroad, the Prime Minister said that if somebody applies for a visa and you know the form has a question, have you ever been convicted of an offense? Now, as a lawyer you may say to the person you have no legal requirement under our law to declare that information but if you put it on an application for a visa form and is subsequent to determine that you had a conviction, the jurisdiction to which you had applied may not treat it as having been spent, as we do. So that is something, it is a very serious concern because I used to work with for the federal government in citizenship and immigration dealing with citizenship and immigration law and you look at the application forms and the questions they asked seem ridiculous because you will ask yourself well why would anybody say yes to any of these. But the question is not for you to be honest or not, I mean it requires you to be but if you say no and the answer is yes, well that in itself is a ground for revoking citizenship or for expulsion. And that is the point for it being there, so if the form the application is asked, the administrative officer here does not have a duty to provide the information but the question is whether the individual may unwittingly actually do some harm to himself if he says no when the form asks you 'have you ever been convicted' that is something that needs to be... lawyers have to think about it and proper advice needs to be given to persons. Because it may well be, you may say, yes, I have been but I have been rehabilitated and they would say okay fine and that doesn't act as a bar anymore for our purposes, but the question is if you say no, and they found that the tense of the question is 'have you ever been' and even rehabilitation cannot erase a prior existing fact, the consequences are erased, it is something that we have to consider very seriously.

So in short the best advice to young people is still to stay out of trouble. You have to exercise good judgment and commonsense because some of the incidents that result in convictions, you know, are really sometimes, carelessness, stubbornness, stupidity, so the best advice is still even though under our law there is in a sense a reprieve, for certain offences that carry a certain sentence in that the record is wiped cleaned, , you can join the police force here, but it may still have consequences to jurisdictions where our law does not apply. So this is not a panacea by any means. I think it can help to correct certain problems that people run into and usually it is young people and in the scheme of things it may seem to be just. Our society, you know we are a Christian society, we have a forgiving heart, but I think that some people as well may not like the intent of this legislation. Because you may say you did it then you bear the consequence and you may be [interjection] until it is, yes. Because very often you know it is the mothers who are the ones who carry most of the brunt of these things, because when the child gets into trouble, usually they are the ones on the phone asking you to assist.

There is one other question that perhaps the Prime Minister could clarify and that is in section 3, it says that the individual that..., where the individual has been convicted of an offence or offences, whether before or after the commencement of this Act that essentially is entitle to..., so in the passage of this legislation, all the offences and all the persons who have been convicted of offences to which the Act apply as soon as the ascent is given

they are wipe out [interjection] yes, I mean well once they have maybe qualification period. A different approach would have been they say that the time starts to run from when it is passed today, so in a sense persons who..., they say if the offence is committed now going forward and most of those persons if they have been clean for the pass seven years, five years they probably for the rest of their lives they will be. So that is an approach that requires consideration and I would like the Prime Minister to address it as to say why that is not a better approach going forward because it does not apply retrospectively and it may also address any criticisms that may be made in the public with regard to the intent of the legislation. Those are the comments that I have Mr. Speaker.

HONOURABLE MR. SPEAKER: Thank you. Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I want to thank the Honourable Member for the Northern Grenadines in relation to the last point. It seems to be fairer in the way we have it here that if the offence under the thirty months was committed before this Act was passed, they still get the benefit of the Act as distinct from starting right now. We really have to give them the benefit of it, that is [interjection] yes, because I appreciate that there are some people who would always like it to be tighter, but as I said across when he was speaking until it is their child. We just have to see what makes sense and what is right reason and I think this is a reasonable way to proceed.

In relation to the earlier point, as I understand it there is not an obligation on the part of the person who is filling out such a form to say that there is a previous offence, because as far as the law is concerned where the offence has been committed, it has not been committed, because if you notice, it has been even strengthened under clause 8 and 9 in relation to deformation, if you go and say that a person who has had a spent conviction that you say that the fellows are convict, you cannot say that, because it is spent, it is spent, it doesn't exist. We have to clean the record and similarly, it is an offence for a public servant to do an unauthorised disclosure of a spent conviction with the person gives them permission to do it. So that what is going to happen administratively, I understand the point you make about some bureaucrats but this is a matter once this is passed the Ministry of National Security has to tell the record keepers anything where in your record, you simply say that this thing is spent, it doesn't exist, you cannot include it, because an unauthorised disclosure will give rise possibly to a criminal offence. Well in fact, unless you have a defense you could be punished and there would be regulations would be drawn up to help to guide the officials. It is either we are helping them or we are not helping them and as I have said, this has been borrowed to a significant degree from the way the British have done their work and we believe it is something which can stand up to proper international scrutiny. I appreciate the points made by my Honourable friend and I understand the caveat and caution, but I thank him for his support. We will of course have this matter proclaim as soon as everything has gone through, because we have to put the regulations in place. Okay.

Accordingly Mr. Speaker, I beg to move that this Honourable House resolves itself into a Committee of the Whole House, oh, sorry we have had the Select Committee, I apologies.

Mr. Speaker, I beg to move that the Bill for an Act to make provision for the rehabilitation of offenders who have not been reconvicted of any serious offence for the periods of years and to provide for matters connected herewith be read a third time by title and passed.

**Question put and agreed to.
Bill read a third time by title and passed.**

2. Hope Evangelism Outreach Ministries Incorporation Bill, 2009

Honourable Members the question is that a Bill for an Act to make provision for the incorporation of a Church called, "Hope Evangelism Outreach Ministries of Calder Ridge in the State of St. Vincent and the Grenadines be read a third time by title and passed.

Question put and agreed to.

3. Community Baptist Church Incorporation Bill, 2009

Honourable Members the question is that a Bill for an Act to make provision for the incorporation of a Church called, "Community Baptist Church of Campden Park in the State of St. Vincent and the Grenadines be read a first time.

Question put and agreed to.

RESOLUTION

2. Referendum Alteration of the Constitution Regulations 2009

HONOURABLE RENE BAPTISTE: Mr. Speaker, Honourable Members, there is a Resolution standing in the name of the Minister for Electoral Matters reads as follows:

WHEREAS, it is provided by subsection (1)(a) of section 7 of the Referendum of which the Constitution Act 2009, the Minister may by regulations, apply, in relation to the Referendum, with such modifications, exceptions, omissions and additions as may be specified in the Regulations, any provisions of the Representation of the People Act and any Regulations in force under that Act;

AND WHEREAS, such Regulations were made and published in the Gazette on the 20th day of October 2009;

AND WHEREAS, it is provided by subsection (2) of section 7 of the said Act that Regulations made under subsection (1) of that section are subject to the negative resolution procedure;

NOW THEREFORE BE IT RESOLVED, that this Honourable House pass the Referendum (Alteration of the Constitution) Regulations 2009 by resolution of the House of Assembly pursuant to subsection (2) of section 7 of the said Act.

HONOURABLE MR. SPEAKER: Honourable Members, as we have early indicated this is a negative Resolution and therefore we would not debate it. I would just read the operative part

NOW THEREFORE BE IT RESOLVED, that this Honourable House pass the Referendum (Alteration of the Constitution) Regulations 2009 by resolution of the House of Assembly pursuant to subsection (2) of section 7 of the said Act.

Question put and agreed to.

HONOURABLE ARNHIM EUSTACE: I was seeking a clarification. I had a little discussion with the Prime Minister this morning and I do have a concern that we should exclude any political party however small it is that was registered in St. Vincent and the Grenadines.

HONOURABLE MR. SPEAKER: We should do what? I didn't hear you.

HONOURABLE ARNHIM EUSTACE: Excluded, we have a Green Party here and the way this is drafted, they couldn't participate and as the Prime Minister said this morning, they have 0.01% or some figure of that sort of support and therefore should not have the right to appoint representatives agents. I have a little problem with that. I think all of the party started small you know and eventually grow and in this case [interjection] well times differ. I understand the intent if a party is very small, but I don't think that is a principle that we should go for to exclude a registered political party from participation on the grounds that they don't have an elected member in the House.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, there is a very important principle at stake. This Referendum Bill which was passed was passed by this Honourable House unanimously. We were elected in a free and fair election on December 7th 2005. There is something called "Representative Democracy." This is a matter which had been dealt by Parliament. The body which both sides in Parliament and indeed the country as a whole acknowledge to assist with the monitoring of elections is the body which is spearheaded by the Christian Council. If we had General Elections and the Green Party or the Blue Party or the Pink Party run candidates, well then they have a right to have agents under the representation of the People Act, but there is a principle here where these Elections relate to a Referendum and the two thirds in the Parliament was required by those who are here elected. In fact, those who are not elected cannot vote on the Constitution Bill. So there is an important principle called "Representative Democracy."

There are some who believe that Representative Democracy is a joke. Apart from that which is the fundamental principle and this is not an issue now of the principle on which we have decided just to speak in a general way in which the Leader of the Opposition spoke. As I understand it, a political party is an organisation which seeks

to gain power idea by itself or in coalition with others by way of electoral means [interjection] no, I am just saying that is a Social Science definition. That is why I say, outside of the framework of the law having made that definition I simply asked the Leader of the Opposition to consider whether the institution or organisation to which he refers meets with that definition. The other things we can..., but I have one suggestion Mr. Speaker, in so far as the Honourable Leader of the Opposition is so concern about the (well that is what I am suggesting) that you have three, one as a party representative and two agents. I believe you can give up one of those to the Green Party as an act of solidarity with this institution with which you hold in such high esteem that will be my recommendation, but purely my recommendation. If they in fact had said yes, I probably would have considered it [interjection] no, I am saying, the principle which is involved is that of Parliamentary Democracy, having settle that now, we are talking about discretion as to whether you should involve them or not, but it seems as though you are anxious to seek an alliance with the Green Party. I understand your position of weakness so that you..., I think that would consummate this, I think it should be consummated with you offering the Green Party one of your two. It will be a sense of equality, they will demand that, given their remarkable strength [interjection] oh you don't love them that much [laughter].

Mr. Speaker, normally we adjourn to a particular date. The difficulty which I have in adjourning to a particular date now, we do not know what the Referendum will bring, [interjection] we do not know what the Referendum will bring, Mr. Speaker I was just defining a party and my friend Senator Leacock is trying to tease me, he has to decide whether he is in a party or he is on a plantation [laughter] when, you Mr. Leacock, I go deal *wid yo* [laughter]. Only a plantation owner speaks to their worker so, non-unionized that is why I have to come to your defense, you, Mr. Leacock.

Mr. Speaker, accordingly, I think we should adjourn sine die and we can always consult about setting a date as the circumstances require or permit or demand.

Accordingly, I beg to move that this Honourable House do stand adjourn sine die.

Question put and agreed to.
House adjourned sine die at 2:11 p.m.