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THE HONOURABLE HOUSE OF REPRESENTATIVES

SESSION 2010 – 2011

TUESDAY, September 14, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.12 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

Hon. DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Trade.

AUDLEY FITZ ALBERT SHAW, (JLP), Manchester, North Eastern, Minister of Finance and the Public Service.

KARL GEORGE SAMUDA, CD, (JLP), St. Andrew, North Central, Minister of Industry, Commerce and Investment.

JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy.

MINISTERS OF STATE

THE HONOURABLES:

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

LAURENCE GEORGE BRODERICK, (JLP), Clarendon, Northern, Minister of State in the Ministry of Mining, Energy and Telecommunications.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment.

OTHER MEMBERS

MR. NOEL GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural, Minister of State in the Ministry of Transport and Works.

MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM MCNEILL, (PNP), Westmoreland, Western.

MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central.

MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western.

MR. ERNEST AUGUSTUS SMITH, (JLP), St. Ann, South Western.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

Mr. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern.

PRAYERS

Prayers were offered by Reverend Ronald Thwaites.

The House resumed its sitting at 2:12 p.m..

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKER: Members, first let me welcome everyone back to this session of Parliament after the summer break.

Dr. DAVIES: We welcome you back too, sir.

The SPEAKER: Also let me welcome MISS LOVITTA FOGGO, a Government Member of Parliament from Bermuda, who is sitting in the Speaker's gallery. (Applause)

(HON. PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister or Labour and Social Security, entered and took his seat.)

(HON. DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture, entered and took his seat.)

(HON. DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Ministry of State in the Office of the Prime Minister, Information and Telecommunication, entered and took his seat.)

(MR. DERRICK CHARLES SMITH, (JLP), St. Andrew, North Western, entered and took his seat)

ANNOUNCEMENTS

The Deputy Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 69**
  Cabinet Agenda Issues for July 19, 2010
- **Ministry Paper No. 70**
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- **Ministry Paper No. 71**
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- **Ministry Paper No. 74**
  The Coconut Industry Board
  67th Annual Report and Audited Financial Statements
  For the year ended December 31, 2008
- **Ministry Paper No. 75**
  Agricultural Credit Board
  Annual Report and Audited Financial Statements
  For the year ended March 31, 2009
- Office of the Political Ombudsman
  Annual Report for the period January - December 2009
- Companies Office of Jamaica
  Annual Report for the year 2005/2006
- Statistical Institute of Jamaica
  Annual Reports and Audited Financial Statements for the years 2002/2003, 2003/2004, 2004/2005, 2005/2006, 2006/2007 & 2007/2008
- Environmental Foundation of Jamaica
  Annual Reports and Audited Financial Statements for the years 2007/2008 & 2008/2009
- Broadcasting Commission of Jamaica
  Annual Reports and Audited Financial Statements for the years April 1, 2007 to March 31, 2008, April 1, 2008 to March 31, 2009
- Jamaica Information Service (JIS)
  Annual Reports and Audited Financial Statements for the years April 1, 2005 to March 31, 2006, April 1, 2007 to March 31, 2008
- Scientific Research Council (SRC)
  Annual Reports and Audited Financial Statements for the years 2007/2008 and 2008-2009
- Tourist Product Development Company Limited (TPDCO)
  Annual Report and Audited Financial Statements for the year 2007/2008
- Electoral Commission of Jamaica (EOJ) Annual Report for the year April 2009 to March 2010
- Report of Investigation - Conducted into the Oil Lifting Contracts between the Petroleum Corporation of Jamaica (PCJ) and Trafigura Beheer
- Report of Special Investigation - Conducted into the Alleged "Sweetheart Deals" Involving the Government of Jamaica and Dehring, Bunting and Golding (DB&G) Ltd.
- Special Report of Investigation Conducted into the Award of a Multi-Million Dollar Consultancy Contract

to Mr. Aubyn Hill and/or his Company, Corporate Strategies Limited

- Certified Appropriation Accounts Office of the Services Commissions 2009/2010
- Ministry of Transport & Works 2008/2010

(HON. RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment, entered and took his seat.)

(DR. ST. AUBYN BARTLETT, (JLP) St. Andrew, Eastern, entered and took his seat.)

(MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern, entered and took his seat.)

The SPEAKER: Members, just to note - I know Rev. Thwaites is about to ask the same question. All these Reports, especially those from the Contractor General, we have copies. So if you want hard copies we can give you. But as indicated earlier, the Contractor General has posted it on his website and also on the Parliamentary website.

And indeed, House Leader, I would be very happy if the relevant ministries, these Reports could be posted either on the Parliamentary website and also on the ministries website and we have maybe 12 or 15 copies for those Members who would like hard copies. But it seems to me that it would be appropriate to post them on the website.

Mr. HOLNESS: But, Mr. Speaker, I would like to agree with what you are saying, except that the House should at least facilitate some of the Members with copies. And I believe that is the...

(*Sotto voce* comment by Members)

Mr. HOLNESS: Well, the idea is to conserve so we provide - there should be at least a minimum set provided.

The SPEAKER: I agree with you. In fact my hope - in fact my understanding is that the House should be provided with at least a dozen copies so that Members who want hard copies could get a hard copy. So that we do have some hard copies. So any particular Member who would like a hard copy, please speak with the Acting Clerk. There are hard copies here available.

Mr. Kellier.

(DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North, entered and took his seat.)

(MOST HON. PORTIA LUCRETIA SIMPSON MILLER, (PNP), St. Andrew, South Western, Leader of the Opposition, entered and took her seat.)

Mr. KELLIER: Mr. Speaker, there is a concern that I would like to express in regard to these Reports, sir. Because the information on these Reports which are presented to you and to the Parliament, this information is already in the public domain and we don't have the copies here in our hands. And I think that's a protocol that we need to get cleared up. If the Reports are to come to Parliament through you to us, then it should come to us first before it becomes a public matter.

The SPEAKER: Mr. Kellier, you are right. It's a matter l certainly should take up with the Contractor General, that before he releases his press report he should at least allow it to be tabled in Parliament. But I get the impression that the Contractor General, once he releases his Report to Parliament he releases a press statement that it has been sent

to Parliament. Now I can tell you that 1 am seeing the Report for the first time today when I signed them to be laid in Parliament. But I must admit I saw them couple weeks ago that they had been sent to Parliament and Parliament is on recess. And I think, House Leader, what the Leader of Opposition Business has said - and I will write the Contractor General formally - that until the Report is tabled in Parliament it should not be a matter for public release.

Mr. HOLNESS: Mr. Speaker, that position would be supported on this side.

But, Mr. Speaker, you had proceeded along the Agenda before I managed to catch your attention, Mr. Speaker.

During our recess a former member of this House passed and I am sure, Mr. Speaker, Members of the House would want an opportunity at least to remember the Member.

The SPEAKER: Members, it is a matter which should have been done before the Announcement. So place... Dr. Guy.

DEATH OF DR. GEORGE McGILL

Dr. GUY: Thank you, Mr. Speaker.

Dr. Neil George McGill served this Parliament and the constituency of Western St. Mary and indeed Jamaica, between the years 2002 and 2007. He passed away earlier, on last month, and it is only fitting, Mr, Speaker, that this House should, as a mark of respect to his service to this country, remember him in this fashion.

Neil was one of those Backbenchers who, we came to Parliament together in 2002. But it was not just the coming to Parliament together which endeared him to me and so many others, but for who he was and the type of person he was.

Prior to entering representational politics Dr. McGill was a family physician in the township of Oracabessa but his fame spread further than Oracabessa, in fact the entire parish of St. Mary benefitted from his medical expertise. And that was the stepping-stone that he took in entering into politics. And he served in the same capacity. He was a representative of not only his constituents but the people of St. Mary.

He was a kind-natured person, one - inside and outside of politics when he was in practice, Mr. Speaker, one who saw patients who did not have the resources to see a doctor. But on top of it, Mr. Speaker, he also gave the patients money to buy medicine when they did not have it.

(Cross talk)

The SPEAKER: Members, Members, please!

Dr. GUY: Prior to entering politics, Mr. Speaker, and it continued into his political representation, Dr. McGill continued to exercise his passion for sports development in the constituency, particularly football. He was the benefactor to many football competitions, both within the schools and within the youth clubs. He served as chairman of the Oracabessa High School; he also served as chairman of the Carron Hall High School.

Dr. McGill will be remembered in St. Mary for his generosity, his kindness, his friendliness, and indeed in this Parliament for the same three traits that I mentioned, Mr. Speaker. We have lost a good son of St. Mary, although he originated in Clarendon. We have lost a friend of St. Mary; we have lost a good man from Jamaica.

A MEMBER: Hear, hear!

Dr. GUY: I want, on behalf of the people

of St. Mary, in bringing tribute this afternoon, to say to his family, his wife and his children, that he served us well and we miss him. And as this Parliament this afternoon we gather, it is only fitting that, too, as a Parliament, we should exercise and demonstrate and put on record our - on record his passing and his service to this country.

May his soul rest in peace.

The SPEAKER: Thank you, Dr. Guy.

Mr. Arscott.

Mr. ARSCOTT: Thank you, Mr. Speaker.

I, too, would like to just give a very brief tribute to Dr. Neil McGill.

For us who - actually we grew up together, from Clarendon, and although I didn't have the privilege to serve with him in this Parliament, nevertheless, there was a plan that we had. I was his campaign manager when he ran in St. Mary and we had a plan that we would both serve in the Parliament in this term. Unfortunately, he took on the challenge which was - as a man who always takes on challenges, he took on one which was a little bit too much, and therefore, he was unable to be in this Parliament from Central Clarendon.

Nevertheless, we remember him for his courage, for his kindness, for his dedication, and for his commitment to his country.

And I would like to certainly convey to his family and friends in the time of bereavement, it's an untimely death - certainly reminds us of the violence that we face every day in Jamaica - and that we respect the work he did on behalf of the Peoples National Party, in St. Mary and in Clarendon.

Thank you very much.

The SPEAKER: Thank you, Mr. Arscott.

Mr. Mullings?

Mr. MULLINGS: Thank you, Mr. Speaker.

Mr. Speaker, I think two words would describe Dr. McGill, an officer and a gentleman.

I first met Dr. McGill in 2002, and in fact, had the good fortune on a Parliamentary trip, to get to know him better. We travelled to North Carolina on the Hotel Workers' Programme, to see the conditions of sugar workers. And I was struck, firstly, by his concern for people. He was a man who, as a true professional, devoted himself to the practice of medicine, but moreso, Mr. Speaker, he had the measure of kindness to extend that hand to others.

He was strong in his views, but no one can ever deny the fact that he was a man of intellect. Indeed, he had many commercial exploits and pursuits, but yet he found time to give service to this country and to this Parliament.

Indeed, Mr. Speaker, many times (Hon. Dr. Horace Anthony Chang, we don't see the operations of our Committees. Many times the media will capture a brief synopsis of the entire Parliament. But I can tell you, Mr. Speaker, that in Committees, Dr. McGill displayed a depth of thought, a strength of commitment, and an interchange that indeed will be sorely missed. I believe, Mr. Speaker, that he had set the bar as a Parliamentarian. Yes, a backbencher, but indeed, one who contributed to many debates, and indeed, Mr. Speaker, a person who will be sorely missed.

His children have followed him into the pursuit, or the practice of medicine. Indeed, his daughter studied medicine with my son. I did not know this until I went to his funeral.

He was not a man to brag and boast, but the manner of his death makes us all realize that death stalks not only our highways, but our byways; none is immune, and that we must always be focussed in dealing with the issue of crime.

I would like to extend condolences to his family, his friends, and indeed to the members of his Party. And sincerely hope that others who succeed him will see to his legacy, and to ensure that his name will continue.

Thank you, Mr. Speaker.

The SPEAKER: Thank you, Mr. Mullings.

Dr. Davies.

(HON. DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing, entered and took his seat.)

(HON. OLIVIA GRANGE, (JLP), St. Catherine, Central, Minister of Culture, Youth and Sports, entered and took her seat.)

Dr. DAVIES: Thank you very much, Mr. Speaker.

Mr. Speaker, whilst we are paying tribute to Dr. McNeill, as a former colleague...

MEMBERS: McGill!

(Laughter/*Sotto voce* comments)

Dr. DAVIES: McGill - I would like to pay tribute to the Member from Western Westmoreland for his containment - to Dr. McGill, as a political colleague.

I will depart slightly, in that I believe apart from the Member from South West Clarendon, I could have known Dr. McGill, 'Muggins', as we called him - for the longest period. He grew up in the Four Paths/Toll Gate area, and he went to Glenmuir, so I have known him from he was in First Form at Glenmuir.

'Muggins' was a fascinating character. He was a natural leader. He pursued a - having completed his studies at Glenmuir, he pursued a degree in biochemistry at the University of the West Indies, and then subsequent to that, he entered the medical faculty.

(HON. LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works, entered and took his seat.)

And the year he entered the Medical faculty, Glenmuir created history - which I don't think has been broken - that seven (7) members of that class were from Glenmuir, a school which had just recently had access to lab facilities.

And that graduating class of 1978, is fascinating, in terms of the persons involved. Apart from Dr. McGill, there were two eminent surgeons, both from Glenmuir, DR. GUYAN ARSCOTT, as well as DR. PATRICK BHOORASINGH, who I believe is in charge at KPH at this time. There is also PROFESSOR IVOR CRANDON, PROFESSOR DENISE ELDEMIRE-SHEARER...

Dr. PHILLIPS: You were in the medical class, too?

Dr. DAVIES: Me? Well, ahmm, as an advisor. DR. BULLOCK DUCASSE, these were all members - PROFESSOR RAINFORD WILKS, these were all members of that class. And 'Muggins' stood out in that group. They will point to his leadership in various areas, in terms of introducing the young Glenmuir Med students to all facets of the campus life.

One of the fascinating things about 'Muggins' was that there was a group of these persons who were closer than brothers, who remained very, very - throughout life, throughout adulthood, their children, *et cetera*,

they were more than their brothers' keepers, and 'Muggins' was seen as the leader of that group

Reference has been made to his contribution to St. Mary, where he spent thirty (30) years in his professional capacity. But during that period, although he was in St. Mary, he remained perhaps one of the strongest supporters of Glenmuir High School in a whole range of activities.

'Muggins' would be at every football match, and all 'Muggin's' friends would know that there was no function he wouldn't be late for. And so he would arrive promptly at the football matches just after halftime, with an elaborate explanation of why he missed the opening kickoff.

He was supportive both in his professional capacity, but also in terms of financial contributions. He also supported many students who often did not know who was their benefactor.

'Muggins' was a true friend, someone I remained close to for over - for close to fifty (50) years. And his death shook not just me, but the whole Glenmuir community. One will never say never, but there will be few who could equal his contribution in a wide range of areas.

He was a part of the National Reserve for fifteen (15) years, his contribution to social development and education in St. Mary, as well as in terms of his medical practice, his contribution is legendary. He was a true friend and I miss him in that personal capacity.

Best - our condolences go to his wife Sylvia, and their children, because we have lost a great friend.

Thank you, sir. (Applause)

The SPEAKER: Thank you, Dr. Davies.

Dr. Bartlett?

Dr. BARTLETT: Thank you, Mr. Chairman.

Mr. Chairman - Mr. Speaker, most of us here in this Parliament will remember Dr. McGill in various capacities. I met Dr. McGill some fifteen (15) years ago, and my first encounter will him was as a horseman...

Mr. PICKERSGILL: Yes.

Dr. BARTLETT: ...because I attended to his farm in St. Mary, to take care of the registering of some foals that he had down there, and also to verify some yearlings that he had down there.

What l found interesting at the time was when I got to the farm I realized that this doctor was not only a medical man, but he planted quite a bit of vegetable.

Mr. PICKERSGILL: Of what?

Dr. BARTLETT: Vegetable. Right there he had escallion, onion, his thyme, he also had quite a bit of coconuts on his farm right there in St. Mary. And I said, this man is not only a medical man, but he was talking agriculture with me, and talking about horses and everything.

And subsequent to that, I came to this House and Dr. McGill and myself had a very, very good relationship. He was that Member at the time, on the Government side, that I had most interaction it. And I found him to be quite a nice guy one who, you know, you can share information about what was happening on both sides of the House.

When I heard of his passing, I, for a moment did not believe it was the same person, because I said, what is he doing in Manchester. But now I realize how close he

was to the two parishes of Manchester, and indeed, Clarendon, as the Member spoke so eloquently about earlier on.

I am sure that the Peoples National Party has lost one of their true sons, and Jamaica has also lost a man of great value to this country.

And with that, on behalf of the horse racing fraternity and the horse breeding community, I want to express condolence to the family, and to all of us who have known Dr. McGill in various capacities in which he served.

May his soul rest in peace.

The SPEAKER: Thank you, Dr. Bartlett.

Mr. Henry.

The SPEAKER: Mr. Henry.

Mr. HENRY: Thank you very much, Mr. Speaker.

Mr. Speaker, my association with Dr. McGill, would have started as part of his family roots in Clarendon, and as part of the fact that l knew his family. And therefore, l knew him before his sojourn in politics.

Much has been said that relates to his life, and I am not equipped to speak to all of those. What I am equipped to speak with, is that he was a true reflection of the family, and his family roots; a family of integrity with a sense of fairplay. And that manifested itself in his time that he spent here where we shared on committees and shared aspirations of the country. And following that, his own time spent in the sojourn of politics in another parish. I, therefore had to face him in two areas of his life - three areas: one growing up, one in which one didn't have to question his political affiliation. And then subsequently, where he shared the opposing bench and challenged the seat that I now represent, and continue to represent.

And during that time I can only attest that the same area of integrity and fairplay which he manifested through his family, his life and other things that have been spoken, that I can say that this showed itself in the campaign which he ran, and which we both faced. In fact, I really had wished that he had stayed more in Clarendon afterwards, because he showed a commitment to the people, overall to the service. And in that context, equally as I said from a family context, that kind of reflection is very important to the communities and the areas of the country.

I was not able to attend his funeral because I was off the island, but I take this opportunity to further extend my condolences to his family, and to say that he was someone that I had the greatest respect for, and that he manifested that in the essence of the life that he exposed to the citizens of Clarendon. And I offer my condolences to his family.

The SPEAKER: Thank you, Mr. Henry. Okay. Mr. Montague.

Mr. MONTAGUE: Thank you very much, Mr. Speaker.

Having been one that served with Dr. McGill as my MP while I was his hardest working councillor in Western St. Mary, I was so inspired by his leadership that I strived to replace him.

A MEMBER: You did!

Mr. MONTAGUE: And I did. But Neil was the sort of person, as my colleague from St. James described, as a gentleman. Even during the time when he was down in Clarendon experimenting, he offered me valuable advice on the campaign trail. He had the concerns of the people at heart at all times. He served as Chairman of the Oracabessa High School, and I tried to get him to continue

that service because he served the people of St. Mary regardless of their political affiliation.

Indeed, Mr. Speaker, St. Mary adopted Neil, and wanted him to be a son but he always took to the parish of his birth.

He will be greatly missed, not only as a doctor or as a politician, but as a human being. Neil was a very kind soul, and he epitomizes what it is to be the gentle in gentleman.

Thank you, sir.

The SPEAKER: Thank you, Mr. Montague.

Now, Members, as is consistent with our usual practice, the House will now stand for a minute's silence.

(The Members of the House stood to observe one minute silence in memory of Dr. McGill)

The SPEAKER: May his soul rest in peace and light perpetual shine upon him.
(Gavels)

BILLS BROUGHT FROM THE SENATE

To: The Honourable House of Representatives

I have the honour to advise the Honourable House of Representatives that on the thirtieth day of July, 2010, a Bill entitled: The Town and Country Planning (Negril and Green Island Area Local Planning Authority) (Validation and Indemnity) Act, 2010, was passed in the Senate.

Signed: Oswald G. Harding,
President of the Senate.

REPORTS FROM COMMITTES

Rev. THWAITES: Mr. Speaker, Mr. Speaker...

The SPEAKER: Sorry.

Rev. THWAITES: In respect of reports from Committees.

The SPEAKER: Yes...

Rev. THWAITES**:** The Committee charged with reviewing the law in relation to *defamation* has not sat for a year, or more. Could you enquire of the appropriate Minister, what is holding up this issue which was deemed of such importance, is indeed significant, and needs to be completed?

The SPEAKER: Reverend Thwaites, 1 understand that on 22nd September, there will be a meeting.

Rev. THWAITES: Thank you, Mr. Speaker.

The SPEAKER: Good.

NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: Rev. Thwaites.

Rev. THWAITES: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move the following motions:

Be it Resolved that universal literacy ought to be defined by this Honourable House as the priority goal of the Jamaican education system, and that the measures and resources required to achieve this ought to be a permanent item on the agenda of the House Committee on Human Resources and Social Development with quarterly progress reports provided to the whole House of Representatives.

And, Mr. Speaker, I would like to move:

Whereas the Chairman of National Housing Trust recently told a Parliamentary Committee that his

estimate of the nation's housing deficit is in the region of 250,000 units.

Be it Resolved that this Honourable House debate the policies, institutions, finances, and methodologies required to eliminate this shortfall as soon as possible.

The SPEAKER: Mr. Jackson.

Mr. JACKSON: Mr. Speaker, I wish to move at the next sitting of the House, the following motions:

Whereas Jamaica imports hundreds of thousands of new and used motor vehicles annually to satisfy the transportation needs of the country;

And whereas there have been reports of millions of motor vehicles recalled because of manufacturers' defects in components and assemblies;

And whereas many of the reported defective models of motor vehicles may be shipped - may be supplied into Jamaica;

And whereas there have been reports of some motor vehicles in Jamaica having manufacturers defects;

And whereas reports from many jurisdictions have confirmed that they identify components and assemblies that have caused deaths and serious injuries;

And whereas many identified manufacturers' defects have also resulted in significant repair cost to owners of these vehicles;

And whereas the manufacturers' defects have also caused unreasonable increase and undue operating expenses and inconveniences to motor vehicle owners and operators;

And whereas such increased operating costs and inconveniences may be causing enormous economic toll on individuals and the country in increased purchases of expensive imported fuels and spare parts;

And whereas no motor vehicles have been reported recalled in Jamaica by any of the manufacturers;

Be it Resolved that this Honourable House require that the Government immediately take steps to determine the extent to which Jamaica has received motor vehicles with reported manufacturer's defects within the last ten years to present;

And be it further Resolved that the Government take the necessary steps to ensure that no model motor vehicles be permitted for importation into Jamaica where the unavoidable supplies for their satisfactory operation is not available, unless with the written approval of the first purchaser in the case of new motor vehicles, and importers in the case of pre-owned vehicles;

And be it further Resolved that the Government take steps to require all affected owners to be reasonably compensated and corrective repairs effected by the manufacturers through their designated agents in Jamaica.

The SPEAKER: Thank you, Mr. Jackson. Mr. Buchanan.

Mr. BUCHANAN: Mr. Speaker, I beg to give notice that at the next meeting of the House, I will move the following motion:

> Whereas over the next five years approximately J$36 Billion is proposed to be spent on roads, drains and bridges across Jamaica through the Jamaica Development Infrastructure Programme...

MEMBERS: Hear, hear!

(Applause/*Sotto voce* comments)

Mr. BUCHANAN:

> Be it Resolved...

The SPEAKER: (Gavels) Members, Members!

Mr. BUCHANAN:

> Be it Resolved that detailed information be provided as it pertains to the amount of monies to be spent on each project as per parish, and how each project and contractor were selected, or will be selected;
>
> And be it further Resolved that for the protection of our tax dollars, transparency and equity, that a full disclosure be laid before Parliament for approval of:
>
> (1) the procedure for how subcontracts are awarded;
> (2) the names of the subcontractors for each road for the next two years;
> (3) how much money will be spent on each road; and,
> (4) the basis of projects prioritization before implementing of the project.

The SPEAKER: Thank you Mr. Buchanan. Mr. Shaw.

(*Sotto* voce comments)

Mr. SHAW: Mr. Speaker, I beg to give notice that at the next meeting of the House. I will move to introduce and have read a first time the Bill shortly entitled: The Payment, Clearing and Settlement Act (2010).

Dr. PHILLIPS: Mr. Speaker?

The SPEAKER: Yes....

Dr. PHILLIPS: In relation to the Motions and the Private Member's Motions, I wonder if the Leader of the House would be so kind as to indicate at some point in the next week, to the Leader of Opposition Business, a schedule - an effective schedule for the debate of the Private Member's Motions. There are a number of matters of considerable importance to the public, as well as to the Opposition, and we think that they have been languishing.

The SPEAKER: Yes, House Leader.

Mr. HOLNESS: Mr. Speaker, in response to the Member's concerns, I would interpret his comments to be in relation to, in particular, a motion made by the Member.

(*Sotto voce* comment)

Mr. HOLNESS: I know it's... but I know you have particular interest in that specific one, and I would say to the Member that that one to which you - I am extrapolating your concerns, would be taken in the second week in October. As for the other Private Member's Motions which have been on - and we will also take the Member from St. Catherine.

(*Sotto voce* comments)

Mr. HOLNESS: No, that one has to hold, but we will ...there are two Private Member's Motions, Mr. Speaker, which the Government sees as necessary to proceed, and those will be accommodated by the second week in October. The others, Mr. Speaker, a schedule will be developed and circulated to the Leader of Opposition Business for agreement as to

how they are taken until the December break.

The SPEAKER: Yes, House Leader, but before you speak, Leader of Opposition Business.

The matter of the Motions has been of great concern and Members have spoken about the delay. Can we schedule, maybe in October and November, some additional sittings so we can just - we have agreed, by the way, House Leader, and Members, we have agreed that when these motions are debated, that the proposer and the person speaking, will probably reduce the time allotted outside the normal Standing Orders restriction, that the proposer will probably speak for fifteen minutes and members would speak for no more than ten minutes. I think that is something that could be agreed so that the motions can be debated in a timely manner, and we can proceed with them this term. I think if members agree that the proposer will speak for no longer than fifteen minutes and other Members contribute for no longer than ten minutes, we can complete most of these this term.

Mr. KELLIER: Mr. Speaker, a lot has been said about the subject matter. The fact is that, I think we had agreed some time ago as well that we would - if Members were - on that side were willing to come here on a Wednesday, because I know the Members on this side are quite willing to have the matters debated. But, if the House Leader could get his Members to be here on a Wednesday, we could spend more time in going through these motions. And indeed, at the Standing Orders Committee meeting we did discuss that issue about the matter of time. So that is something we could look at very quickly...

The SPEAKER: Please.

Mr. KELLIER: ...So that we could expedite them, by Christmas we can clear the paper.

The SPEAKER: Very well. I expect that you and the House Leader will get together very soon on the matter.

Mr. HOLNESS: Mr. Speaker, just to reassure you, Sir that we do intend to have the additional day of the sitting. We have done so in the past, but the attendance, Mr. Speaker, was not always what we would want it to be. And therefore, I will join the Leader of Opposition Business...

The SPEAKER: And work out a schedule.

Mr. HOLNESS: ....in encouraging his Members to attend. ..

The SPEAKER: Very well.

Mr. HOLNESS: ...on the extra day.

The SPEAKER: Very well. Thank you very much.

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: House Leader, Questions. You want to go with the asking first, Okay. Dr. Phillips?

Dr. PHILLIPS: I beg to give notice, Mr. Speaker, that at the expiration of 21 days I will be seeking answers from the Prime Minister to the following questions, three (3).

Question 1: Can the Prime Minister indicate whether the Task Force on the Bauxite and Alumina Industry that he appointed in 2009 to consider and report on the measures necessary to restore the industry has completed its work?

Question 2: If the answer to Part 1 is in the affirmative, does the Prime Minister propose to lay the Report in the House? If so, when?

If the answer to Part 1is in the negative, when is it anticipated that the Report will be completed?

Question 3: Will the Prime Minister indicate whether there are any plans for the re-opening of the Alpart Alumina Plant in the near future?

Question 4: Will the Prime Minister indicate the status of negotiations for the establishment of a North Coast Aluminum Facility?

Question 5: Will the Prime Minister indicate the status of plans for the conversion of the JAMALCO plant to no-fuel oil energy sources?

Dr. PHILLIPS: I beg to give notice, Mr. Speaker, that at the expiration of 21 days l will be seeking answers from the Prime Minister to the following questions:

Question 1: Will the Prime Minister indicate the extent of the damage caused to Hannah Town, Darling Street and other police stations in May 2010 when these stations came under violent attack by armed criminal gangs?

Question 2: Is it the government's intention to replace and/or repair the police facilities which were destroyed and/or damaged?

Question 3: If the answer to Part 2 is in the affirmative, can the Prime Minister indicate the schedule for such repairs?

Dr. PHILLIPS: I beg to give notice, Mr. Speaker, that at the expiration of 21 days l will be seeking answers from the Prime Minister to the following questions:

Question 1: Is the Prime Minister aware that a contract for the construction of a new police station in Falmouth which was let in 2004 is still not to date completed?

Question 2: Will the Prime Minister indicate the schedule for completion of this facility?

The SPEAKER: Thank you Dr. Phillips. Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, I beg to give notice, Sir, that at the expiration of 21 days I will seek answers to the following questions from the Ministry of Transport and Works.

Question: 1: Will Members of Parliament be included in determining the priorities for road repair under the five (5) year Chinese Funded Road Programme?

Question 2: Will the Minister agree that there must be representative and community participation in deciding which roadways are to be repaired?

Rev. THWAITES: Mr. Speaker, I beg to give notice, Sir, that at the expiration of 21

days I will seek answers application of the to the following questions from the Minister of Finance.

Question: In as much as paragraph 27 and page 57 of the Agreement between Government of Jamaica and International Monetary Fund stipulates the establishment of a Central Treasury Management System (CTMS) and a Treasury Single Account (TSA) and mandates that a step- by-step consolidation plan for all accounts was to be fully completed by June 30, 2010:

(1) Will the Minister state whether this process has been completed?

(2) If yes, will he present a summary and time frame for the CTMS?

(3) If no, will he state reasons for the delay and indicate measures to get back on schedule?

Rev. THWAITES: Mr. Speaker, I beg to give notice, Sir, that at the expiration of 21 days I will seek answers to the following questions from the Minister of Agriculture.

Question: Will you please give this House a progress report on LAMP Project and the plans to expand its reach to achieve universal Registration of Titles Act?

The SPEAKER: Thank you Rev. Thwaites. House Leader.

Mr. HOLNESS: Mr. Speaker, Question 6, standing in the name of the Member, the Member from Clarendon asked to the Minister of Transport and Works that is ready for answer. Questions 7 and 8, Mr. Speaker, I will ask those Members - those answers will be ready next week, if that is agreed with those Members.

Dr. DAVIES: Question 9?

Mr. HOLNESS: 7 and 8; 9…

Dr. DAVIES: Question 9. Make up a story. From the 17th of August?

A MEMBER: The time has passed.

Mr. HOLNESS: The Minister of Finance has advised me that he will advise you directly when those questions will be ready.

Dr. DAVIES: I am talking as a Parliamentarian for all of us.

Mr. HOLNESS: Mr. Speaker, those questions will be - Questions 7 and 8, will be ready for answer next week and Question 9, I will come to Parliament next week to give a specific date.

The SPEAKER: Very well. Mr. Arscott.

Mr. ARSCOTT: Thank you very much, Mr. Speaker. Will the Honourable Minister of Transport and Works answer Question 6 standing in my name?

The SPEAKER: Thank you. Mr. Henry.

Mr. HENRY: Thank you very much Mr. Speaker and my colleague's questions.

The SPEAKER: You have copies, Mr. Henry, were they circulated?

Mr. HENRY: I have sent copies in a file by the Orderly, and I have sent one to the Honourable Member. So I don't know where the Orderly went with it, I brought about 25 copies.

The SPEAKER: Mr. Arscott, you got a copy?

Mr. ARSCOTT: Yes.

The SPEAKER: Very well. Proceed, Mr. Henry.

Mr. HENRY:

Question: Was there an Environmental Impact Assessment (ElA) done for the proposed design? This is in relation to the Palisadoes.

Answer: Yes, an Environment Impact Assessment (EIA) was commissioned in April 2007 and was submitted in November 2007.

Question 2: If the answer to Part 1is in the negative, what will be the impact of these designs on the environment.

Answer: Not applicable.

Question 3: If the answer to Part 1 is in the affirmative, what was the scope of the environmental evaluation?

Answer: The scope of the environmental evaluation included investigation of the following:

Impacts of fish resources in Harbour/Sea;

Impact of coral reef,

Impact on sediment loading in the Harbour/Sea;

Water quality;

Vegetation impacts;

Study of the vegetation cover of the Palisadoes strip;

Related scope taken into consideration;

Impacts to marine benthic and free-swimming resource adjoining both the Tombolo shoreline in the area from which sediments are to be assessed due to the turbidity and sedimentation; Impacts to marine benthic and free-swimming resources between the sediment supply area and locations to seaward due to turbidity and sedimentation;

Impacts to the biological components of the shoreline and land components of the Tombolo due to excavation and sand deposition works required to create the proposed protective works;

Impacts to environmental features present within the confines of the seafloor area from which sediments are to be accessed;

Impacts on the livelihoods of fishers that may apply their trade within the vicinity of the work area;

Impacts on persons who use the Palisadoes area particularly its south beach face, for recreational purposes (jogging, walking, sightseeing *et cetera*)

Question 4: How have the changes to the designs (2007 to present) been communicated to: relevant agencies, general public?

Answer: Communication regarding design changes was made through three main channels:

(1) All communications regarding the changes in designs were communicated in writing to the relevant agencies.

(2) The general public were informed via press conferences and information relating to this project including the EIA Report and and been posted on the National Works Agency website.

Question 5: Can the Minister clearly indicate whether or not dredging is necessary? If yes:

1. Where will it be done?
2. When will it be done?
3. At what cost will it be done?

Answer: Yes, dredging will be necessary.

1. The sand will be sourced from a predefined burrow area as per the National weekend Planning, Agency License;
2. Dredging will commence during the placement of the rock revetment works;
3. The sand will cost general between US$15/25 per cubic metre depending on fuel prices. The project will require approximately 110,000 cubic metres of sand.

The SPEAKER: Yes, Mr. Arscott.

Mr. ARSCOTT: Mr. Speaker, will the Member say whether a public meeting as is required normally - we noticed that the information went out by virtue of - public media was informed by a press conference. Was a meeting of the community held to discuss the changes? That is in reference to question 4.

Mr. HENRY: I don't have with me the specific dates of meetings which I can provide, but as the answer provided to me by the agency states, the general public was informed via press conferences, in plural, and formation relating to this project and is available on the National Works Agency Site.

If indeed he wants the specific date of any meeting in any area, I will seek to get that information and provide it to him as I did not get that information since we thought - discovered it, and everything that the Government is doing is posted on a website and you should be able to visit it if you have the facility. If you don't, I will tend to support that before...

The SPEAKER: Okay, thank you, Mr. Henry. Yes, Mr. Arscott

Mr. ARSCOTT: I would like to ask the Honourable Minister whether he is aware that the work being done will be on a Ramsar site, a Ramseur site? Are you aware of what is a Ramsar site?

Mr. HENRY: No.

Mr. ARSCOTT: Well, maybe I need to explain to you. Ramsar is the name - it is a convention given to - it is an international convention, and Ramsar is the name of a place in Iran. It was started to protect various species, a very critical species that is only found in specific places around the world. It so happens that Palisadoes is one of those sites. There are certain specific protocols designated by the international convention in dealing with these matters. The question is therefore, was

this done, and was this protocol followed in determining the work that you have taken on this?

Mr. HENRY: I would have to answer in the following, I will try to educate myself on Ramsar, but I believe the Environmental Impact Assessment people are the people more equipped. After you have gone there - after they have gone there and approved it, at all areas whichever, site that falls under an environmental impact, they have their persons present who continuously monitor. In fact, one of the things that held up the work not starting earlier was the fact that you had to bring in a turbidity screen before you could start. Indeed, on the day before they started they came and identified three species which they circle with a red ribbon to say you must not go within sight of that. And it is continually monitored every day, that is the role of the economic - the environmental department of that ministry and they operate totally in isolation of the contractor and the ministry. And they can call a halt at any time to the work if the contractor or contractors break the rules that relate to protecting the environment. But I will ensure to further update my knowledge on the area and if I need to clarify for you further, I will do so.

The SPEAKER: Mr. Paulwell.

Mr. ARSCOTT: Just a minute.

The SPEAKER: Yes.

Mr. ARSCOTT: Some time ago, Minister, the Prime Minister had indicated a design of a bridge which would have been different from the scope of what you are doing now. The question I am asking is, whether both options were considered and why was it that this one was accepted over that one?

Mr. HENRY: The bridge design which is being referred to goes back to the 70s from a German company. I don't have all the information with me. But then you have to marry always the movement of transport between sea and air. If indeed you are expanding your port and you start to build a bridge across the Harbour, in the first instance when that was conceived Jamaica's port had not reached the extent to which it is serving the world. And I hasten to point out that right now, New York Harbour cannot receive the large ships that are there because of the bridges that overcome - that are in that western area. And in fact, Jamaica is the only place that can receive all of the ships that go to the West Coast. If you begin...

(*Sotto voce* comments by Mr. Arscott)

Mr. HENRY: Well if he asked for it Ramsar I will educate to it - because if you build a bridge you have to begin to think ahead because indeed the ship I referred to - Zim Antwerp - which cannot go into the west coast of the United States, nor into New York and can only be off-loaded here cannot come through the Panama Canal. And in fact, 19 more ships are ordered, 30% larger than that ship. So if you started to build a bridge which is what is being re-analyzed then you have to look at where and it runs, how it relates. And I will invite the Member to come to my office and I will expose to him the 2013 Multi-modal Transport Plan (Applause)

The SPEAKER: Mr. Paulwell.

Mr. HENRY: And in case the area of Portmore gets up, I will show them the plan that relates to Ferry service, that relates to light rail, or each build-out - and you were at the Vernamfield meeting which you chaired

very well. So basically at the moment we've looked on it, we're still costing those issues, but I have given some of the reasons that relate.

The SPEAKER: Okay. Mr. Paulwell.

Mr. PAULWELL: Thank you very much, Mr. Speaker.

Mr. Speaker, the Minister reported that the EIA was commissioned in 2007, April, and it was in fact submitted in November of 2007. At that time the project was a different project from it is now. So I'm trying to understand at what time would the amendment to the EIA have been done and submitted for approval to take into account the much more enlarged projects - I think it's now four-lane multi-modal highway - I'd like to understand at what point was that done and whether or not the EIA took into account this expanded project?

Mr. HENRY: I will provide the exact date for the update, because the question did not ask that. And as to the aspect of four lanes or what, we have four lanes going up to Harbour View. What we have done is try to plan ahead, we don't try to stretch $10.00 to look like $1 million, but we plan for 40 years ahead. Therefore, it's a two by one design with a shoulder large enough to expand to two by two as you expand the growth of the area. Okay? And in that context, I shall continue to seek to explain, and I hope I'm saying it for the final time.

(Inaudible comments by Dr. Davies)

Mr. HENRY: The railway?

Dr. DAVIES: Yes.

Mr. HENRY: Would you like me to read off my i-phone the offer I've just got to take it over completely?

Dr. DAVIES: Yes.

(Inaudible)

(Laughter/heckling)

The SPEAKER: No, no, no, Mr. Henry! Mr. Henry, just...

Mr. HENRY: Because indeed by the questions raised, issues change daily and hourly in an area of continuous communication. And the Member of Parliament coming from the ICT Industry should be aware that what you apply today can be changed tomorrow. But if he is continuing to oppose progress and he doesn't want the road, then he can let me know. But I assure you, that he's free to go on the website and we'll provide him with the information and the update and the educational aspect that flows.

A MEMBER: Rights!

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, at Public Business today, the Minister of Finance will take Item Number Three and Item Number Four, being the Executive Agencies (General) Regulations Resolution 2010, and the Civil Service Establishment Regulation Order Resolution 2010. Mr. Speaker, and I will be taking the Report of the Electoral Commission Item Number Five, dealing with outstanding matters that were brought to this House.

Mr. PAULWELL: Mr. Speaker...

The SPEAKER: Yes.

Mr. PAULWELL: ...the Opposition was notified on Friday, that at today's sitting the Minister for Energy would have presented the energy policy and I had postponed a previous commitment to be here today to deal with the debate. This matter you know, Mr. Speaker, has been outstanding since November, of last year.

Mr. M. PEART: It stale now.

Mr. PAULWELL: I'd like to understand what is it that we are proposed to do today and why we weren't given notice that it wouldn't be taken today?

Mr. HOLNESS: Mr. Speaker, the Minister of Energy should have taken the Report today, but only in the sense, Mr. Speaker, that he would refer it to a committee for more detailed deliberations.

(Inaudible comments by a Member)

Mr. HOLNESS: We will, we will!

Mr. Speaker, the Minister had to leave the House today to deal with some other matters that came up, quite unavoidably. I have had words with him, Mr. Speaker, regarding his return and it is quite possible that during this session that he will be in the House to do it today, if not it will be taken next week and referred to the Committee.

Mr. PAULWELL: It's just that, Mr. Speaker, because I had to shift the plans for today, I will not be, as I've noticed you, I've written to you already that I'll not be in Parliament next week. And even if the matter is going to the Committee there are some comments that the Opposition would like to make, especially because this matter has been outstanding for so long and there are some issues that are impatient of debate; and we need to, I think, signal to the country what these are so that we can get some forward movement.

The SPEAKER: My understanding though, Mr. Paulwell, is that it's going to a committee for further consideration. But could we wait until the Minister, hopefully is back later in the session?

Mr. Shaw.

Mr. SHAW: Thank you, Mr. Speaker.

Mr. Speaker, the first matter before the House has to do with the Executive Agencies (General) Regulation Resolution 2010, which is on the Order Paper. And, Mr. Speaker, as the Honourable House is aware, the Executive Agencies Act was first promulgated in February 2002, despite the first set of Executive Agencies having been established in April, 1999.

Section 18 subsection (1) of the Executive Agencies Act, gives the Minister of Finance the power to make regulations and section 18 subsection (2) prescribes that the regulations shall be made subject to affirmative resolution of Parliament.

Cabinet by Decision Number 49/2009, dated November 23, 2009, gave instructions to the Chief Parliamentary Counsel to draft the regulations and this was carried out by the Cabinet Office, which engage private consultants to assist in facilitating the draft thing.

The enactment of the Executive Agencies Regulations is one of the deliverables, I should indicate, Mr. Speaker, under the medium term action programme that has been developed with our international partners. But whether it was in the programme developed with our partners or not, the fact is that the regulations should have been developed and it's well over 10 years now that the Executive Agencies have been in operation and there has been a perceived need to get the regulations into place.

While it is generally acknowledged, Mr. Speaker, that in the main, the Executive Agencies have been performing quite well, there have been some areas that have been

recognised to be in need of further tightening up, and it is in this context that the regulations have been promulgated. For instance one of the areas that required some attention is the question of the reporting relationships. Because with the Executive Agencies, or the head of the Executive Agency actually reports to the Minister, while the Board is not really a Board in the traditional sense of being totally autonomous, but really the Boards related to the Executive Agencies are really Advisory Boards. So that one of the things that needed to be highlighted is the confirmation of a stronger role of the Financial Secretary or the Permanent Secretary in the whole accountability framework. And that is one of the things that are addressed in the Regulations.

So this was tabled in the House, Mr. Speaker, from July of this year and it has passed through quite a bit of review and assessment and it is now presented to the Honourable House for its approval.

> Be it Resolved therefore, by this Honourable House, that this Resolution may be cited as the Executive Agencies (General) Regulations Resolution 2010 and the Executive Agencies (General) Regulations 2010, which were laid on the Table of the House on the 13th of July 2010.

I move that it be hereby affirmed.

The SPEAKER: Members, the Resolution is before you.

Put to the House and agreed to.

The SPEAKER: Mr. Shaw.

Mr. SHAW: Thank you, Mr. Speaker. Mr. Speaker, the other matter before us is the Civil Service (Establishment) (General) Order 2010, and this Resolution was tabled in the House on the 1st day of June, 2010, Mr. Speaker.

ln accordance with the Civil Service (Establishment) Act of 1975, the Civil Service (Establishment) (General) Order 2010, has been prepared and is presented to indicate changes to the Civil Service Establishment General Order 2008. The General Order reflects changes in three areas. Part I deals with established posts and offices; Part 11 with salaries, Part III abolished posts and offices.

In Part 1, it shows changes in the complement of posts in Ministries and Departments and it reflects changes in posts. And for example, the reclassification of posts, new posts created, upgrading of posts and the effective dates for these changes.

In this section of the Order, Mr. Speaker, 232 new posts were created, 216 posts were upgraded, 101 posts were reclassified, 303 posts were re-titled.

In the Appendix to Part I it shows the various allowances that apply.

In Part 11, changes to salaries, it shows new salary scales for four (4) classification groups: The senior uninformed officers, superintendent, overseer, correctional services, teaching and related staff of the childcare and correctional institutions and the nursing personnel group for registered nurses and for the midwifery series.

And in Part III of the Order, Mr. Speaker, which relates to abolition, this section shows that 1,023 posts were abolished from the establishment of several Ministries and Departments. The affirmative resolution is

therefore sought, Mr. Speaker, for the Civil Service (Establishment) (General) Order, 2010.

The SPEAKER: Mr. Fitz Jackson.

Mr. JACKSON: Thank you, Mr. Speaker.

Mr. Speaker, as you are aware, this presentation fulfills a statutory requirement for the updating of the changes in the Civil Service. A couple of questions I have for the Ministries and Minister.

Minister, in light of the proposed restructuring of the Public Service, you're aware that a presentation has been made to this Parliament that is currently under consideration by the Public Administration and Appropriations Committee. To a great extent it speaks to the various agencies; this Order speaks to the internal civil service arrangement. My question is, in light of those proposed restructuring for the public service, are there any present initiatives for the internal restructuring of the civil service? And I ask that against the background of say the number of abolished posts, 1,023.

In the past much of the abolishment relates to agencies that have shift from the Civil Service to say Executive Agencies and they no longer exist in the civil service. Could the Minister advise if that 1,023 represent such movement, what are the total posts perhaps recreated elsewhere and more importantly, if the abolishment relates to any of the restructuring exercise currently undertaken for the public service?

In addition to that Mr. Speaker, I will ask the - but related to that first point of the reform proposed for public service . . . In respect of pensions for Government employees, it has been a longstanding concern in terms of the sustainability and the adequacy of the pension being provided for Government employees. Efforts have been made to restructure that pension provision, and in light of the economic challenges it is always a task to make those increases from year to year adequate, and the solution lies in how we go forward. Could the Minister advise this House as to where we are with the steps to put together an alternate funding arrangement for Government employees, and I say so again in light of the restructuring that is taking place in the public service.

The SPEAKER: Rev. Thwaites, you wanted some….

Rev. THWAITES: Mr. Speaker, Mr. Jackson, covered my point.

The SPEAKER: Very well. Mr. Shaw.

Mr. SHAW: Thank you. Mr. Speaker.

First of all, let me indicate, Mr. Speaker, that while the **Green Paper** that has been tabled in the House - it's a **Green Paper**, isn't it - leans heavily on to the whole question of rationalization - and it really is not only in relation to agencies and departments, but it does relate to the ministries themselves in their total configuration - that **Green Paper** is sort of the beginning of the process because, indeed, one of the things that is being done now is really looking critically at the civil service itself to see how it can be further fine tuned. And when we're speaking of fine tuning we are not talking automatically about cutting of jobs, it's really dealing with how you can make it more efficient and streamlined.

Now the question of the 1023 abolished posts, I will get a detailed analysis of it for the Member. But I can indicate to you that none of what is in this list of abolished posts relate to any projected dilution of jobs in relation to the

Report of the Public Sector Transformation Unit. They are not related at all. But I can get a proper, more detailed analysis for you for those 1023 posts that have been abolished.

Let me also indicate in relation to the question of pensions. As you know, it is an important issue that is on the table and the Government has commissioned the support of the World Bank. This was contemplated and was under discussions from the previous administration. We are now at a point where we are expecting a report from the World Bank by November of this year, which should come with some fairly detailed recommendations as to the way forward.

But one of the things that we are pretty close to making a formal decision on is in relation to the question of contributions that will have to be made to pensions. It is something that is inescapable. The public sector can look towards the day when they begin to make contributions to their pension schemes and, of course, the whole issue will relate to the transition process to make sure that it happens as soon as possible. I am not at this stage able to put a timeframe on it. I rather - we will await the outcome of the World Bank's Report and from there it is anticipated that we will be able to put in a critical path of implementation going forward.

The SPEAKER: Okay, Members, before you is, on Order Paper No. 4, the Resolution.

Put to the House and agreed to.

The SPEAKER: Minister Holness.

Mr. HOLNESS: Mr. Speaker, on the 10th of July, 2007 the Report of the Electoral Commission of Jamaica, dated the 6th day of July, 2007 was tabled in the House of Representatives. The Report, Mr. Speaker, recommended that amendments be made to the Representation of the People Act and accordingly, to the Kingston and St. Andrew Corporation Act and to the Parish Councils Act, to remove any reference - or any references to mandatory minimum penalties.

In its April 2006 Report, Mr. Speaker, the then Electoral Advisory Commission, the EAC, made a recommendation that amendments be made to the Representation of the People Act and, by extension, the KSAC Act and the Parish Council Act to allow for, Mr. Speaker, assisted voting for disabled electors, an increase in the upper limit of the electors in a polling division from 250 to 400, recognition of political parties so as to allow for scrutineers during the registration of electors and the preservation of the secrecy of the vote and deterrence of open-voting. These recommendations, Mr. Speaker, were eventually incorporated into the respective pieces of legislation *via* amendments made to the Acts but not before, and you probably will recall this, Mr. Speaker, an amendment was proposed by the Senate.

During the debate in the Senate, Mr. Speaker, the concern was raised about mandatory minimum penalties and that this was being imposed on electors who intentionally displayed their ballots so as to make known the candidate for or against whom they intended to vote. It was the view of the Senate at that time, Mr. Speaker, that the current trend across the Commonwealth was to move away from minimum penalties and the amendment was made that - the new amendment, Mr. Speaker, was that the penalty of a maximum of $80,000 was set for the breach of the secrecy of the ballot rather than the minimum of $20,000, which was suggested by the then EAC. The amendment

was accepted by the House and, of course, the Act was adjusted accordingly.

(*Sotto voce* remarks by Dr. Davies)

Mr. HOLNESS: Mr. Speaker - no Number Five.

Mr. Speaker, there is a longstanding convention that when matters are sent to the House by the then EAC now ECJ, Electoral Commission of Jamaica, that though we can debate it, but we would not change. It posed a difficulty in that the Senate made an adjustment to the recommendation. The solution to the conundrum in which the House found itself in trying to maintain and preserve this longstanding tradition, was to send the suggested amendment to the ECJ for them to look at it and make a new Report to the House. The ECJ, Mr. Speaker, agreed that the law should be adjusted for consistency, so that within the Representation of the People Act that all references to minimum mandatory sentences should be removed.

This Report being debated now, Mr. Speaker, for the approval of the House, is that all references within the Representation of the People Act, the Kingston and St. Andrew Act and the Parish Councils Act, that all such references be removed and the references are listed. I won't read them all out. So, Mr. Speaker, the Government has no objection to this. Indeed, in keeping with the recommendations of the ECJ and maintaining that longstanding convention, we now put this to the House for the House to approve it.

The SPEAKER: Members, before you on the Order Paper No. 5 is a Resolution.

Dr. PHILLIPS: Just before, Mr. Speaker, we certainly on this side support and will abide by the recommendation, although I think it is probably worthwhile pointing out that despite the legal advice that came from the Attorney General's Chambers at the time about minimum mandatory sentences, this House has recently taken a contrary view in relation to other legislation. But be that as it may, I won't belabour that particular point.

But in supporting this, the question I would like to ask the Minister in his reply is, could he advise us as to the state of affairs in relation to the additional constituencies and the gazetting of the new boundaries. Are you in a position at this point to advise the House when that is likely to be done and, if not, could you assist us at a later date in at least knowing what the situation is with that and also in relation to - on that matter, well I presume we will be, at a later point, getting from the House the report regarding registration of political parties, *et cetera*. But I think it is important to bear in mind that we not only have to receive those reports, but that there is legislation that will be consequent upon the approval of the House; and that maybe if we could, through you, as the Minister responsible for electoral matters, communicate to the Electoral Commission the sense in which any future elections would benefit from those bits of legislation, in fact, being considered and approved by this House.

Mr. HOLNESS: Mr. Speaker, in relation to the expeditious dispatch of the various Reports, those that are already before us and those that are to come from the ECJ, the ECJ has been moving with alacrity in terms of presenting their Reports. I think the fault would probably lie with my office in terms of moving them forward through the House.

This presentation today represents the

intention of the Government to move these Reports through the House as quickly as possible.

Next week, Mr. Speaker, we will be taking the other Report, that on making the constitutional changes necessary for the ECJ. I believe we now have the Report on political party financing and those will follow as soon as they have been laid and the House has a chance to look at them.

Mr. Speaker, the Member also raised issues regarding the trend towards removing mandatory minimum sentences. The Government is aware of those considerations and the Bill that was passed, was passed under exceptional circumstances dealing with exceptional matters, particularly matters having to do with gun crimes. So we recognize the international trends, is not that we don't, but as exceptional matters with these six crime Bills we had to take the action that we took. We are not being apologetic but merely explaining the position. And, of course, Mr. Speaker, there is a convention that we abide by and the convention is that once the ECJ places on the Table here before us to deliberate things that are jointly agreed before, then we would not seek to go in any other direction and so we are trying to preserve that. So with those responses, Mr. Speaker, I recommend the Report to the House.

The SPEAKER: Members, before you is the Resolution.

Put to the House and agreed to.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, It is not proposed to do any further business.

Dr. DAVIES: We didn't do any.

Mr. HOLNESS: I therefore move that the House do adjourn until the 21st of September when we will resume our sitting.

The SPEAKER: (Gavels) Members, the motion before the House is that this Honourable House do adjourn until Tuesday, the 21st of September, at 2:00 p.m.

Put to the House and agreed to.

The SPEAKER: This Honourable House stands adjourned.

The House adjourned at 3:46 p.m. until Tuesday, the 21st of September, at 2:00 p.m.

TUESDAY, September 21, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.25 p.m.

PRESENT
THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Planning and Development and Defence.

DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Trade.

AUDLEY FITZ ALBERT SHAW, (JLP), Manchester, North Eastern, Finance and the Public Service.

KARL GEORGE SAMUDA, CD, (JLP), St. Andrew, North Central, Minister of Industry and Commerce.

DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing.

PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security.

OLIVIA ATAVIA GRANGE, (JLP), St. Catherine, Central, Minister of Youth, Culture, Sports and Culture.

LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works.

EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture.

JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy.

MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland Western, Minister without Portfolio in the Office of the Prime Minister with responsibility for Information and Telecommunication.

MRS. SHAHINE ELIZABETH ROBINSON, (JLP), St. Ann, North Eastern, Minister of State in the Office of the Prime Minister.

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western,

Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

LAURENCE GEORGE BRODERICK, (JLP), Clarendon, Northern, Minister of State in the Ministry of Mining, Energy and Telecommunications.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central.

MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western.

DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern.

THE MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition.

MR. DERRICK CHARLES SMITH, CD, (JLP), St. Andrew, North Western.

MR. ERNEST AUGUSTUS SMITH, (JLP), St. Ann, South Western.

MR. KERN O'MAR SPENCER, (PNP), St. Elizabeth, North Eastern.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

Mr. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern.

PRAYERS

Prayers were offered by Mr. G. Mair.

The House resumed its sitting at 2.25 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKER: Members, this evening we would just like to welcome persons sitting in the Gallery, I suspect most of them are from the Ministry of Health, welcome to the sitting of Parliament this afternoon.

And please, just check on your cellphone. Make sure that it is on vibrate or off so you do not disturb the sitting of Parliament.

Also, welcome Senator Aundre Franklin from the Senate and also officials from the Ministry of Health.

ANNOUNCEMENTS

The Deputy Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 76/10**
  Cabinet Agenda Issues for August 30, 2010
- **Ministry Paper No. 77/10**
  Cabinet Agenda Issues for September 6, 2010
- Office of the Contractor General
  Twenty-Third Annual Report
  January to December 2009
- Ministry of Transport and Works
  Annual Reports and Financial Statements for the years 2007/2008 and 2008/2009
- Annual Report of the Committee set up to Examine and Recommend for Approval Proposed Estimates for Constituency Projects Submitted to the Constituency Development Fund by respective Members of Parliament
- Certified Appropriation Accounts

Ministry	**Financial Year**
Ministry of Energy, Mining Telecommunications	2007/2008
Ministry of Industry Technology, Energy & Commerce	2007/2008
Ministry of Tourism	2007/2008

REPORTS FROM COMMITTEE

The SPEAKER: Yes, Mr. Hutchinson.

(MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western, entered and took his seat.)

(DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern, entered and took his seat.)

Mr. HUTCHINSON: Mr. Speaker, I beg to lay on the Table of the House a copy of the Annual Report of the Committee to examine and recommend for approval proposed estimates for the Constituency Projects submitted to the Constituency Development Fund by respective Members of Parliament.

The SPEAKER: Thank you, Mr. Hutchinson.

NOTICES OF MOTIONS GIVEN ORALLY

Mr. FAGAN: Mr. Speaker.

The SPEAKER: Mr. Fagan.

Mr. FAGAN: Mr. Speaker, I beg to give notice that at the next sitting of the House I will move the following motion:

> Whereas it is proposed to spend in excess of $36 Billion over the next five years for road repairs, drains and bridges across the country through a Chinese loan facility;
>
> And whereas the Parish Councils to include the Portmore Municipal Council have asked to partner in the arrangement by way of resolutions to give up 50 per cent of their monthly parochial revenue fund over the three-month period;
>
> And whereas the Councils were asked to submit names of roads to be repaired to the Department of Local Government;
>
> And whereas the announcements made by the Ministry of Transport and Works have so far not included those that were submitted by the councillors;
>
> And whereas the Councils have no way in the prioritization of the roads submitted by the Ministry of Transport and Works for repairs:
>
> Be it Resolved that:
>
> - The schedule of the roads to be repaired be submitted to the Councils.
> - The name of the contractors for the roads be included on the schedule.
> - The allocation for each road to be stated.
>
> Be it Further Resolved that a mechanism be found to include the Councils in the decision-making process as it relates to the roads, drains and bridges affected by the Parochial Revenue Fund and the Jamaica Development Infrastructure Programme.

The SPEAKER: Very well.

House Leader.

A MEMBER: Mr. Hutchinson first.

The SPEAKER: Sorry.

A MEMBER: In five years I didn't get one road from Bobby Pickersgill, not one mi get.

Mr. HUTCHINSON: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move...

(Heckling)

The SPEAKER: Please, Mr. Hutchinson is on his feet.

Mr. HUTCHINSON:

> Be it Resolved that the Annual Report of the Committee to examine and recommend for approval proposed estimates for constituency projects

submitted to the Constituency Development Fund by respective Members of Parliament which was laid on the table of the House on Tuesday the 21st day of September, 2010 be adopted.

The SPEAKER: Thank you, Mr. Hutchinson.

House Leader.

Mr. HOLNESS: Mr. Speaker, I beg to give notice that...

(Crosstalk)

The SPEAKER: Members, please the House Leader is on his feet and some of you are shouting across the aisle, please, have some respect.

Mr. HOLNESS: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move to introduce and have read a first time, the Bills shortly entitled "The Charter of Fundamental Rights and Freedoms", the "Constitutional (Amendment) Act, 2010" and the "Constitution (Amendment) Act, 2010".

I further beg to give notice that at a later stage today I will move for the suspension of Standing Orders to enable me to introduce the Bills and have them read a first time.

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker...

The SPEAKER: Before you go, Reverend Thwaites, Mr. Clarke.

Mr. CLARKE: You didn't...

The SPEAKER: No, sorry, Notices of motion, sorry.

Yes Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, may I enquire regarding Private Member's Motion No. 14. I was advised that it would be taken today I just want to confirm that this is the case.

(DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern, entered and took his seat.)

Mr. HOLNESS: Mr. Speaker, based upon conversation in this House last week, where the Member from East Central St. Andrew requested that we develop and provide a schedule for the Private Member's Motions, we developed such and we indicated that we would be able to take it today. But, Mr. Speaker, the motion is of such importance that we would like to take the motion when we have in the House the Prime Minister and other Members. The Prime Minister is not with us today and therefore, Mr. Speaker, we will not be taking the motion that the Member is referring to.

(HON. LAURENCE GEORGE BRODERICK, (JLP), Clarendon, Northern, Minister of State in the Ministry of Mining, entered and took his seat.)

(MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western, entered and took his seat.)

The SPEAKER: Yes, Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, the House Leader has all power but surely the absence of the Prime Minister was known when we were advised formerly that this matter would have been taken; and it has to do with Members of the House declaring their citizenship and also on the very important matter of under what circumstances citizens with dual nationality ought to be excluded from Parliamentary membership. It is very important that that be taken urgently.

Mr. HOLNESS: Mr. Speaker, the motion raised by the Member would also have to be taken as a companion motion as that raised by the Member from St. Catherine North East and those two motions, Mr. Speaker, are being considered for debate.

The SPEAKER: Reverend Thwaites, I think the position proposed by the House Leader, that it is of such significance that, you know, the Prime Minister and other Members of the Cabinet should be here, in terms of the content of this motion. We can only hope that, hopefully, within the next couple weeks it can be dealt with. I know it has been on the Order Paper for some time.

Rev. THWAITES: It was there, it fell off, and it's been put back.

The SPEAKER: What?

Rev. THWAITES: It was there, it fell off, and it was put back. So you are correct, Mr. Speaker.

Mr. Speaker could you - the House Leader did indicate, in reply to you, that there was now a schedule for the taking of these over thirty matters. Could l be favoured with - could the House be favoured with a copy of this?

The SPEAKER: My understanding is that it is a matter, Mr. Thwaites, that I will ask the House Leader to discuss with the Leader of Opposition Business, so that a schedule can be prepared and agreed on, say for this term and into the next term.

Rev. THWAITES: I thought he said one had been done.

The SPEAKER: No.

Mr. HOLNESS: Mr. Speaker, just to be clear. In my internal operations we have prepared the schedule. We must now communicate that to the Leader of Opposition Business for a final decision to be made as to exactly which motions will be taken.

The SPEAKER: Yes.

Reverend Thwaites, my understanding is that in his preparation he has had to consult, say, with Ministers, and so he is now to discuss with the Leader of Opposition Business to set a schedule, and hopefully, as many of them can be debated before the end of the year.

Mr. THWAITES: Having regard to the Standing Orders, all of them should be debated by the end of the year.

The SPEAKER: Sure. I accept that.

Rev. THWAITES: And could we have the schedule next week, Mr. Speaker, particularly having regard for the long delay.

The SPEAKER: If possible. In the light of that, I will ask both Leaders of the House to discuss the matter and see if we can have it soon.

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: Mr. Clarke.

Mr. CLARKE: Mr. Speaker, I beg to give notice that at the expiration of 21 days I would like to ask the Minister of Agriculture and Fisheries the following questions:

Question 1: Will the Minister indicate the outturn of this year's sugar crop for the Jamaica Sugar Holdings to include cost of production and profit or loss position?

Question 2: Will the Minister indicate the final price to be paid for sugar supplied to Eridania?

Question 3: Will the Minister provide details of the amount

expended so far in the Sugar Divestment process?

Question 4: Will the Minister state details of the amount received by the Government so far for divested estates?

Question 5: Will the Minister provide details to this Honourable House of all the agreements between the Government, purchasers and proposed purchasers?

Question 6: If the answer to art 5 is in the affirmative, can the Minister state the timeline for providing these details?

Question 7: Will the Minister indicate how the commitment to supplying 100,000 tonnes of sugar to Tate & Lyle will be met?

Mr. CLARKE: Mr. Speaker, I beg to give notice that at the expiration of 21 days l would like to ask the Minister of Agriculture and Fisheries, the following questions:

Question 1: Will the Minister indicate full details of the arrangement with Grace Kennedy in the lease of the Hounslow Packaging House?

Question 2: Will the Minister indicate whether there are plans to establish more of these facilities in the country and if so, where?

Question 3: Will the Minister indicate the criteria used to secure a lease of this facility?

Mr. CLARKE: Mr. Speaker, I beg to give notice that at the expiration of 21 days I would like to ask the Minister of Agriculture and Fisheries the following questions:

Question 1: Will the Minister indicate the process used for the distribution of green houses being provided by the Government of Jamaica, and indicate where and to whom these green houses have been allocated?

The SPEAKER: Very well.

Mr. Kellier.

Mr. KELLIER: In respect of Question Numbers 8 and 9, as well as Mention 7, I don't know if the House Leader is in a position, as he had indicated last week, to give us some date as to when the Prime Minister will answer the Member from South St. Andrew...

Dr. PHILLIPS: And the Minister of Finance, too.

Mr. KELLIER: ...and when the Minister of Finance will also answer the Member from South St. Andrew, Question 9. And the Member from Central Kingston is here, so...

Mr. HOLNESS: Mr. Speaker, as is obvious, the Members to whom questions on the Order Paper are now due for answer, they are not in the House today.

I am certain, Mr. Speaker that the question for the Prime Minister, Question Number 7, asked by the Member from Central Kingston, that on the Prime Minister's return, that that question will be answered.

(HON. LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works, entered and took his seat.)

We expect that by the next sitting, which would be the next sitting on his return, the question will be answered.

The Minister of Finance should be in a

position, Mr. Speaker, to answer at the next sitting, the questions posed.

The SPEAKER: Eight and nine - sorry, Question 9.

Mr. KELLIER: So, Mr. Speaker, the House is to understand that at the next sitting following this one, those three questions will be answered?

The SPEAKER: Yes. I think they are due now for answer, Mr. Kellier. That is 7, 8 and 9, so there are three outstanding questions.

Before you go, Reverend Thwaites - yes, Dr. Davies?

Dr. DAVIES: Mr. Speaker, I have had occasion before to ask what are your powers in a situation where the time has expired. And if you look at either question, there can be nothing, no difficulty in the Prime Minister or the Minister of Finance responding. And it seems to me, Mr. Speaker, with all due respect, that the level of tolerance being demonstrated, the Standing Orders would suggest that at least the person who posed the questions be consulted about this inordinate delay. Nobody has spoken to me, and 1 am here waiting for an explanation why either question - there should be a difficulty in answering either question.

The SPEAKER: Well, I can only respond, Dr. Davies, that in discussion with the House Leader, my understanding that both, especially your Question 8, would have been answered if Prime Minister was here. But I suspect the next time, the next sitting, the likelihood is that Question 8 will be answered. Isn't that so, House Leader?

Mr. HOLNESS: Mr. Speaker, we don't have any difficulty other than the absence of the Member for questions 7 and 8.

Dr. DAVIES: Both were here last week.

Mr. HOLNESS: The question asked by the Member from South St. Andrew, relating to - well, asked of the Prime Minister, that matter, by virtue of the Standing Orders, could pose some difficulties, bearing in mind that it is now a matter of public record.

Dr. DAVIES: What? Can somebody clarify for me?

Mr. KELLIER: Mr. Speaker, I am not certain that we, on this side, are clear as to what the House Leader meant by those comments.

The SPEAKER: I think the reference...

Mr. KELLER: What l would like to find out Mr. Speaker, if you would just bear me out, if we are operating by the Standing Orders, and clearly we have run into a breach at this stage, in respect of the Member not being informed by - as the person who asked the question, and the time having elapsed. What we want to be assured of at this time is that the Prime Minister will answer the question when he comes back. And if there is failure to answer, power is in your hands to apply the Standing Orders according to the rules.

Mr. D. SMITH: Don't tell the Speaker what to do! Out of order!

The SPEAKER: No, no, the point the House Leader was making - if you look at the questions, Mr. Kellier, the questions - he is saying is that because of the public release, or the release in the median in a sense the e-mails have been released...

Mr. KELLIER: No matter. He must answer here.

Mrs. SIMPSON MILLER: Mr. Speaker, this Honourable House must never be treated with disrespect.

The SPEAKER: No.

Mrs. SIMPSON MILLER: It doesn't matter whether anything came public, once it was raised in the House, in this Honourable House, we need to get the answers here, in this Honourable House. (Applause/*Sotto voce* comments)

Opposition MEMBER: Hear! Hear!

(Cross talk)

Mr. HOLNESS: Mr. Speaker, the record of this Government in answering questions can in no way, Mr. Speaker, be impunged. We have answered all the questions that the Opposition has asked. Indeed, the Question Paper, the Question Paper, Mr. Speaker, is quite right. (Heckling)

Dr. DAVIES: Mr. Speaker, could the Member yield?

Mr. HOLNESS: No, I am not going to yield. Let me make the point.

Dr. DAVIES: A Point of Order, Mr. Speaker.

The SPEAKER: Just a second.

Dr. DAVIES: Mr. Speaker, I categorically reject that assertion. (Applause) The question posed a year - just under a year ago about the Road Maintenance Fund, has not been answered, and it prompted me to write to the Auditor General requesting a special audit. I therefore ask the Leader of Government Business to withdraw that assertion. (Cross talk)

Mr. HOLNESS: Mr. Speaker, I will, Mr. Speaker, I will undertake, Mr. Speaker, to do a review of this Government's answering of questions, and the past government's answering of questions. And I will stand by it, categorically, that we have...(Applause).... cleared more questions on the Order Paper than any government has done.

(Applause)

Mr. Speaker, l go further to say, Mr. Speaker, l go further to say, Mr. Speaker, that even when questions are asked that are not in keeping with the Standing Orders, we have accommodated and answered those questions. (Applause)

I have raised a point, Mr. Speaker... (Applause) ...Mr. Speaker, with due deference to the Member...

Mr. BUCHANAN: You tink a Caymanas Park you deh!

(Heckling)

The SPEAKER: (Gavelling) Please! Please! Okay.

Mr. HOLNESS: ...the question raised by the Member, in truth, Mr. Speaker, was raised before the matter became that of a public issue. But the Standing Order does not refer to when the matter became a public issue. The Standing Order just says once the matter is in the public domain and is public knowledge, or can be found in a document that is public, then it is not a question that should be treated with.

The Prime Minister has said he will answer the question. The Prime Minister has said he will answer the question. So the concern of the Leader of the Opposition is one that, whilst we take it, l would want to reassure you that the Prime Minister will answer the question you asked.

(Cross talk)

The SPEAKER: Okay. Very well.

(Cross talk)

Okay. (Gavelling) We move on.

PRESENTATION OF BILLS WITHOUT LEAVE OF THE HOUSE FIRST OBTAINED

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, once again, on behalf of the Prime Minister, I beg to move for the suspension of Standing Orders to introduce and have read a first time the Bill shortly entitled The Charter of Fundamental Rights and Freedoms (Constitutional) (Amendment) Act, 2010, and The Constitution (Amendment) Act, 2010.

The SPEAKER: Thank you. Sorry, go ahead - Members, the motion before the House is for the suspension of Standing Orders to allow the motion mentioned by the House Leader to be taken at this time.

Put to the House and agreed to.

Mr. HOLNESS: Mr. Speaker, I beg to give notice of second reading of the Bills.

Bill shortly entitled:

The Charter of Fundamental Rights and Freedoms (Constitutional) (Amendment) Act, 2010,

read a first time;

And - Bill shortly entitled:

The Constitution (Amendment) Act, 2010, read a first time.

Mr. HOLNESS: Mr. Speaker, I beg to give notice of second reading of the Bills.

Mr. Speaker, on behalf of the Minister of Finance, I beg to move to introduce and have read a first time, a Bill shortly entitled The Payment Clearing and Settlement Act, 2010.

Bill shortly entitled:

The Payment Clearing and Settlement Act, 2010,

read a first time.

Mr. HOLNESS: Mr. Speaker, I beg to give notice of second reading of the Bill.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, at Public Business today, we continue with the Sectoral Debate, and we will have...

Dr. DAVIES: You started?

Mr. HOLNESS: Mr. Speaker, we will now have the Minister of Health make his presentation to the House.

Dr. PHILLIPS: Mr...

The SPEAKER: Yes, Dr. Phillips.

Dr. PHILLIPS: My enquiry is whether the House Leader would be willing to just tell us what is the schedule of work for this evening, for this sitting, so that - I don't know if it is just to hear the lengthy and exhaustive report of the Minister of Health, or if there is other business that is being contemplated.

The SPEAKER: It is a very significant business.

Dr. PHILLIPS: I know he has a lot of sheets to talk about.

(Laughter/Heckling)

Mr. HOLNESS: Mr. Speaker, the...

The SPEAKER: Members! Members!

Mr. HOLNESS: Mr. Speaker, the information is available, it was sent to the Leader of Opposition Business. No...

But, Mr. Speaker, there is one other matter which...

Dr. DAVIES: There are two questions to be answered.

Mr. HOLNESS: There is one other matter, apart from the presentation by the Minister, which would be the Report on the Electoral Commission and the entrenchment of the ECJ in the Constitution. So we will do that afterwards. And I know that is a matter of great importance to the Member.

The SPEAKER: Very well. Mr. Spencer.

Mr. Ruddy Spencer, please...

(Applause)

BUDGET SECTORAL DEBATES

Mr. SPENCER: Mr. Speaker, may I be permitted to speak from a seat other that mine?

The SPEAKER: Permission granted.

Mr. SPENCER: Thank you, sir.

Mr. Speaker, I feel privileged to be a Member of this Honourable House, and to be a part of the effort to chart the future of this blessed land.

Firstly, I would like to thank Almighty God for preserving me to be able to sit in this Honourable House. I would like to also thank my daughters who have given me tremendous support over the years.

(Applause)

I would like to also thank a very special lady who, over the past year-and-a-half has been very supportive in my endeavours in this House, especially.

(Applause/*Sotto voce* comments) (Laughter)

I would also like to say very special thanks...

MEMBERS: Call her name man!

(Applause)

Mr. SPENCER: The very special lady is Miss Nadine McKay.

A MEMBER: Right!

Mr. SPENCER: And I am especially privileged...

Mr. CLARKE: So, you can't fool...

Mr. SPENCER: ....this afternoon, to be representing the constituency of South East Clarendon. And special thanks must go to the leaders on the ground: The Mayor, Councillor Milton Brown, Councillor Winston Maragh, and the vast army of supporters from South East Clarendon who happens to be here this afternoon.

(Applause)

MEMBERS: Army, army!

(*Sotto voce* comments)

Mr. SPENCER: I am grateful.

Mr. Speaker, the challenges are many in my constituency, but they are no different from the vast majority of communities across Jamaica.

Miss HANNA: How many roads you got?

Mr. SPENCER: Weak infrastructure, including - and especially roads - unemployment, crime and violence, and environmental degradation.

Mr. Speaker, I long for my constituents to overcome those barriers to development opportunities that will break the cycle of poverty for many households in my constituency. These have been very difficult times. The tight fiscal space in which we operate, and the limited capacity for the State and the country, to conceptualize and implement projects that can empower our people to emerge from the grip of poverty and despair, are not new challenges, but we must renew our determination to confront these challenges.

These obstacles notwithstanding, South East Clarendon has benefitted from road rehabilitation in respect of 1.2 kilometres of Green Park Road in Sandy Bay.

Mr. MONTAGUE: Very good.

Mr. SPENCER: One point two kilometer of Powell Drive in Rocky Settlement; one kilometre of Dupont Road in Lionel Town Housing Scheme...

MEMBERS: What, what!

Mr. SPENCER: And it is significant

whilst we're speaking about Lionel Town, because for sixteen years nothing was done to the Lionel Town Scheme.

(Applause)

And I am very grateful to the Constituency Development Fund, so we were able to achieve those things.

Mr. MONTAGUE: Wutlis.

Mr. SPENCER: Part of Waterman Street in Halse Hall, Old Gayle Road and Baptist Street.

I have repaired, Mr. Speaker, 25 basic schools to meet Early Childhood Commission requirements, assisted small farmers and the indigent, constructed new bathroom facilities at Rosewell Primary school, started construction of a concrete fence to the rear boundary of the Palmers Cross Primary and Junior High School.

Electricity lines have been extended to Rose Hall in Free Town, Derby Terrace in Sandy Bay, Wildman Town in Portland Cottage, under the Rural Electrification Programme. We have completed the extension of water lines in Cashew Walk.

Mr. Speaker, there is a lot more work to be done. And this year, I want to focus on additional road repairs, especially this great Salt River Road, Downer Street, Dry Hill Road into Twickenham Drive, and Chandelers Pen to Moores Main Road. Those are all on the programme to be done.

(*Sotto voce* comment)

A new water supply system should commence to serve Mitchell Town, Rocky Point, Portland Cottage, Shearer Heights, Lionel Town, and further extended to Salt River.

The Rocky Point Fishing Beach is in need of rehabilitation, and we expect commencement of works to build a new vending market in Rocky Point. We will continue to extend water lines into other communities, support our children and young people through the Education Fund and assist the elderly and marginalized in the constituency.

HEALTH

Mr. Speaker, I thank the Honourable Prime Minister for the confidence that he has reposed in me, in appointing me to this very, very important portfolio. I thank him and my Cabinet colleagues for the continued support that they have demonstrated to the health sector.

I wish to acknowledge the work of Parliamentary Secretary, SENATOR AUNDRE FRANKLIN for the assistance he has provided me in executing the policy directives of the Government in this ministry.

(Applause)

Mr. Speaker, Jamaica is fortunate to have some of the best health workers anywhere in the world.

(Applause)

Their recent work in fighting the HINI virus, their response to the American Airlines crash and their leadership in the face of devastating earthquake in Haiti earlier this year are mere examples of a fine working group of people. Also, I applaud their courage and determination in keeping the health sector going during the State of Emergency. On behalf of the people of Jamaican I thank our health workers across the length and breadth of Jamaica. Congratulations! Keep up the work.

Mr. Speaker, I salute the exceptional leadership of DR. JEAN DIXON who is

expanding system-leadership capabilities throughout different levels of the health ministry.

(Applause)

I believe that it takes strong leadership at both the Ministry and the level of the Regions to drive substantive change in the health sector, especially in these times.

I must acknowledge the work of the senior directorate of the Ministry, including that of Chief Medical Officer, the Boards and Management of the Regional Health Authorities and all the entities that fall under the Ministry's portfolio.

Mr. Speaker, Jamaica is fortunate to continue to enjoy the support of our funding partners and several governments through hi-lateral cooperation. I would like to mention the Pan-American Health Organization, World Health Organization, United States Agency for International Development and the Global Fund, the different arms of the United Nations, the Canadian International Development Agency, the European Union and the Inter-American Development Bank.

I acknowledge too, the exceptional supports of Governments of Cuba and Spain in helping us to advance the National Agenda for health. Many local institutions, such as, NHF, CHASE, JSIF, and Food for the Poor, have also provided invaluable support to the health sector in terms of enhancing the infrastructure. I am grateful to the work of the NGO community, especially in the areas of HIV/AIDS, mental health. I acknowledge the many private sector organizations that continue to support the health sector and the individuals who have established foundations to assist specific institutions.

Mr. Speaker, I deem it a singular honour to have been asked to open the Social Policy Section of the Sectoral Debate for this Parliamentary year. The contributions from my Parliamentary colleagues will, no doubt cover the broad spectrum of the country's social policy agenda, and raise significant issues that must preoccupy our attention, both as Government as well as Parliamentarians.

The concept of social policy must be viewed within the broad context of public policies and institutions, designed to protect the Jamaican people from social contingencies and poverty, which enable them to strive for their own life goals. Successive governments, despite their best efforts and some successful programmes, have not achieved the kind of enabling environment in the country that would help Jamaicans reach their full potential.

Jamaica is not alone. The world's poor stand at 1.4 billion, Nine hundred and sixty-three (963) million persons in the world are hungry. Nearly one billion cannot read or write. One point one billion people in developing countries have no access to safe water and 2.6 billion lack basic sanitation. World Leaders are confronting a global humanitarian crisis.

Mr. Speaker, the global food, energy and financial crisis of the last three years are reversing the gains that had been made in meeting important development goals.

(*Sotto voce* comment)

In Jamaica, no sector was spared. Remittances declined, unemployment increased to 11.4 per cent in 2009 - in 2009, compared to 10.6 in 2008. What is interesting is that 2009 figure is an improvement over 2004 at 11.7, and almost the same as 2005 figure at 11.2 per cent.

A MEMBER: What happen to 2007?

Mr. SPENCER: Despite these awesome challenges...

Dr. DAVIES: Yes, what happen to 2007?

Mr. SPENCER: Soon tell you.

...this Government will not resile from its stated intention to energize our people to "strive with a new zeal to make Jamaica a land of JUSTICE, LIBERTY and PROSPERITY" The country's National Development Plan, Vision 2030, and the Medium Term Socio-Economic Framework outline the long and medium term goals that are established across all sectors of our society.

We are pursuing with zeal, the transformation of the education sector, the health sector and the social security sectors. At the level of programmes and institutions, we are turning around non-performing schools especially those in inner city communities and deep rural Jamaica. We are transforming primary health care to increase access to health care at the level of the community. We have expanded the PATH programme to help more of the vulnerable and marginalized in our society.

(*Sotto voce* comment)

Mr. Speaker, the contributions in this year's Sectoral Debate from this side of the House, will demonstrate that this Government has undertaken transformative social agenda, not just to address the immediate and urgent needs of the Jamaican people, but to address in a fundamental way, social exclusion and inter-generational poverty, and to achieve human development and social justice for all. That agenda is important, in light of the United Nations Declaration 2008- 2017 as the second decade for the eradication of poverty.

We are united in the profound conviction that we have a moral and ethical obligation to eradicate poverty in this country, and to give every Jamaican a fighting chance to achieve his or her full potential.

A MEMBER: True, true!

Mr. SPENCER: It is a conviction that we share in the health sector for which I have portfolio responsibility, because we understand the *nexus* between health and development.

Mr. Speaker, the time has come for this House to send the strongest signal ever to the country that placing health policies at the centre of the human development agenda enhances our capacity to achieve a broader range of freedoms for all our people.

The CARICOM Heads of Government in 2005 Report of the Caribbean Commission on Health and Development, singled out the health of the people as an essential factor for the region's development and as a critical input in human capital that the region needs. This is an important recognition for a region that faces the double burden of communicable and noncommunicable diseases and confront significant impediments to human development. The Nassau Declaration, 2001, was a major impetus in influencing this Report and defining the role of health as a significant development issue in the Caribbean Region.

Interestingly, Mr. Speaker, this very 2005 Report, that seeks to elaborate on the policies for sectoral development that constitutes Chapter IV of the Revised Treaty of Chaguaramas, recommends that public health services in CARICOM member countries should be fully funded from the public purse. And I want to say that again, Mr. Speaker. Mr. Speaker, this very important 2005 Report that seeks to elaborate on the policies for sectoral

development constitutes Chapter IV of the Revised Treaty of Chaguaramas, recommends that public health services in CARICOM member countries should be fully funded from the public purse.

In plain and simple language, Mr. Speaker, they are saying to us, abolish user fees as much as we can.

The disease profile of the country underscores the inextricable link between health and development. Major diseases such as HIV, malaria, diabetes, hypertension and violence-related injuries, are concentrated in areas which are poor or marginalised in the parishes of Kingston and St. Catherine.

Mr. PICKERSGILL: That's your parish.

Mr. SPENCER: A small amount in Clarendon, based on the ...

Mr. PICKERSGILL: (Inaudible)

Mr. SPENCER: Yeah man.

Mr. PICKERSGILL: A pure ole criminal dung deh.

Dr. DAVIES: Especially in Linstead.

Mr. CHARLES: Is Linstead yu just say?

Mr. SPENCER: Shh! Member, do I understand you to be saying that Clarendon is full of criminals, is that what you are saying?

(Laughter/Cross talks by members)

Mr. SPENCER: The challenges that confront us as a country require that we reorient and restructure our health services and emphasize access to them. We are proceeding to reorient and restructure in four (4) fundamental ways:

1. Improving affordability
2. Putting more health workers on the ground
3. Moving services closer to communities; and
4. Expanding critical services.

USER FEES - WAIVER

Mr. Speaker, a significant barrier to of access to health care is the cost of health services. It is the poorest segment of the population that has the greatest difficulty accessing care, even where there is a policy to waive fees. Studies have shown that only about 10% of the poor qualify for waiver although the PIOJ **Survey of Living Conditions 2007** shows that over 65% of persons in the poorest quintile use the public health services.

The decision of this Government to abolish fees is in keeping with the policy trend of governments in developing countries who understand the role that health plays in the achievement of human security and in advancing the development agendas.

A MEMBER: Hear, hear!

Mr. SPENCER: I continue to be confounded by supporters of user fees, especially from that side of the House that claims to put people first. The UN 2010 Report on the World Social Situation says, and I quote: "*Most key players in the health arena now recognise that user fees constitute a significant barrier to health services. Even when user fees systems include waivers for the poor, in practice they are often difficult to access or tend to be abused by the relatively better off in our society".*

A MEMBER: What!

Mr. SPENCER: Given the environment of declining budgets...

One MEMBER: Yes.

Mr. SPENCER: the abolition of user fees is giving the people of Jamaica a fighting chance, both in terms of their ability to access health care as well as to avoid the catastrophe... (Applause)

Mr. SHAW: Survival!

Mr. SPENCER: Mr. Speaker, we are giving our people a fighting chance. More persons are using the primary health care system with health centres visit increasing in the first year by 16.3% ...

A MEMBER: What?

Mr. SPENCER: ...and 7.8% in the second year, while Accident and Emergency visits declined marginally by 0.4% in the second year, after a 14% increase in the first year of the policy implementation. Patient visits to our pharmacies increased by 10% in the first year...

Dr. DAVIES: Yu just go deh?

Mr. SPENCER: ...and 15% in the second year. Lab tests increased by 14.7% in year one of the policy and 18.3% in year two of implementation.

We on this side are giving the people of Jamaica a fighting chance in facing the financial hardships. And as my good friend from the Opposition benches - and you know who that person is - would say, we are balancing the budget and also balancing their lives. (Applause) Thousands of Jamaicans who use the public health system for selected services saved $4.14 Billion over the two-year period.

Patients who registered for admission saved $476.4 Million. Those who had surgeries saved $649.5 Million. Visits to health centres saved our patients $661 Million. Outpatient and Accident and Emergency saved $793.7 Million, and those who accessed pharmaceuticals and medical supplies at our pharmacy windows saved $1.47 Billion.

All things considered, the people of Jamaica have enjoyed a good three years as far as the health services of the country is concerned. (Applause)

Mr. CHARLES: Nobody can deny that, nobody!

HEALTH PERSONNEL – RECRUIMENT/MIGRATION

Mr. SPENCER: Mr. Speaker, the matter of human resources for health, was on the agenda of the 63rd meeting of the World Health General Assembly, which was held in Geneva in May of this year. The International Recruitment of Health Personnel Global Code of Practice was passed at the Assembly for adoption as the WHO Global Code of Practice.

This code is expected to be a core component of bilateral, national, regional and global responses to the challenges of health personnel migration and health systems strengthening.

Countries such as Jamaica welcome this intervention. A World Bank study on Nurse Labour and Education Markets in the English-speaking CARICOM, which was released last year, shows that the annual attrition rate for nurses was 8% mainly to Canada the United States and the United Kingdom.

It is also found that one-third of the local cohort of nurses are working in these CARICOM countries. The main reasons cited for migration were wage differentials and worker dissatisfaction.

Mr. Speaker, we recognize the - difficulty that Jamaica faces in attracting and retaining our health workers. It is even more difficult to attract workers to the primary health care system and to many parts of rural Jamaica.

Over the years, successive Governments have relied on a mix of strategies including offering scholarships and bonding recipients of the scholarships, improving benefits outside of basic remuneration and entering into

bilateral arrangements to employ health workers.

This Government continues to pursue the mix of strategies. Since 2004, a total of 535 scholarships were awarded for both short-term and long-term training of health professionals including pharmacists, nurses and doctors.

ASSISTIVE HEALTH CARE

In 2008, I announced a $100 Million training project for Assistive Health Care Workers. We have completed the training of 30 Pharmacy Technicians under the programme so far. In addition, the Ministry of Health in collaboration with UTech, commenced the training of 22 Pharmacy Technicians and 22 Dialysis Technicians at the Lionel Town Campus, which we opened in March of this year.

Sixty (60) Assistant Public Health Inspectors and 230 Community Health Aides will be trained over two years. The first one-year training programme for these groups is scheduled to start later on this year.

Mr. Speaker, I led a delegation from the Ministry of Health to Cuba in June of this year, to recruit additional health personnel.

Dr. DAVIES: Comrade Spencer.

Mr. SPENCER: Recall that Jamaica and Cuba entered into a bilateral agreement to train health workers and to supply critical health workers for the local sector.

There was a quota of 51 health workers remaining from the Agreement. We recruited on that visit, 51 Registered Nurses for six areas including primary health care, paediatrics, accident and emergency and the operating theatres. Twenty-three of the 51 nurses will be placed in the primary health care setting, because we are serious about the renewal of that level of our system.

The Nurses and Midwives Act is being amended to give Advanced Practice Nurses some prescriptive rights. This will improve access to rural patients and those who suffer from chronic illnesses.

Thirty-seven (37) single trained midwives commenced training in April of this year to enhance the existing cadre of midwives.

CUBA INPUT

And I want to tell this House, I am indeed grateful to the Cuban Government and, especially the Ambassador, because not only were we able to recruit 51 nurses, we were also able to gain access via engineers that are so badly needed, not only to repair almost $700 million of equipment we have stretched across the entire Jamaica, but the Cubans have agreed to use those same people to lecture and to treat and train our own Jamaicans at University of Technology over three years. (Applause) I don't see anybody on that side clap, you know . . .

(*Sotto voce* remarks by Opposition Members)

Mr. SPENCER: It is very important because what we have addressed in that visit is to ensure that all the equipment that cannot be serviced will be serviced by the Cuban technocrats.

For the first time, we provided support through the NHF to over 70 medical students who are studying in Cuba. And I want to say this because this is a programme I am proud of. We saw in Cuba all these students, and they come to Jamaica every summer and what we have done, we gave them a stipend to pay their way and to assist them and stretch them

right across Jamaica so that by the time they get around taking their examination they will be no different, and they can be absorbed in the Jamaican system. It's a programme I am proud of. (Applause) Mr. Speaker, it takes more than abolishing user fees to broaden access.

It takes a broader package of reform to ensure sustainable access. People will still incur inescapable costs if they have to travel over long distances for health care. It often means that other members of the household might have to accompany sick relatives to health care facilities, which creates an additional burden on the family.

The SPEAKER: (Gavels) House Leader, the Member's time for speaking has expired.

Mr. GALLIMORE: Mr. Speaker, I move the suspension of Standing Orders to allow the Minister 45 minutes to complete his presentation.

The SPEAKER: The motion before the House is for the suspension of Standing Orders to allow the Member a further 45 minutes to complete his presentation.

Put to the House and agreed to.

The SPEAKER: Minister Spencer.

Mr. SPENCER: I am eternally grateful to the House.

The SPEAKER: You are the one Minister passing around these goodies? (Referring to the packages being distributed in the House)

Mr. SPENCER: There is a complaint by the Member that the packages that we have given, one Member is complaining why am I giving him birth control, but another set of Members are complaining they don't have enough condoms in those packages.

Mr. CLARKE: You leave out something. I don't see anything blue in it. (Laughter)

Mr. SPENCER: The decision of the Government and its unshakeable commitment to the renewal of primary health care must be viewed within the context of increasing access to health care and reducing economic burden of the indirect cost to the people of Jamaica.

A strong and effective healthcare system is nothing new to Jamaica. We led the world in the 1970s. We have what it takes to do it again, and we will. The commitment of this Government is unshakeable.

Mr. Speaker, the emphasis on primary health care is one way of giving practical demonstration to the commitment to meet our obligations under the various principal instruments of the international human rights framework, including the 1948 Declaration of Human Rights.

Unfortunately, the deployment of health resources has been inequitable and skewed towards the secondary care system for decades. Health seeking behavior, which favours hospital care, will not change if the resources at the primary healthcare level are inadequate to meet the demands of the population and to state the physical plant is unsatisfactory.

REPAIRS – CLINICS/HEALTH CENTRES

We have completed rehabilitation work on 36 clinics islandwide. Another 28 will be completed by the end of this year which would bring an end to Phase One of the rehabilitation of health centres, health clinics.

Health centres in parishes of Kingston and St. Andrew, St. Catherine, St. Mary, St. Thomas, Clarendon, Manchester, St. Elizabeth, Westmoreland, Hanover, Trelawny, St. Ann and St. James - 13 parishes - have been repaired. (Applause) Phase One of the

project is being funded by the National Health Fund to the tune of some $300 Million.

Dr. DAVIES: You take away $250 out there.

Mr. SPENCER: The Ministry of Health is preparing Phase Two for the 2011/2012 financial period. In addition, repairs have been completed on 11 of the 19 clinics under the Jamaica Social Investment Fund at a total cost of $131 Million.

ROTATION OF NURSES

In near future we will be rotating registered nurses through the primary health care system. In addition, the Ministry, in consultation with health regions, will develop a policy framework for the rotation of health workers throughout the different levels of the system without any negative impact on their tenure of service, remuneration and opportunity for advancement or training.

Mr. Speaker, we are placing some emphasis on those health centres that are in close vicinity to hospitals and this is very, very important. The experience of the Mount Salem Health Centre in Montego Bay is instructive. Patient utilization increased in just 4% at the Accident and Emergency Department of the Cornwall Regional Hospital in 2009, against 48% at Sav-la-mar Hospital when compared with the base year of 2007. This is because of the extended opening hours of Mount Salem Health Centre.

Visits to the Mount Salem Health Centre increased dramatically, moving from 4,316 in 2007 to 21,434 in 2008 and 39,850 in 2009. This demonstrates, Mr. Speaker, that people will use the health centres if they are properly resourced and if they are accessible. (Applause)

Mr. Speaker, the fourth way that we are seeking to reorient and restructure the health services is by way of expansion of critical services. It was a year of solid achievement in the expanding services at the secondary care level to the tune of over $463 Million. We are giving the Jamaican people a fighting chance in their quest for human security and development.

Dr. DAVIES: Hear, hear! Only two hundred and fifty you transfer…

(*Sotto voce* remarks)

Mr. SPENCER: Yes, waiting times are longer. I will confess that readily. But our plans will reduce waiting time at the secondary care level as we systematically rebuild the capacity at the primary health care level.

Mr. CHARLES: Let them wait in the hospitals rather than die at home.

(*Sotto voce* remark by Dr. Davies)

REGIONS IMPROVEMENT & EXPANSION

Mr. SPENCER: In the Southern Health Authority we will start working on Block J, long overdue but next week they start working on Block J at the Mandeville Hospital, which is estimated to cost $135 Million.

Mr. Speaker, North East Region, the expansion and improvement to the services cost approximately $43.8 Million. Lab services have been extended in the region. Lab Information System has been implemented and the Medial Records Department expanded at a cost of $4.5 Million.

DENTAL FACILITY – PORT MARIA

A new dental facility was constructed at Port Maria Hospital and the Medical

Technologists and Technical Assistants employed to the tune of $17 Million.

In the Western Regional Health Authority, we opened new Cardiology Unit in December and opened a Chemotherapy Suite. The hospital started neurological services in March of this year and has carried out 63 surgeries at a cost of $112.3 Million.

(*Sotto voce* remarks by some Members)

Mr. SPENCER: My friend mentioned Noel Holmes. The Noel Holmes Hospital opened a new Radiology Department in March and started lab services in May 2010, this year.

Mr. Speaker, the South East Regional Health Authority is the largest health region serving a population of some 1.4 million people. It is the main referral region with six (6) specialist hospitals. We have done a lot in this region to expand and improve secondary care amounting to some $307 Million.

NATIONAL CHEST

We undertook works at the National Chest Hospital to the tune of $54 Million. The works included construction of a fence, renovation of Eye Ward, Physiotherapy Unit, Nursing Hostels, kitchen and bathrooms and the purchase of equipment.

KINGSTON PUBLIC & JUBILEE

Work valued at $25 Million was undertaken at the Kingston Public and Jubilee Hospitals. This includes renovation of Edwina East and West, fifth floor of the Victoria Jubilee Hospital, upgrade of the oxygen system and purchase of Endoscopic Unit.

SPANISH TOWN

Two Hundred and Twenty-two Million Dollars was spent on projects to expand and improve Spanish Town Hospital. The renovation of the Pharmacy, expansion of the Maternity Ward, erection of fencing, purchase of equipment, works carried out under the Kings of Spain Project, the Laboratory, and Accident and Emergency Department were also undertaken. Just last week we broke ground for the construction of a 338,000 Euros women's centre named for the Queen of Spain at the Spanish Town Hospital. This facility will provide colposcopy services, counselling and social services for women in Jamaica and the wider CARICOM Community.

Where is Mr. Pickersgill?

LINSTEAD

In Linstead Hospital, they benefitted from $6 Million rehabilitation project involving the erection of fencing, upgrade of laundry, renovation of wards and purchase of equipment.

Mr. Speaker, Jamaica was among other world leaders who committed to the UN Millennium Development Declaration. For the first time there was a global platform for advancing human development and wellbeing through a set of measurable goals and targets within a specified timeframe.

MILLENNIUM DEVELOPMENT GOALS

The framework known universally as the Millennium Development Goals established eight points, three of which are directly related to health. Jamaica has made improvements to the maternal mortalities ratio, moving from 110 per hundred thousand live births in 2000 to 78 per one thousand live births in 2009. There is need for significant reduction in the next few years if we are to achieve the target

by 2015. Infant and Child mortality rates are 19 and 21 per one thousand live births, down from 25 and 28 respectively in 1990. Under-nutrition remains low at four percent. HIV prevalence has appeared to plateau. TB prevalence, although on the increase, is not significant, and malaria is on the decline.

Mr. Speaker, no matter the challenges that we face in the health financing, there are some health programmes that we must maintain as priorities. Among them health promotion, immunisation, HIV/AIDS, eye care, vector control and renal dialysis.

Mr. Speaker, health promotion is one of the eleven (11) essential public health functions and is a significant area of focus for this government. A strong and effective health promotion agenda is indispensable to breaking the cycle of ill-health and relieving the Jamaican people of the burden of preventable illnesses. Such an agenda relies on a pragmatic policy and appropriate legal framework.

Effective inter-sectoral participation and the mobilization of the Jamaican public.

OBESITY/HYPERTENSION/DIABETES

If we are in doubt as to the central role of health promotion then every member of this Honourable House needs to pay attention to the following: Eleven per cent of Jamaican teenagers in the 10 to 15 year cohort is overweight while 35% of the 15 to 18-year-old cohort is obese. The early onset of obesity is linked to early onset of adult risk factors associated with cardiovascular diseases such as high blood pressure, high cholesterol and Type 11 diabetes.

Mr. Speaker, the combined cost of treating hypertension and diabetes is more the $2.84 Billion. These two diseases account for 70% of the claims at the National Health Fund.

Mr. CHARLES: What!

Mr. SPENCER: Sixty-five per cent (65%) of Jamaicans in the 15 to 74 age group use alcohol. An estimated 32 thousand Jamaicans are believed to be living with HIV with about 50% unaware of their status. Over 64% of males admit to having multiple sex relationships compared to 16.8% for females. Transactional sex most common among 27.3% of sexually active persons in the 15 to 49 age group; about 9% of commercial sex workers and 31% of men who have sex with men, are believed to be HIV positive.

A MEMBER: What!

Mr. SPENCER: Mr. Speaker, considerable work has been done in health promotion.

Jamaica is a signatory to the CARICOM Ministerial Port-of-Spain Declaration on non-communicable diseases. In 2008 the Ministry convened a national policy dialogue on chronic non-communicable diseases that brought together key stakeholders within and without government. There has been some integration of prevention and control of these non-communicable diseases into the policies of some ministries. These are significant policy interventions. However, the time has come to rethink our approach to health promotion.

I have instructed the ministry's technocrats to immediately undertake the task of developing a comprehensive policy framework for health promotion, which should include supportive mechanisms for formal inter-sectoral collaboration and integrated planning and monitoring right across the public sector. A nutrition policy being spearheaded by the Ministry of Agriculture

forms part of the overall policy. This is an important task that should contribute to the achievement of Vision 2030.

Mr. Speaker, Jamaica looks forward to the holding of September 2011 specially convened World Health Assembly, to consider the inclusion of NCDS indicators in the MDGs, having lobbied for this global focus.

TOBACCO CONTROL

Another issue of concern to the government is the need to honour Jamaica's obligation under the framework convention on tobacco control which the country ratified in 2005. Tobacco smoking and exposure to tobacco smoke are major risk factors in chronic NCDS. An estimated 30% of heart diseases and 80% of all lung cancers are associated with cigarette smoking.

Prevalence of cigarette smoking among the youth population was at 15.4% in 2006 - Global use tobacco survey. The 15 to 74 age population has an estimated 14.5% prevalence rate based on the 2007/2008 **Jamaica Health and Lifestyle surveys.**

Cabinet has approved the drafting of public health regulations to bring Jamaica in full compliance with provisions of this convention. In other words, we took - I took to the Cabinet the legislation and Cabinet has agreed, or ratified it and it is now at the CPC, and very soon we will be bringing that legislation to Parliament.

IMMUNIZATION

Mr. Speaker, Jamaican has already stated its position of achieving universal immunization coverage including our adult population. While it is well established that our priority has been our children, we must support transition from child to family immunization. The porosity of our borders and the increase in global travel has increased the vulnerability of our children and adult population to preventable diseases.

Jamaica has maintained relatively high vaccination coverage for many years since 1985. We have experienced some slippages for over a decade with coverage averaging at 83% up to 2008, with the exception of measles, mumps and rubella, which languish in the high seventies. Last year we achieved just over 90% coverage in MMR and BCG vaccination, an outstanding achievement given the environment of declining budgets.

CHILD/PASSPORT

I am pleased to announce to this Honourable House that we have completed the Child Health and Development Passport and this was launched in August - Omar, yuh get one yet? The passport was developed in collaboration with the Early Childhood Commission and funded by the World Bank. It is a comprehensive take-home record of a child's health and development from birth to 17 years. It is applicable to children born on or after the 1st of September, 2010 and it should be used at each visit to a health facility and periodic intervals throughout the school system.

Mr. Speaker, the country received US$26 Million in grant funding rom Global Fund for the fight against HIV/AIDS for the next three years. This is likely to be the last funding and the support for Jamaica, because the country has been categorized as an upper-middle income country and therefore would not

qualify for continued financial support.

Dr. DAVIES: You working on reversing that?

HIV/AIDS

Mr. SPENCER: Jamaica is yet to win the war against HIV. We need the continued support of the Donor community. And I have had extensive discussions with the Donor countries and I have a glimmer of hope that something will change; and by next week when I visit Washington, when I come back I should be able the say something more on this.

I spoke earlier...

Dr. DAVIES: Continue the speech next week.

Mr. SPENCER: ...about the HIV prevalence rate in Jamaica. The Ministry continues to combine multiple strategies in the fight against AIDS and other sexually transmitted diseases. The primary strategies are prevention through public education, treatment, care and support, human rights and discrimination reduction and reduction of mother to child transmission

In support of our strategy through reduced stigma and discrimination and promote human rights, the national HIV/AIDS policy - workplace policy was developed and tabled in Parliament in November of last year. About 60 Private Sector agencies have an HIV/AIDS workplace programme.

Mr. Speaker, targeted interventions among at-risk populations were scaled up in 2008 and 2009. As a result, over two thousand men who have had sex with men and six thousand commercial sex workers were reached.
In addition, over a thousand inmates were also reached.

We continue to provide antiretroviral treatment to persons infected with HIV. Mother to child transmission has declined from 25% to under 5% (Applause)

A MEMBER: Very good!

Mr. SPENCER: Twelve months survival rate of persons living with the infection who are on HIV is 91%.

Our messages to people are: **one**, get tested; **two**, if you are positive get on the ARV treatment and stay on the ARV.

A MEMBER: Hear, hear!

MENTAL HEALTH - BELLEVUE, ETC.

Mr. SPENCER: Mr. Speaker, mental health has emerged as an area of significant concern to us, especially the adolescent population. Studies have shown that one in five Jamaicans is depressed. Some 29% of 15 to 74 age group suffer from some mental disorder. Some time ago a decision was taken to de-institutionalize mental health services, absorb acute mental illness at hospitals services and expand community mental health. This would mean reducing the bed space at the main referral hospital, Bellevue, and integrating services into primary health care. A significant number of patients at Bellevue are not in need of hospital care and could be integrated in the community, once their family and community support this venture.

The Cabinet will shortly re-examine the policy framework which shapes the Ministry's strategic plan for mental health. In the interim we are taking some action through a partnership with Food For the Poor. We have completed work at the Ken Royes Rehabilitation Centre in to St. Catherine. The scope of work included the construction of eight (8) housing units to house in-patients and assist them in their rehabilitation.

We need more private sector and collaboration in mental investment health.

VECTOR BORNE DISEASES

Mr. Speaker, the general strategies for vector borne diseases are community mobilization, inter-sectoral collaboration and the implementation of an integrated vector management approach.

MALARIA

The country continues to see a reduction in the number of malaria cases since the outbreak in 2006. The number of cases has declined from 186 in the outbreak year to 15 in 2009 and two up to June of this year. This decline is as a result of the tremendous work done by the health staff to contain the disease and to move Jamaica towards regaining its malaria-free status.

I applaud those people in the Vector department for the work that they continue to do. (Applause)

DENGUE

Of concern to Jamaica, is the dengue fever activity in the Central American and Caribbean Regions. Although we have been able to prevent an outbreak, the percentage of homes that is positive for Aedes mosquito is extremely high, at 14.6%. The continuing rainfall presents a challenge to sustaining a reduction in mosquito breeding. Householders must carry out most of the mosquito reduction strategies as the Aedes mosquitoes breed in and around the house. We continue to urge householders to punch holes in containers and to monitor areas where water settles or is collected around the homes.

The Ministry's Vector Control programme was strengthened by way of a $60M allocation from the National Health Fund. We will increase vector control activities across the island and enhance the public education programme.

RENAL DIALYSIS – KIDNEY PATIENTS

This is an area, Mr. Speaker, that I am very fond of and I'm seriously committed to this illness. This Government has committed itself to expanding the Renal Dialysis programme. As the Honourable Prime Minister said in his Budget presentation in April, we have increased the number of dialysis units from 38 to 63 in the public sector so that more kidney patients can receive treatment. (Applause)

This Administration made a commitment to the people of Jamaica that we will expand this service to ease the burden on whose who are suffering. We intend to keep at promise. (Applause)

(Inaudible comments by Dr. Ferguson)

One Government MEMBER: Don't answer him.

Mr. SPENCER: I beg your pardon?

A Government MEMBER: Don't answer him.

Mr. SPENCER: You can ask.

Government MEMBER: Don't answer him.

(Inaudible comments by Dr. Davies)

Mr. SPENCER: It is almost 70% more than what it used to be.

(Inaudible comment by both sides)

Mr. SPENCER: In support of this programme of expansion... Listen... the Government is broadening the opportunities for clinic experience for neurology nurses. The Cuban Government is providing this support.

We are going to take the first 13, as the Opposition spokesman on health is aware of, and we are going to send them to Cuba for, I think, two months. That set will come back and we will send another set. And I must applaud the Cuban Government for the support they continue to display in our health sector. (Applause)

Jamaica signed...

Mr. CLARKE: You met Estrada when you went over there?

Mr. SPENCER: No, him is long time. Him not in this thing anymore.

Dr. DAVIES: So when you greet them, you say, Comrade?

A MEMBER: Him seh, come black.

Mr. SPENCER: Comandante don't demand that I say comrade.

BILATERAL COOPERATION/CUBA

Jamaica signed a Bilateral Cooperation Agreement with Cuba in July 2009, which involves establishing an Eye Care Centre in Jamaica. The centre was opened in January this year. Under the Agreement, patients no longer need to travel to Cuba for eye surgery.

Government MEMBER: Hear, hear!

Mr. SPENCER: Since March of this year, over 3,000 patients have been seen and some 560 surgeries performed. (Applause)

Government MEMBER: Viva Cuba!

Mr. SPENCER: The Cuba Eye Care Centre is located at St. Joseph's Hospital while pre and post-operative care is offered at the National Chest Hospital.

I thank the Government and people of Cuba for their generosity and the 15-member eye care health team that is on the ground in Jamaica serving the facility. Mr. Ambassador, I thank you extraordinarily.

(Applause)

HEALTH INFO TECH/NHF

Mr. Speaker, this Government remains committed to developing an effective HIS infrastructure that will broaden access to the services, provide credible data for decision-making and reduce the cost of managing the health services.

We have established a Health Information Technologies steering committee with personnel drawn from head office and the RHAs, to provide leadership for the implementation of the National HIS in the Ministry. I will keep this House informed of the progress we are making in that regard.

Mr. Speaker, I want to applaud that side for having conceptualized the Health Fund. Good idea. Good idea!

(Inaudible comments)

And it's a great idea. (Applause) Very good idea. The only thing is that I'm making it even greater and better.

(Laughter/Applause)

Mr. CHARLES: Work on it. Work on it!

Mr. SPENCER: Mr. Speaker, since its inception in 2004...

(Inaudible comments)

Not true...National Health Fund has played a significant role in supporting the health sector.

Dr. DAVIES: So why you allowed Audley to take out two hundred and...? (Inaudible)

Mr. SPENCER: That is not true...

Dr. DAVIES: How much he took?

Government MEMBER: Don't answer him.

Mr. SPENCER: Ah soon answer him. Forty-four new projects valued at

approximately $921M were approved by the NHF during the last financial year.

Dr. DAVIES: How much did you transfer?

Mr. SPENCER: Ah soon tell you.

(Inaudible comments by Opposition Member)

Mr. SPENCER: The sum includes assistance to NGOs that received significant funding...

(Interruptions)

...support valued at $127M for 20 projects.

NHF CARDS/DRUGS FOR THE ELDERLY (JADEP)

There was an overall 12% increase or 49,419 endowments of the new beneficiaries with the NHF during the period; 32,390 enrolled for the NHF card for all ages and 17,029 for the Jamaica Drug for the Elderly Programme for persons 60 years and over. I am encouraging those members who are eligible to register now under JADEP. Overall enrolment since the inception of the nice now stands at 454,034 beneficiaries. (Applause) Approximately 2.2 million claims were filled for the NHF beneficiaries and $2 Billion paid to participating pharmacies for their claims. We are exploring the addition of certain drugs for the treatment of Alzheimer's because of the increasing number of our elderly who are presenting with this condition.

Mr. Speaker, the Health Fund continues to do today even a better job this they were doing. And I want to pay respect to the Member of the Boards who are here.

Dr. DAVIES: How much you transfer?

Mr. SPENCER: Please take a bow for the tremendous work you have been doing.

Dr. DAVIES: How much you transfer to the Ministry?

Dr. FERGUSON: Internal controls systems are weak. (Inaudible)

Mr. SPENCER: Yes, Mr. Opposition spokesman, we know, and we are bettering... We have a whale raft, a whole raft of measures to better it that we have started putting in place already.

(Inaudible comments by Dr. Davies)

Mr. SPENCER: Mr. Speaker, I do not believe that anyone in this House would disagree that...

Government MEMBER: You a one-liner now?

CHILDREN'S HOMES/PLACES OF SAFETY

Mr. SPENCER: Governments have turned in a disappointing performance in relation to our children. We are dissatisfied with the state of our Children's Homes and Places of Safety. The mandate of the Child Development Agency is to provide a stable, nurturing living environment for the children who are abused, abandoned, neglected or otherwise in need of care and protection.

The Honourable Prime Minister indicated to the nation in a statement to this Honourable House that this mandate will be expanded to include children in conflict with the law. The necessary legislative and policy framework is being developed to facilitate this major policy shift.

As I have said elsewhere, the work to secure the future of the children of Jamaica must be at the forefront of the country's social and development agenda. It is a work that includes strengthening the capacity of those

institutions that provide services to our children and strengthening the legislative framework to safeguard and protect the rights of children.

There is also room to improve multi-agency, collaboration among entities such as the Police, the Judiciary, the Child Development Agency and the health sector.

Government MEMBER: Hear, hear!

Mr. SPENCER: These entities must have a shared vision and the same high level of commitment and zeal to create a country fit for our children. The establishment of the Office of Children's Registry and the appointment of a Children's Advocate are desired to strengthen the institutional capacity for monitoring and reporting on the state of our children.

I want to thank the countless individuals across Jamaica, non-governmental organizations and faith-based organizations for the work that they continue to do in caring for the nation's children.

Mr. Speaker, it is not business as usual in the public health sector, and it can't be business as usual. We remain committed to continue the programme of restructuring, improving accountability, promoting wise use of resources and seeking alternative sources of funding to sustain the health services.

On Tuesday, July 20, 2010, the Prime Minister tabled a **Green Paper**, **the Public Sector Master Rationalization Plan,** which outlined a raft of recommendations for public sector restructuring. The Children's Portfolio which includes the Child Development Agency and the Office of the Children's Register, it is proposed to be transferred to the Ministry of Youth, Sports and Culture.

Under the restructuring programme, the Health Corporation Limited will be closed down and its core functions of procurement, warehousing and distribution, integrated into the National Health Fund. Drug Serv, which is the pharmacy retail arm of HCL, will come under the management of NHF.

(*Sotto voce* comments)

We will need minor amendments to the NHF Act, which we will shortly place before the Parliament. This integration is expected to yield results in better management of the pharmaceutical services and much improved inventory management system.

PHARMACY SERVICES

Mr. Speaker, the pharmacy service is important to the health sector. The drug budget has increased by 167% over the last five years, moving from $898M in 2004-2005 financial year to $2.4B this year. We took steps to ensure that we would get more bang out of our buck.

In April of this year, we signed contracts for over 700 pharmaceutical items. We were able to negotiate more favourable payment terms from most of our suppliers. I thank them for their cooperation and understanding.

Mr. Speaker, we are exploring the possibility of integrating the functions of at least two other entities into existing programmes at the Ministry. Those entities that are self-financing will be taken off the budget and shared corporate services will be utilized to reduce the cost of bureaucracy and inefficiency.

Mr. Speaker, as I said on the outset of my presentation, these are difficult financial times in which we operate. Despite the severe

constraints, we must continue to give our people a lighting chance. One way is to improve how we use our resources and we are doing just that.

The Ministry of Health, from the Head Office to the Regional Health Authorities, has implemented a range of cost savings initiatives over the last year, which should result in saving of approximately $1 Billion.

(Applause by Government Members) These initiatives include finding less expensive sources of drugs, resulting in savings of over $386 Million...

(Applause)

…better management of overtime, sessions and emergency duty roster for key health workers realizing saving in excess of $44 Million, staffing changes, resulting in over $506 Million in savings, improved debt management cutting costs by $42 Million and other changes, maintenance, service delivery, better catering amounting to over $30 Million. Almost $400 Million of this amount represents savings resulting from procurement foregone based and gifts received in the South East Regional Health Authority.

The SPEAKER: (Gavels) The Minister's time for speaking has expired.

Mr. HOLNESS: Mr. Speaker, I move for the suspension of Standing Orders to enable the Member sufficient time to complete his presentation.

The SPEAKER: The motion before the House is for the suspension of Standing Orders to allow the Minister sufficient time to complete his presentation.

Put to the House and agreed to.

The SPEAKER: Minister Spencer.

Mr. SPENCER: Mr. Speaker, Mr. Speaker, I am eternally grateful to my colleagues.

Opposition MEMBER: On both sides.

MEDICAL GASES

Mr. SPENCER: To my colleagues.

Mr. Speaker, cost cutting will not put us on the path of sustainable financing. We are more interested in seeking alternative resources of funding for the health sector. We did that for medical gases with CHASE and the National Health Fund to the tune of $154 Million. We are also pursuing strategies to improve the efficiencies with which we deliver medical gases to our facilities. And I want to alert the supplier of medical gases or its suppliers. Gone are the days when you send the cylinders and something is wrong and it is taken back and you send another man, but you charge us for a full cylinder. Gone are the days when there are leaks in the line, but we are charged for a full cylinder. What we are doing now, we are ensuring that all lines and all medical gas supply is checked and we are relentless in our doings with those people.

(Applause)

GOJ HEALTH CARD

The Introduction of GOJ Health Card will improve our ability to collect health insurance from those who have health insurance coverage while we continue to forego co-payments.

The original intention, which remains, is for public patients to use the card to fill public prescriptions at selected participating private pharmacies. One hundred and seven thousand, three hundred and fifty-three (107,353) persons have already been registered and 99,183 cards have been produced.

BUSINESS DEVELOPMENT COMMITTEE

Recently, I appointed a Business Development Committee with membership drawn from the Ministry, Board Chairmen of RHA and senior officials of the region. The Committee is expected to do the following:

1. Conduct a benchmarking exercise to identify health care jurisdictions that have successfully implemented public/private initiatives;
2. Audit all health facilities to confirm the existence and the potential for public/private initiatives;
3. Develop a comprehensive list of acceptable public/private initiatives for consideration and approval;
4. Develop policy guidelines for the sharing and outsmarting of services such as diagnostic, physiotherapy and radiology to private enterprises.

Mr. Speaker, we cannot pursue sustainable financing of the health sector in a piecemeal fashion. We need to have the necessary policy framework in place and the requisite standards. This is what we are doing as we seek to continue the mandate of safeguarding the health sector of our nation.

Mr. Speaker, the last financial year was challenging for the health sector. I believe that we confronted those challenges admirably. We have completed refurbishing 47 health sectors because we believe that there can be no national development without good health. (Applause) We have spent more the $463 Million to extend services at the level of secondary care, because we believe that there can be no national development without good health. (Applause)

We expect to save about $1 Billion through responsible management of the health sector services and put more resources where they matter most because we believe that there can be no national development without good health. (Applause)

We have saved the Jamaican people over $4 Billion by the removal of user fees because we believe there can be no development without good health. (Applause)

Mr. Speaker, we are giving the poor a fighting chance, increasing their disposable income, making health care more accessible, strengthening health systems, moving services closer to communities and putting more health workers on the ground because we believe there can be no development without good health.

Mr. Speaker, in an era of constricted policy options, social policies must be part of the country's national development strategy. The underlying objective of the State's social policy should include nation building, social cohesion and social justice. Jamaica has a difficult journey ahead. We have reduced national policy space, restricted autonomy in public sector intervention and significantly reduced fiscal capacity.

Yet, we have been creative and innovative in advancing long and medium term social policies and high impact social interventions across sectors as part of the country's national development strategy.

The contributions from this side of the House in this year's debate will, and have shown that this government has demonstrated the courage, will and determination to expand and transform the social policy agenda of the country to achieve national development.

We, Mr. Speaker, are giving the Jamaican people a fighting chance to escape the trap of poverty and to achieve justice, liberty and

prosperity. (Applause) With God's guidance and the support of our people, we will not fail. (Applause)

It is with great pride and great privilege, pleasure that I - according to Member Pickersgill when he was there - would want to say, congratulation to all the agencies of the health sector. They have worked and worked well. And with God's guidance, next year we will do even better.

I thank you.

(Standing Ovation by Government Members/Applause)

The SPEAKER: Okay, thank you, Mr. Spencer. House Leader?

Mr. HOLNESS: Mr. Speaker...

(*Sotto voce* comments by Members)

The SPEAKER: (Gave1s) Okay, next item, House Leader.

REPORT - ELECTORAL COMMISSION

Mr. HOLNESS: Mr. Speaker on the 28th day of October 2008, the Report of the Electoral Commission of Jamaica dated October 1, 2008, was tabled in the House of Representatives. This Report recommended an all important change in the landscape of the electoral process by recommending the entrenchment of the Electoral Commission of Jamaica in the Constitution.

Mr. Speaker, this recommendation has been 28 years in the making as the Representation of the People Act that is the Interim Electoral Reform Act, the EAC Act of 1979 contemplated, not only the establishment of an Electoral Commission, which we eventually established the 1st of December 2006 by virtue of the Electoral Commission Act, but more importantly, the entrenchment of this Commission in the Constitution to accord it the same type of protection as that given to other Commissions, such as the public Service Commission or the Police Services Commission. This protection, Mr. Speaker, would mean that, any amendment to the role, function and general operation of the Commission would require at least a two-thirds majority vote of the Members of both Houses of Parliament in accordance with section 49 subsection (2) of the Constitution.

As a precursor to entrenchment, Mr. Speaker, the Commission has also recommended in its Report that certain aspects of the current legislation be amended and in particular, his recommended:

1. The widening of the advisory function of the Commission to allow it to give general advice to the Cabinet and statutory bodies on matters relating to the electoral process.

Essentially, Mr. Speaker, this will remove the electoral process from under the political direction of a Minister. Presently, technically the Leader of Government Business would be the Minister for electoral affairs. With this new amendment, recommended amendment the Electoral Commission of Jamaica could advise directly the Cabinet of the country without need to go through a Minister with responsibility for electoral affairs, which would increase the independence of the Electoral Commission of Jamaica.

2. It is recommended to reduce the membership of the Commission from nine members to eight (8) members.

I believe now, Mr. Speaker, effectively the Director of Elections is a Commissioner. This would change that, so you would only have Commissioners and a separate post as Director.

3. Benchmarking the post of Chairman to the Commission to that of a Senior Puisne Judge. So what would happen is that the salary and emoluments of the post of the Chairman to the Commission would be tied to that of a Senior Puisne Judge and would move accordingly, instead of having to be separately negotiated as it is now.
4. Giving authority to the Commission to approve remuneration for its staff, provided that these are in keeping with approved rates for comparable posts within the Public Service, and provided that any increase above the prescribed rate be approved by the Committee.

And that Committee of course, Mr. Speaker, is the Committee of Parliament that oversees the Commission.

5. Giving authority to the Commission to set rates for certain categories of personnel required for the registration of electors and for the conduct of elections.

These two last ones, Mr. Speaker, four and five, would add to the efficiency of the Electoral Commission of Jamaica in terms of remuneration for its staff and for scrutinizers and Election-Day workers.

These recommendations, Mr. Speaker, received unanimous support from the Commission and I therefore move that in keeping with the convention that this House has observed regarding Reports from the ECJ, that the amendments to the current legislation and any other consequential amendments, which may be necessary to bring into effect the entrenchment in the Constitution, and of course, Mr. Speaker, the incorporation of these amendments, as well as existing provisions in the Constitution of Jamaica be adopted.

The SPEAKER: Mr. Bunting.

Mr. BUNTING: Thank you, Mr. Speaker. Mr. Speaker, we are well aware of the time-honoured tradition which has served this country well, that Reports of the Commission which are signed by all Members, are supported by both sides of this Honourable House.

The Chairman of the Commission in a response to a columnist in one of the daily newspapers, made an important distinction, something which I think had confused some commentators and the public: that it is not that all Members of the House are obliged to support every recommendation because persons may genuinely disagree with one or the other, but that there is an obligation on the House Leader and the Leader of Opposition Business to ensure that they get sufficient support on either side of the House to ensure that the Bill goes through.

The Electoral Commission in its original Advisory Committee capacity and now as a Commission, has served this country very well and the importance or the need to entrench it in the Constitution has long been accepted by both sides and it is a move that we support entirely.

I would just comment on some of the amendments to the Interim Act which would of necessity need to be first made before we entrench the Electoral Commission in the Constitution. And. the one I particularly want to comment on is the removal of the Director of Elections as a member of the Commission because this might be - no reason was provided in the Report but just to inform the House of the thinking of the Commission.

The idea was, when it's constituted of nine (9) members, the ninth being the Director of Elections, Mr. Speaker. What that essentially allowed is that if the Commission was otherwise split four/four whether between selected members or nominated members or along any lines, it would essentially give the Director of Elections a casting vote and it was felt that this would not be desirable. Indeed, it might force him to seem to be coming down on one side or the other in such a divide. And it was felt that while he would attend all meetings and of course act as the executive of the Commission, that it was not necessary for him to continue to hold to be a member in his own right.

I want also, just in closing, Mr. Speaker, to commend the House Leader for starting to take some of these, most of these Reports in discussions outside. I understand that he has really intended to clean up some of the backlog because we really have, in some cases Reports going back three, four years and some that have fallen in the cracks altogether; and that we really need to bring up to speed to make the necessary amendments if we are to ensure that the next elections are held on the basis of the amended legislation whether it be Roper or the Constitution itself.

So with those few words, Mr. Speaker, we support the acceptance of the Report of the Electoral Commission.

The SPEAKER: Thank you, Mr. Bunting.

Dr. Duncan.

Dr. DUNCAN: Yes, Mr. Speaker, I rise briefly to note that it has taken us 32 years since the inception of the Electoral Advisory Committee to get to this phase. I'd recommend that our young people, mostly in this case our students, if they are anywhere a part of these proceedings today either through the television or otherwise, to spend some time on reflecting on this process which has taken us from the turbulent days of the 1970s and the work done by the parliamentarians at that time, in particular the then PRIME MINISTER MICHAEL MANLEY and the then LEADER OF THE OPPOSITION EDWARD SEAGA, in ensuring that this road which was difficult to travel has been travelled and at this time we can record that that task is now complete.

(Applause)

As an early Member of the Advisory Committee I can well remember the difficult challenges faced by the first chairman, MR. GLADSTONE MILLS, who played a critical role in designing and promoting the traditions which were to become the norm in this process. And I would like to just record and pay tribute to his initial role, which includes the roles of all the other chairmen and members of the Advisory Committee and the Commission itself, but in particular GLADSTONE MILLS for his role which was a revolutionary one in terms of the ability to get contending and contentious factions to work together in those early days to hone the path to where we are today.

I understand the reasons given for the Director of Elections being not one of the commissioners, but I would assume, therefore, that with an even number on the committee, the chairman would have a casting vote and, therefore, we would hope that that chairman and others to follow would follow in the tradition of GLADSTONE MILLS in seeking consensus to the very end.

I rise, therefore, to support the motion and to pay tribute to the Founding Fathers who

allowed this process to begin and to be completed.

The SPEAKER: Thank you Dr. Duncan.

Members the Resolution before you is on - sorry.

Mr. HOLNESS: Mr. Speaker, I want to thank those Members who have contributed to the debate and I want to endorse the position taken by the Member from Hanover of the importance of this move. It will certainly add to the independence but more so, to the establishment in a permanent way the Electoral Commission of Jamaica. It is important to note that the amendments being sought are not for deeply entrenching but entrenching with two-thirds majority of both Houses.

In the Electoral Commission (Interim) Act it speaks to entrenching using section 49(3) of the Constitution which would necessitate a referendum. That is something that will have to be corrected. Indeed, Mr. Speaker, we may have to ask the Electoral Commission to bring to the House a new Report seeking to amend that.

In the interim, Mr. Speaker, we will proceed, it will take anywhere from nine to 15 months to have this done. So proceeding apace will be my mission to ensure that this is done.

Mr. Speaker, there are several Reports to be brought to the House, certainly I know Members would be eagerly awaiting the Report on party financing and that will come, by October we should have that Report tabled and passed so we can start the process of making the amendments to effect those changes.

So, Mr. Speaker, with those responses I recommend the acceptance of the Report to the House.

The SPEAKER: Members, the Resolution before you is on Order Paper No. 3 of Government Business for the adoption.

Motion put to the House and agreed to.

The SPEAKER: The Resolution that the Report of the Electoral Commission of Jamaica be adopted is passed.

Thanks.

House Leader.

Mr. HOLNESS: Mr. Speaker, I have a matter of housekeeping before me. I therefore, Mr. Speaker, ask for the recommend of the item 'Notices of Motions Given Orally' and we would then, Mr. Speaker, have to return to Public Business as well.

The SPEAKER: Members, the motion before you is for the recommittal of the item 'Notices of Motions Given Orally.'

Motion put to the House and agreed to.

NOTICES OF MOTION GIVEN ORALLY (RECOMMITTAL)

The SPEAKER: House Leader.

DISCLOSURE/EXEMPTION

Mr. HOLNESS: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Whereas subsection (1)(g)(i) of section 41 of the Constitution of Jamaica requires a Member of this Honourable House of Representatives to vacate his seat if any firm in which he is a partner or any company of which he is a director or a manager becomes a party to any contract with the Government of Jamaica for or on account of the public service or if he becomes a partner in a firm or a director or a manager of a company

which is a party to any such contract;

Whereas the Member of Parliament for Manchester Central is a director of Proven Wealth Limited formerly Guardian Asset Management Jamaica Limited which may, from time to time deal in securities issued or guaranteed by or provide financial services pursuant to contracts with the Government of Jamaica and other public sector entities and is also a director of Industrial Chemical Company Jamaica Limited which manufactures and sells salt, sulphuric acid, aluminum sulphate and detergent and may, from time to time contract with the Government of Jamaica and other public sector entities;

And whereas the Member has disclosed nature of such contracts and interest of the company of which he is a director:

Be it Resolved that this motion be referred to the Ethics Committee for consideration and Report.

Mr. Speaker, I further beg to give notice that at a later stage today I will move for the suspension of Standing Orders to enable me to take this motion of which I gave notice.

PUBLIC BUSINESS

Mr. HOLNESS: Mr. Speaker, I now move for the suspension of Standing Orders to enable me to take the motion notice of which I gave earlier.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the Member to take the motion notice of which was given earlier.

Motion put to the House and agreed to.

Mr. HOLNESS: Mr. Speaker, I now move that the motion be approved.

The SPEAKER: Members, the motion before you is as stated by the House Leader.

Motion put to the House and agreed to.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today.

Mr. BUCHANAN: Mr. Speaker...

The SPEAKER: Yes. Go ahead, finish.

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. I therefore move that the House do adjourn to a date to be fixed.

The SPEAKER: Yes Mr. Buchanan.

Mr. BUCHANAN: Mr. Speaker, I rise on this motion.

The SPEAKER: You have a problem Mr. Buchanan. You were out of the House, and during the interim I sought to discuss the matter with the House Leader but he brought to my attention 11(2) of the Standing Orders which reads as follows:

> "*A Member who wishes to ask leave to move the adjournment of the House shall before the commencement of the sitting hand to the Speaker a written notification of the matter which he wishes to bring."*

And I'm sorry that you did not speak to me before but what the Standing Orders is asking for is a written notification.

Mr. JACKSON: If I may, Mr. Speaker, my understanding - just for clarification - my understanding is that what we have here in the Standing Orders provides for the guidance, but there are certain discretion that are reposed in your office, in your seat. Well, in light of the fact, Mr. Speaker, that you have indicated, you

have indicated that the Member had dutifully...

The SPEAKER: He did speak to me.

Mr. JACKSON: ...sought your - advised you and sought your direction, and you guided him, and he acted upon the guidance provided by you.

The SPEAKER: No, no, no! With due respect, Mr. Jackson, when the Member spoke with me I told him that I would have a discussion with the House Leader and with the relevant Minister, and I would get back to him. When I brought it up with the House Leader, he pointed out to me - which I must admit I did not tell the Member - I did not recall that a written confirmation is necessary - a written notification is necessary before the commencement of the sitting, and, therefore, in those circumstances it would be a breach of the Standing Orders.

Mr. BUCHANAN: Mr. Speaker, respectfully, if I may. Had you indicated to me such, I could have given you this then.

The SPEAKER: I accept that, Mr. Buchanan, but we have a problem.

Mr. HOLNESS: Mr. Speaker...

(Cross talk)

Mr. KELLIER: Mr. Speaker, in all the circumstances that have evolved in this matter, I think that notwithstanding the - 11 in the Standing Orders here on page 12, I think that the House Leader would be charitable enough, notwithstanding, to entertain...

Government MEMBER: You want charity?

Mr. KELLIER: ...the resolution - the Member's point, notwithstanding the stipulation of the Standing Orders.

(Cross talk)

So I urge you. Mr. Speaker, to...

(Heckling)

I urge the Member - the Leader of the House to consider...

The SPEAKER: The...

Mr. KELLER: ...based on the circumstances that evolved.

Mr. HOLNESS: With regard to what the Leader of Opposition Business has raised, when you brought the matter to my attention, Mr. Speaker, the contemplation of having a debate over an issue which is already on the Order Paper, already down as a motion for debate, would not be necessarily of an import for contemplation.

What I would say, Mr. Speaker, is that I could assure the Member that the motion that he has raised, I had discussion with the Minister of Transport and Works, and the Minister is willing to take the motion...

Mr. HENRY: Completely and in-depth.

Mr. HOLNESS: And I would go as far as to say into the records, that we could have that debate on - Minister, the 4th?

Government MEMBER: As soon as possible.

Mr. HOLNESS: It could be, Mr. Speaker, on the resumption of the House.

Mr. BUCHANAN: Mr. Speaker, is it because it is the JDIP Programme why they are so defensive and don't want to hear from me? What is there to hide?

(Cross talk)

The SPEAKER: No. One second. Mr. Buchanan, no, no. Members! Members! Members, the Member from Western Westmoreland raised an issue of the...

Mr. BUCHANAN: Eastern Westmoreland.

The SPEAKER: Eastern Westmoreland - of the road programme. The matter - Members, please. The matter is of great

concern to all Members of Parliament. As I discussed with the House Leader, the matter is about the expenditure on roads, but the Member has brought a substantive motion, which the House Leader said will be debated hopefully before the end of this month. And we are hoping that it will be done so that all the issues can be raised as soon as possible. And in those circumstances, Mr. Buchanan, you have the House Leader's guarantee that it will be done and all the issues can be raised.

Mr. BUCHANAN: On which date - respectfully, Speaker, could the House Leader indicate a specific date.

Government MEMBERS: No! No! No!

Mr. BUCHANAN: Because I am being called - Mr. Speaker, I am being called about a signing in the parish of Westmoreland to which I was not consulted, the Member from Central Westmoreland was not consulted, the Member from Western Westmoreland was not consulted, we have had no input in the programme. And before the programme goes further, there is need for a debate in the House!

(Heckling)

Mr. E. SMITH: You don't even know when to talk!

The SPEAKER: Okay.

Mr. HOLNESS: Mr. Speaker...

Mr. E. SMITH: You don't even know when to talk!

The SPEAKER: Mr. Ernie Smith please, please!

Mr. HOLNESS: If we could bring the matter to a resolution, Mr. Speaker. We have just adjourned the House to a date to be fixed. A Member from St. Catherine South East...

The SPEAKER: Also has a motion.

Mr. HOLNESS: ...also has a motion on the same issue.

(Cross talk)

We are - the Members on this side, and the Minister with responsibility for the matters raised in those motions...

The SPEAKER: So it's the next...

Mr. HOLNESS: ...is prepared to address it when the House resumes, Mr. Speaker...

The SPEAKER: It's the next sitting.

Mr. HOLNESS: When the House resumes we will ensure that those two motions are taken. So I would say to those Members, Mr. Speaker, be ready.

Mr. BUCHANAN: At the next sitting.

The SPEAKER: At the next sitting. Very well.

The motion before the House is that this Honourable House do adjourn to a date to be fixed.

Put to the House and agreed to.

The SPEAKER: This Honourable House stands adjourned.

The House was adjourned at 4:46 p.m. to a date to be fixed.

TUESDAY, October 5, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2:18 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Planning and Development and Defence.

DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Trade.

AUDLEY FITZ ALBERT SHAW, (JLP), Manchester, North Eastern, Minister of Finance and the Public Service.

KARL GEORGE SAMUDA, CD, (JLP), St. Andrew, North Central, Minister of Industry and Commerce.

DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing.

PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security.

OLIVIA ATAVIA GRANGE, (JLP), St. Catherine, Central, Minister of Youth, Culture, Sports and Culture.

LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works.

EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture.

JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland Western, Minister without Portfolio in the Office of the Prime Minister with responsibility for Information and Telecommunication.

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

LAURENCE GEORGE BRODERICK, (JLP), Clarendon, Northern, Minister of State in the Ministry of Mining, Energy and Telecommunications.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central.

MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western.

DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern.

THE MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition.

MR. DERRICK CHARLES SMITH, CD, (JLP), St. Andrew, North Western.

MR. ERNEST AUGUSTUS SMITH, (JLP), St. Ann, South Western.

MR. KERN O'MAR SPENCER, (PNP), St. Elizabeth, North Eastern.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

Mr. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern.

PRAYERS

Prayers were offered by Reverend Ronald Thwaites.

The Honourable House of Representatives resumed its sitting at 2:18 p.m.

The SPEAKER: (Gavels) Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKER: Members, this evening we would like to acknowledge the presence of students in the Advanced Social Studies from the Teachers' Colleges of Jamaica, from the following institutions: Bethlehem Teachers' College, Moneague Teachers' College, the College of Agriculture, Science and Education, St. Joseph's Teachers' College, Shortwood Teachers' College. Welcome to the sitting of the Parliament this evening. (Applause)

Please all members - we welcome other members in the Gallery. But could you please check on your cellphones and make sure they are either on vibrate, preferably on off, so that you do not disturb the sitting of Parliament. But please enjoy the sitting this afternoon.

Mr. HOLNESS: Mr. Speaker, before you proceed with the formal business of the House, I want to crave your indulgence, Mr. Speaker.

WORLD TEACHERS' DAY

Today is World Teachers' Day. And as you have mentioned the students from the teachers' colleges, I would want to take the time of Parliament, to acknowledge our teachers in Jamaica and all our teachers in the world.

The theme is - for World Teachers' Day, the theme is, "**Recovery Starts with the Teacher**". And Jamaica, Mr. Speaker, is on the road of recovery, and our teachers play a critical role in the recovery of not just the economy, but the society and we want to acknowledge our teachers for the role that they play.

The SPEAKER: Thank you, House Leader.

Mr. Kellier.

Mr. KELLIER: Mr. Speaker, the Opposition would want to ditto the sentiments expressed by the House Leader, and to say clearly that we do, on this side, and as all Members of this House, certainly appreciate the work being done by our teachers over the many years. And the fact that we are marking the day today is really very important, and that we have visitors in the Gallery who are part of the upcoming part of the profession.

We would just like to say, however, though, Mr. Speaker, that earlier on in the year we had a day also marked as Teachers' Day, and I know a lot of the Members of this House

did show some appreciation to the teachers on that occasion right across the island. And what we may need to look at in the future is not just to wait until these days appear on the calendar, but to take a more proactive role in ensuring that our teachers are properly treated and that they are properly paid.

I want to join the House Leader in his comments on Teachers' Day.

Thank you.

The SPEAKER: Thank you, Mr. Kellier.

And for the teachers or the future teachers in the Gallery, there are many Members sitting here in the Chamber who have been teachers for the better part of their lives. And I hope you will also benefit from your career as teachers.

(HON. KARL GEORGE SAMUDA, CD, (JLP), St. Andrew, North Central, Minister of Industry, Commerce and Investment, entered and took his seat.)

(HON. DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing, entered and took his seat.)

(HON. JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy, entered and took his seat.)

(HON. NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security, and Deputy Leader, entered and took his seat.)

(DR. ST. AUBYN BARTLETT (JLP), St. Andrew, Eastern, entered and took his seat.)

(DR. KENNETH WYKEHAM MCNEILL, (PNP), Westmoreland, Western, entered and took his seat.)

(MRS. NATALIE GAYE NEITA-HEADLEY, (PNP), St. Catherine, East Central, entered and took her seat.)

(DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central, entered and took his seat.)

(MR. DERRICK CHARLES SMITH, CD, (JLP), St. Andrew, North Western, entered and took his seat.)

(MR. KERN O'MAR SPENCER, (PNP), St. Elizabeth, North Eastern, entered and took his seat.)

STATEMENTS BY MINISTERS

Mr. HOLNESS: Mr. Speaker, the Prime Minister will make a statement to the House.

The SPEAKER: Very well.

The PRIME MINISTER: Mr. Speaker...

The SPEAKER: Prime Minister.

POST NICOLE DAMAGE/DISRUPTION

The PRIME MINISTER: Mr. Speaker, torrential rains and other adverse weather conditions associated with Tropical Depression Number 16, which later became Tropical Storm Nicole, impacted the island of Jamaica from the 26th to the 29th of September.

The event produced bands of showers and thunderstorms over most of the island, but more so, to the southern, south eastern and western sections of the island. The tropical system resulted in as much as 20 inches of rain in some parts of the island during this four-day period. The event has so far left 13 persons confirmed dead, and two others missing.

The House will wish to extend our profound sympathies to the families of the victims. The Government will be assisting with funeral expenses where necessary.

Approximately 211 communities have been adversely impacted. Some remain surrounded by water, while others are marooned due to road access challenges.

Welfare and relief operations to affected and marooned communities have proceeded in earnest, and food packages have been airlifted to communities in St. Thomas, St. Catherine and St. Andrew. Food packages have also been distributed in the parishes of St. Elizabeth and Westmoreland. Boats were dispatched to transport food and to evacuate persons in communities marooned by flood waters in the Pedro River community in St. Ann, and the Chigwell/Forest areas of Hanover. Welfare assessments are ongoing and relief operations continue.

At peak, over 400 persons were sheltered in 24 shelters in seven parishes islandwide. As of today, there are 114 persons still in six shelters in St. Andrew and St. Elizabeth. The number is expected to decline as community access is restored and water levels recede. It is estimated that approximately 170 houses were extensively damaged or destroyed.

Preliminary assessment carried out by the Ministry of Transport and Works and the Department of Local Government, indicate that the damage to the road network, drainage systems, river protection and associated infrastructure will require $10.6 Billion to restore. This includes approximately $1.7 Million to effect clearance and immediate works to roads that are blocked or have collapsed, as well as structures that pose a danger to life and property.

The Ministry of Agriculture and Fisheries, through RADA, has estimated damage to farm roads at $500 Million, and loss of crop and livestock at $500 Million. Damage to schools islandwide is estimated at $100 Million, and damage to health facilities at $98.5 Million.

While tourist arrivals during the period were not adversely affected, significant damage was done to beaches and buildings in well, which is estimated at over US$1 Million.

The Jamaica Public Service Company experienced significant disruption in its distribution system, and as much as 200,000 of its customers were at one stage without power supply. Most of this has now been restored. Indeed, JPSCo. advises that 99 per cent of their customers are now receiving power. But there remain several communities, small communities, in remote areas, where it will take some time before power is restored because work crews have not been able to gain access to carry out the necessary repairs, or because the extent of the damage is so significant that repairs will take some time.

Several of the 460 water supply systems islandwide were disrupted for a variety of reasons, including loss of electricity, flooding, turbidity, and damaged pipelines. Approximately 85 per cent of these systems have been restored and work is proceeding on the remainder. The National Water Commission estimates the damage to its systems and installations at $270 Million.

The critical response agencies, ODPEM, NWA, the Local Authorities, Security Forces, Fire Services, Health Services, the NWC, and JPSCo have been working tirelessly to restore and maintain vital services during this challenging period.

I commend the work of the dedicated men and women in all of these agencies... (Applause) ...for the work that they have done. The voluntary agencies have also been active in providing relief to those in distress, and we

extend to them our profound appreciation.

The cost to repair the damage and provide assistance to those severely dislocated will impact significantly the country's delicate fiscal situation Instructions have been given for the emergency works to clear blocked roads and restore access to marooned communities to continue. The estimates presented are preliminary. More detailed assessment is being carried out to determine more precisely both the cost to repair the damage as well as the medium to long-term impact on the economy.

The Minister of Finance will brief the International Monetary Fund in Washington on Thursday, on the level of damage we have sustained and the impact it is likely to have on our local programme. These discussions will determine the extent to which the programme will be adjusted to take account of the expenditure that must be undertaken as a matter of urgency, to effect repairs and reconstruction.

The Minister will also seek to determine the extent to which additional funds can be secured from our other multilateral partners, or programme funds reallocated to help in meeting these unplanned expenditures.

Many of the roads that must be attended to were included in the JDIP programme, and Minister Shaw's discussions will include the need to bring forward as many of these roads as can be accommodated within the additional fiscal space that is being sought.

Might I just add, Mr. Speaker, that while we are working hard to recover from the impact of the flood, we must brace ourselves for the possibility of more rain, because there is a significant low level trough which, up until One o'clock this morning, was headed directly towards Jamaica. There has been some slight movement to the north-west in the last 12 hours, and we are hopeful that that movement will continue. But there is another system coming behind it, that is on the basis of the current trajectory likely to pass south of the island. So that we could very well find ourselves sandwiched between both systems and it is likely that we will have significant rainfall commencing, I am advised by the met office, as early possibly as tomorrow evening, but certainly towards the end of the week.

(HON. ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister, entered and took his seat.)

And I want to make a special appeal to those persons who live in flood-prone areas, to be particularly vigilant and to seek at the earliest sign, to seek to secure themselves and their families by moving to higher ground.

I am particularly concerned as well about those residents in areas where we have rising waters, Chigwell, New Forest Lands, I believe is the name of the place. Pedro River is an area of concern. The situation in New Market where water is also rising is also a matter of concern. The Moneague lake is rising but up to the last report I got, hadn't yet reached the stage where it was threatening any of the residents there, but if we are anticipating further rains, it's important that all of us who live in areas that could potentially be flooded, take every precaution so that we don't encounter avoidable loss of life.

And I make a special appeal as I did last week, to families to take special care of their children and those persons who are infirmed and cannot protect themselves.

I thank you, Mr. Speaker.

(Applause)

The SPEAKER: Thank you Prime Minister.

Now, I am aware that virtually all of us would have questions of the Prime Minister, certainly the Speaker from North East St. Andrew has many questions. But can I ask Members to be restrained in their questions. Rather the going into specific situations make it general positions rather than asking about when their roads or gullies in their specific constituency will be dealt it. These are matters which I beg Members to take up with the Minister of Transport and Works.

Dr Omar Davies then Miss Lisa Hanna.

Dr. DAVIES: Thank you very much, Mr. Speaker.

Mr. Prime Minister, your Statement mentions an estimate of $1.7 Billion for the emergency work. Question, I have about three questions. You should indicate whether I can pose them together. The question is, has Cabinet approved the go-ahead for the $1.7 Billion and if yes, how will that be funded? Is that reallocation, how will that be funded?

(MOST HON. PORTIA LUCRETIA SIMPSON MILLER, (PNP), St. Andrew, South Western, Opposition Leader, entered and took her seat.)

The second one, the Statement makes reference to the fact that the Minister of Finance is in discussions with the IMF about changing the fiscal programme. Translation is, expand the deficit. Is he in a position to indicate by what size, how much more?

The third is that I do not know whether the Prime Minister is aware of the proposal from the Opposition indicating the use of the first year of the funds allocated for the JDIP to address these emergency issues. Is that proposal one which needs the endorsement of the IMF, or is this outside of an IMF programme?

The PRIME MINISTER: No, Cabinet has not given any specific approval. What I did do yesterday is that I instructed the, through the Minister of Finance, the Financial Secretary to meet with the Permanent Secretary in the Ministry of Transport and Works and the Director General in the Department of Local Government, as well as the Permanent Secretary in the Ministry of Agriculture, and to make arrangements for them to continue the work that they have been doing.

One point Seven Billion, even though that will only deal with the emergency clearance and critically necessary repairs, it's still a huge chunk; and we would not want to take any decision on that until the Minister of Finance is able to advise us on his talks in Washington. He is not going to Washington especially for this purpose. As you probably know, it was the regular scheduled meeting of the IMF, but he will use the opportunity to have discussions with them. I think it is important to get some parameters agreed before Cabinet could give specific instructions.

On the other issue of the level of fiscal expansion, no, I can't say that at this stage. That is subject to the discussions that the Minister of Finance will be having.

And thirdly, the JDIP programme has flexibility. One of the good things about the programme is that it's the only programme that I can recall that doesn't differentiate between main roads and parochial roads and farm roads and so on. It's very flexible. And I don't think that the IMF is concerned about how the funds are utilized in

terms of fixing roads. I think the real issue that the IMF would be concerned about is the amount of money to be spent in a particular area and what impact that would have on the fiscal programme.

The Minister of Transport and Works is currently doing a review of those roads that had been scheduled for this year and those that had been identified preliminarily for next year, and he is cross-referencing that with the emergency works that need to be done to see where they coincide and to see to what extent we can bring forward as much of that as possible, to help to address the immediate problems that we have. That, however, as you will appreciate, will ultimately depend upon how much fiscal space can be secured to accommodate that level of expenditure.

The SPEAKER: Dr. Davies.

Dr. DAVIES: Prime Minister, in terms of the questions re the endorsement for the IMF, I am quite aware - I wasn't raising the question of main roads *versus* agricultural roads. To the best of my knowledge the JDIP programme was not explicitly built into the IMF agreement; and it's a unique programme in that it's being - we are not asking anything of them. Subject to the appropriate amount being released from the Ministry of Finance to the RMF, it's a fully funded programme in terms of our repayments. Do we need the IMF endorsement for us to address the problems starting with the JDIP, do we need them to sign off on this change to the JDIP programme?

The PRIME MINISTER: While it may be true to say the JDIP programme was not built into the IMF programme, it was approved and authorized with the agreement of the IMF. The issue, as I have said before, is going to be how much we are going to expand the budget and by expanding the budget how much we are going to expand the deficit in order to accommodate the programme. The programme was initially planned over a four-year period. Because of the fiscal parameters that are set out in the medium term programme, we have to in fact spread it out over five (5) years, not because we couldn't spend the money but we couldn't accommodate it within a four-year period. So all of that is really dependent on how much latitude we can secure. The initial signals we have got from Washington is that they recognise that adjustments have to be made to respond to the present situation.

The extent of the adjustment is what I can't speak definitively to until the Minister has had his discussions, and hopefully by the end of the week we will have some indication. By next week we would then be able to go to Cabinet with some specific decisions that we would seek from Cabinet so that the Ministry, particularly the Ministry of Transport and Works and the local authorities, because they are the frontline agencies, that they would then be able to have a firm idea as to how they are going to proceed to address the problems that are there.

(HON. LAURENCE GEORGE BRODERICK (JLP), Clarendon, Northern, Minister of State in the Ministry of Mining, Energy and Telecommunications, entered and took his seat.)

The SPEAKER: Miss Lisa Hanna.

Miss HANNA: Thank you, Mr. Speaker. Prime Minister you would be aware that the Pedro community is in my constituency...

The PRIME MINISTER: I am sorry?

Miss HANNA: You would perhaps be aware that the Pedro River community is in my constituency. The waters rose to about 20 feet; they have now receded to about 17.5. One of the issues, however, is that a number of pit latrines were covered and are still under water in this area. I am not clear on what role the Ministry of Health will be playing in ensuring that we somehow cauterize the spread of any viral or bacterial diseases and what kind of input they will give to communities such as Pedro and others which are under water; water will be stagnated, not only for the outbreak of mosquitoes, but certainly in the outbreak of other issues that could take place. It is a serious issue, Prime Minister, and I would like you to speak to it. Thank you.

The PRIME MINISTER: Mr. Speaker, it's a matter that we are very concerned about. As a matter of fact we already have reports of outbreak of ring worms in a section of St. Elizabeth. We are very concerned, as you say, where pit latrines or even ordinary underground pits have been flooded and therefore have leached into waterways and into surface water and the impact that that could have.

(MR. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern, entered and took his seat.)

There is also a need that has been pointed out by the local authorities, to address the increase in mosquito infestation, particularly with the possibility of dengue. We have been provided with an emergency grant through the European Union, and l have directed that those funds should be made available to the Ministry of Health so they can accelerate their response to deal with this problem. And I hope that the Minister of Health - who is not paying much attention to the chair - I hope that...

Mr. KELLER: (*Sotto voce* comment)

The PRIME MINISTER: We can forgive him for that. I hope that the Minister of Health has taken note of the concern expressed by the Member for South East St. Ann, in relation to the possibility of an outbreak of disease, because the pit latrines in the Pedro river are now inundated and, therefore in the funds that are being made available to you through the EC grant, I expect that you will properly address the concerns of the Member.

Mr. SPENCER: I am well informed.

(HON. DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Foreign Trade, entered and took his seat.)

(DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture, entered and took his seat.)

The SPEAKER: Dr. Peter Phillips.

Dr. PHILLIPS: Thank you, Mr. Speaker.

Prime Minister, two questions. First, in relation to the definition of "emergency work" that is to be undertaken, you may be aware that there are a number of communities particularly, I am referring now to the Corporate Area where the damage to some of the infrastructure causes an immediate threat to some dwellings and some communities. Is the definition of emergency work to be undertaken, does it include addressing in the near term these particular infrastructural problems especially in light of the likelihood of rain in the next couple of days, which might

mean that some things that are now threatened are likely to become part of the damage for later on.

Secondly, what type of organizational arrangements are being put in place, if any that would allow citizens or others in these threatened communities or threatened circumstances to be able to get access to either relief or to bring directly to the attention of some small group in relation to these issues. Part of the problem may be that in some of these communities they have to go to a number of entities where it might help if there was a one-stop designated centre where some of these problems could be addressed?

On the latter question, the agency that is the first port of call, so to speak, is ODPEM. And ODPEM does collate information and then transmit that to the various agencies. And I think they have a pretty efficient system for doing so, and I don't think we need to create anything special at this time.

On the first question, in the statement that I made, I indicated - and I will just read that sentence again:

> "*Of the $10.6 Billion which is the preliminary estimate, this includes approximately $1.7 Billion to effect clearance and immediate works to roads that are blocked or have collapsed as well as structures that pose a danger to 1ife and properties*."

So, where you are talking about walls that could collapse, where we are talking about gully banks where houses are in danger, we consider that to be emergency, and that is included in the $1.7.

The kind of work that may be carried out within that $1.7 may not be permanent work, but it would be work to ensure that we secure those structures so that there is no threat to life and to property.

Dr. PHILLIPS: Just one follow-up question.

The SPEAKER: Yes, Dr. Phillips.

Dr. PHILLIPS: Is it - well, would it be possible, or is there a plan to make available publicly, the information of where that emergency work is going to take place in the event that some things may be missed that pose that kind of threat that we would need to bring to attention?

The PRIME MINISTER: Yes, and I would certainly commend that to the Minister of Transport and Works within whose remit most of that is going to be done. And can I just say to the Member, in addition, that we would certainly depend on Members, who I know would be very responsive, particularly at a time like now, to help to bring to attention any of those particular cases. The Leader of the Opposition and l spoke last week, and she has assured me that the Opposition is collating information which would be provided to us, to also help us to ensure that areas of urgent need are addressed as quickly as possible.

The SPEAKER: Mrs. Portia Simpson Miller.

Mrs. SIMPSON MILLER: Thank you very much.

Permit me, Speaker, I wasn't here when the PM spoke, but I got the statement he made to express sympathies to members of the families who have lost their loved ones.

A MEMBER: Very well.

Mrs. SIMPSON MILLER: Prime Minister, Dean and - I think it was Gilbert and Dean - a National Reconstruction Committee was established, I believe, to see to the reconstruction of what took place. And 1

would like to ask, Prime Minister, whether you intend to - with no disrespect to all the agencies and ministries - but, so that you ensure that for every dollar, it will be well-spent and no one will be able to cry victimization, whether you will establish a national committee that will be engaged in the process of the reconstruction that is to take place?

Miss HANNA: Hear, hear!

THE PRIME MINISTER: Mr. Speaker, it is something that we certainly could consider. There is a difference, of course, between the recent experience and that of Gilbert or Dean. There was much more dislocation at that time, far more damage to people's homes, and so on. On this occasion, the greatest part of the damage - the bulk of the damage really, is to our infrastructure so that it perhaps require a different kind of treatment. But, that is not to say that the proposal you have made ought not to be considered, and I will certainly speak with you about that.

The SPEAKER: Dr. Duncan. Sorry, a follow-up question... oh sorry… Dr. Duncan.

Dr. DUNCAN: Thank you, Mr. Speaker.

You have given an estimate of $10.6 Billion, and I know it is a preliminary estimate, but does this estimate include figures from the Parish Councils across Jamaica?

(*Sotto voce* comment by the Prime Minister)

I ask that because up to Sunday, at least in parts of Hanover, we were still looking, with some of the officers, into late Sunday evening, at some of the damages that were there. I didn't see - and I don't know if that could have come in time for your examination at Cabinet on Monday. But you say you have the figures, but just to - because these figures, if those have not been taken into account, these figures could be considerably larger than what you have spent there. l know it is preliminary, but definitely, in eastern Hanover, we were - the officers were very responsive, both at the Parish Council and at the NWA level, but I am wondering if you have all the figures.

Secondly, I would like to make a special appeal as you have noted yourself, for the rising waters in the Chigwell, Forest, Pierces Village, Old Pen area. The Minster of Health will have a special responsibility there, to assist in relation to preventing any outbreak, in relation to the mosquitoes that are expected.

And I don't know if your person in your - in the Office of the Prime Minister responsible for special projects, I am wondering if he could - if you could instruct him to get a boat for the residents. They need - four communities are locked under water and can't move except by bamboo raft at this moment. And a boat which will not capsize and cause problems would be extremely helpful in the area.

And finally, there are a number of small areas of - where there are retaining walls that have broken away, or areas that might need - not a lot of expenditure for retaining walls, but need expenditure quickly to stop major damages. Could you consider what could we do in relation to accessing funds? Can we do that through the CDF, and get that quickly, in order that small contractors could get to work immediately - probably after the next two days rain, to really reinforce those things, because there are hundreds of that in one constituency. And I know it will be so right across the island. Just a question I am asking.

The PRIME MINISTER: Mr. Speaker, insofar as the immediate works are concerned, those, of course, will be carried out, in terms of what is considered to be the most threatening, and the most necessary, particular for access, and as l said, to prevent any loss of life and property. I had hoped - let me use my words carefully - I had hoped to have been able to indicate to Members today that we would be allowing an emergency allocation from the CDF to help Members to address some of the kind of problems that you have mentioned. The reason why I haven't been able to...

(*Sotto voce* comment by Dr. Davies)

The PRIME MINISTER: You know, you are a provocateur, you know, because you understand. (Dr. Davies laughs) And you must stop pretending that you don't understand.

(*Sotto voce* comments by Dr. Davies)

But, I haven't got the confirmation from the Ministry of Finance, but it is certainly something that we are working towards.

On the issue of the boat, the information I have - and I will be surprised if it is wrong - is that we dispatched a boat to Chigwell, a boat. We dispatched six to Pedro River, one to Chigwell, but the officers reported to me that they were not able to evacuate anybody because nobody wanted to leave their homes. And therefore, the boats have been used to try to ferry food supplies, and to take those out who need to get out, not because they are leaving their homes but because they want to go and do business.

Dr. DUNCAN: In the case of Chigwell, which I have described as a vast area which is under water - acres of water. It's a special area. In 1979... it's an area where you get rising water from time to time, even without the major flooding. What they need is transport to and from. They are not going to evacuate, as such. The children go to school. They have to come out to a spot where they can then take another transportation to go where they want to go. Those waters are unlikely to recede for another two months.

(*Sotto voce* comment by the Prime Minister)

Still rising in Chigwell.

The PRIME MINISTER: All right, Mr. Speaker. What I understand the Member to be saying, they need transportation. And I will try to see if we can get some facilities there.

The SPEAKER: You had a follow-up question, Mrs. Simpson Miller?

Mrs. SIMPSON MILLER: Yes. PM, you will receive our list as soon as we are able to get... but, there are difficulties in terms of... there's a difficulty in terms of some of the people who are still on the ground getting all their information because they are still touring and dealing with the people that assess the nature of the damage done.

And l appreciate that we are operating in a very tight fiscal situation, and that the infrastructures in a number of areas were badly affected. But, I would like to make a plea, in terms of social housing, because a number of persons who are presently suffering. They are not going to the shelters but, trust me Prime Minister, a number of them, where they are now is not fit for human habitation.

For houses, I have met upon people watts children who are crippled, or husband can't move and there is no way - and most of the tarpaulins being given by ODPEM anyhow, cannot cover a - can only cover perhaps a size - certain size settee. So, I would really like to

suggest - and I understand the serious financial implications, but there are a number of persons right now who are still in water, and who are suffering as a result of the flooding of their houses, because those houses, they were not good anyhow to stand up to any kind of disaster. And I hope that you are looking at some kind of assistance in terms of social housing. Thank you.

A MEMBER: Hear, hear!

The PRIME MINISTER: I can't speak - I can't comment because, as I said before, so much depends on how much room you will be allowed to respond. We have been providing some amount of relief for persons whose houses have been damaged. We have been providing food supplies. We have tried to focus those, firstly on areas that are completely isolated and therefore, they can't get out.

And then secondly, on areas where, even if they are not isolated, the conditions that have been exacerbated by the floods put them in particular need. I will speak with the Office of Disaster and Emergency Management tomorrow just to see - because they are doing this through their parish committees. And what I would ask is that if there are particular cases that may have been overlooked, if they could be brought to attention.

I had omitted, Mr. Speaker, to respond to a question that the Member for Eastern Hanover had raised. The estimates that we have - first of all, the estimates from the Department of Local Government were submitted to me yesterday morning. As I indicated, these are preliminary, and I am sure that when all the information is in, the figures will change. I am hoping and praying that some of the figures that they sent me, when they do more detailed work, will prove to have...

(*Sotto voce* comment)

The PRIME MINISTER: Thank you very much. ...will prove to have been exaggerated, so that we can make some adjustments. But, the figures I have indicate that for parochial roads, the cost to reopen is estimated at $600 Million, and the cost for repairs and restoration is estimated at $2.4 Billion. So, it is a total of $3 Billion of the $10.6 Billion; three Billion for parish council roads.

The SPEAKER: Okay, last two interventions...

(*Sotto voce* comments by Dr. Duncan)

The PRIME MINISTER: No, $2.4 Million for parish council roads.

Dr. DUNCAN: For parish council alone?

The PRIME MINISTER: Yes, alone. I can give you the figures: For parish council to restore, $2.4 Billion; for main roads - NWC roads - NWA roads, $6.5 Billion. And the cost to re-open is, for main roads, $1.1 Million, and for parochial roads, $600 Million.

(*Sotto voce* comment by Dr. Duncan)

The PRIME MINISTER: I don't have that here although the figures do exist, but I don't have it with me.

(*Sotto voce* comment by Dr. Duncan)

The SPEAKER: Okay, short interventions from Mrs. Neita-Headley, then Dr. Rhodd, and finally from Mr. Fagan.

Mrs. NEITA-HEADLEY: Mr. Prime Minister, there are some communities along the Rio Cobre in St. Catherine, who overtime have experienced severe erosion, and those communities are now threatened extensively. Because even those where there are formal settlers - I'm not necessarily referring to where

there are persons squatting because that does exist, and it angers me in some places because I've been trying for many years to get persons to relocate, especially those that are along the river bank - but for those who are formal settlers who would have been legal land owners who would have settled there for some 30 years and every time you would have had a major rain or flood or hurricane, we find that we lose feet of land, yards of land every time. So we are finding that the communities are now in danger, the entire communities that lead from Lauriston, Tredegar Park, Gordon Pen those into Spanish Town, those that came from those communities along the Rio Cobre that lead to the Bog Walk Gorge.

Ken Village for example, where some extensive river training was done some years ago, they have been protected by that river training process. I'm wondering if there is a plan in place for a comprehensive river training programme, to be able to allow for any further deterioration of the process and to assure these residents that they are gonna be able to keep their investments that they have made?

The PRIME MINISTER: The answer to that is yes, but that's not quite as comprehensive as it needs to be. But river training was one of the components in the JDIP programme. It wasn't in the first phase for this year, but it was in subsequent phases. The situation you described is not different from the situation that has affected some of the persons who live in the Kintyre area.

(Inaudible comments from Member)

The PRIME MINISTER: With the Hope River, these are persons who have titles, these are persons who originally live hundreds of yards from the riverbank, but these are persons whose houses are now perched right at the edge because of erosion. So they have to be addressed both in terms of river training and also in some instances in terms of relocation. The relocation of the Hope River residents, for example, has proven to be challenging for a number of reasons some of them are necessary, some of them unavoidable, but we are going to have to try to see if we can identify - well we had already done a survey, it's a question of just how quickly we can provide the funds to finance the relocation because it is pretty expensive operation.

Mrs. NEITA-HEADLEY: Just a quick follow-up. In some cases, Mr. Prime Minister, it's not a matter of just relocating them, because what we are recognizing is that we are going to be losing an entire community, you are probably going to be losing the St. Jago High School in a short while. And every year when this happens we lose quite a bit of the land and we are recognizing it's getting closer and closer to the playingfield, it's getting closer and closer to the front of the communities and so you are going to be losing entire communities if there is not some work done there now.

The PRIME MINISTER: The solution has to be determined on a scientific basis. I mean there are situations where you have to build huge walls in order to control the river, there are situations where that may not be the most feasible thing. I wasn't suggesting relocation for any of the areas you mentioned. I'm just saying that we have to treat with it both in terms of the river protection works, where that is appropriate, and there are situations where that is not going to be appropriate and therefore we have to relocate, so it's separate in our approaching it.

The SPEAKER: Dr. Rhodd, Dr. Rhodd.

Dr. RHODD: Thank you, Mr. Speaker.

Prime Minister, my question has to do with the agricultural sector. I noted in your report that the agricultural sector has been affected to the tune of approximately $1 Billion, $500 Million you reported in respect to farm roads and another $500 Million in respect to agricultural produce - crops and livestock. Reports from elsewhere have also indicated that a lot of food producing communities in the parishes of St. Elizabeth, Clarendon, Manchester, St. Ann as well as the Eastern belt parishes of St. Mary, Portland and St. Thomas have been affected. In Portland in particular, and in my own constituency, the banana crop has been affected to the tune of over 50 to 60% in terms of losses.

My question, Prime Minister, has to do with the food security implications, the implications of the increase of cost in foods on the shelves of the supermarkets and the markets. What plans are being made in the short term and maybe the medium term in respect to the replacement, the mitigation of the high cost and, you now, activating production; and can we expect a meeting with the Minister of Agriculture, for example, and Members of Parliament, leaders of the agricultural sector in parishes to see how we go forward? Can we get some details in respect to those concerns that are out there in the communities?

The PRIME MINISTER: Of the estimates that we have, and again I qualify this by saying these are preliminary estimates, were in accordance with the figures that I gave you. The Minister of Agriculture, who is actually going to be looking at the impact in Portland tomorrow, has advised me that there is no significant immediate threat to ground provision, your tubers and your vegetables and so on. We have loss which is estimated at 150,000 birds, but we do not feel that that would have any significant impact on the supply of chicken meat.

If it becomes - if we discover that because of the longer term effect of the floods that there is an impact in the supply of food, there are measures that we have taken before which we would have to take again, to ensure that that shortage does not impact significantly on the price of foodstuff to consumers, but at this stage we don't feel that that will be necessary.

Thankfully, St. Elizabeth was badly affected, but there are a number of critical food growing areas that seem to have weathered the rains better than they have in the past. But we will continue to keep the matter under close watch.

The SPEAKER: I understand Dr. McNeill had put up his hands before you, Mr. Fagan, so Dr. McNeill and then you, Mr. Fagan.

Dr. McNEILL: I yield.

The SPEAKER: You're yielding?

Dr. McNEILL: Yes.

The SPEAKER: Okay, Mr. Fagan.

Mr. FAGAN: Mr. Speaker, part of the question has been asked, but I'd travelled to Westmoreland yesterday, I understand the Minister could not reach because of the place was flooded, but I travelled by road and I was able to get into Westmoreland. And when I stopped in White House, Mr. Speaker, I saw the fishermen and I realised that the entire area there was totally devastated and I don't know if the Prime Minister has anything to say about the fisher folks and those people who make their livelihood through fishing, especially

those in Westmoreland, if anything could be said about them.

Quite a number of the fsherfolks have lost their boats and it is going to be difficult for them to start their lives all over.

A MEMBER: Lost dem boat?

Mr. FAGAN: Yes.

The PRIME MINISTER: It's not included in the Report that I have, but I've asked the Minister of Agriculture to check as quickly as we can. We certainly haven't got any report of any significant damage to fishermen in terms of their equipment, but I've asked the Minister of Agriculture to make sure that he has it properly checked out.

Mrs. SIMPSON MILLER: PM I have a concern. You mentioned that vegetables and those things in terms of ground provision, you're told will be okay. I crave the indulgence of the Minister of Health, because he needs to inform you, as to whether in terms of like vegetables and the fact that a number of animals suffered during the flooding, whether all vegetables are safe for the population to consume at this time, whether it is safe for our consumption and whether things have been checked. Because we've seen on the television, through the news media, a number of animals that died and all of that water flowing through, and I want to know whether there could be any health risk as a result. So that the population can be geared and prepared, whether you say cook it before or what but I really believe that something needs to be said in that area.

Thank you.

Mr. R. SPENCER: At this time the authorities are going through all these things. But I want to ask my colleagues to cooperate with the authorities, because we are at a very delicate stage of the investigation, to ensure that the public is very secure in the food they have for consumption.

The SPEAKER: Mr. Kellier, last question.

Mr. KELLIER: Thank you, Mr. Speaker. Prime Minister, you are very much aware that over the years we have done investigations of persons who have been affected after these weather patterns, whether storms, hurricanes or what have you, but the response times to assist the individuals, whether it is the small farmer that needs that two bags of fertilizer or to have his chickens replaced that were drowned, or whether it is the old lady that lost her stuff because her house was leaking, or what have you, the response time over the years has been less than what is desired. We have been six months before some persons are able to get any relief coming back from the agencies.

I'm just wondering, Prime Minister, whether or not additional persons have been sent in the field to ensure that these matters are attended to more speedily than we normally do. We are on a slow track with these things, but because of the vastness of what needs to be done, it may need in the short term to have more persons out there to assist in gathering the information so that the response can come quicker to the people that are suffering. So I'm just asking, because I don't know where it would fall within your estimates, whether or not you are setting up the machinery to ensure that we can deliver to the people a response time that is shorter than six months.

And just to add before you close, Prime Minister there are other areas where waters are rising and where we have difficulties that need boats as well. The Minister of Water and Housing passed through one of the areas in Spring Bottom in Roehampton a few days ago,

where houses are still covered above the roof with water...

(Inaudible comments by Member)

Mr. KELLIER: Of the water?

A MEMBER: Underground water.

Mr. KELLIER: Underground water that has risen, and in place like York Bush in Mt. Carey, I was there up to last night, and the water was still rising and houses down in that area have also been covered and the road, can't pass for people to get produce to shops so that the people can be supported. So those two areas, which the Minister of Water and Housing is well aware of because he passed through them, also need attention, but the response time, Prime Minister.

And finally, the Westmoreland situation. Because of the low-lying nature of Westmoreland, really that area is in need of very urgent attention. So I'd ask that, you know, while we have to look at everywhere, that especially the drainage situation in Westmoreland, Sav-la-mar, the towns and those places, that we pay special attention because of the risks that can be posed if it is not attended to urgently.

The PRIME MINISTER: Mr. Speaker, certainly insofar as damage to farmsteads is concerned, the Minister of Agriculture assures me that the RADA offices have been instructed to get the more detailed assessments, and when you get to particulars and names and so on and to get that in quickly. I will follow up to make sure that a similar approach is being taken where - to ease the personal distress.

But I want to emphasize, Mr. Speaker, we have had major damage to our infrastructure and that is going to require significant resources. We have had some damage to agriculture nowhere as extensive as we have had in similar weather onslaughts in the past. We have not had as much damage to houses as occurred for example, whether it is Hurricane Dean or Gustav. We will try to respond to what is there. But I am going to urge Members, let us ensure that we get our priorities right because children have to go to school, people have to go to work, roads have to be fixed. And let us not allow anybody to pressure us into making this a grand opportunity for a whole heap of relief programmes. The emphasis is going to be on getting our infrastructure back in shape.

As I indicated before, we have so far estimated - the number may change - but I have so far estimated that 170 houses suffered either total damage or extensive damage. That figure could very well be revised once the proper assessments are made. But it is not going to be possible to add to the $10.6 Billion of road damage, to go and put another $5 Billion or $6 Billion of welfare programmes to make everybody feel happy. That is not going to be possible.

ANNOUNCEMENTS

The Acting Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 78**
  Reporting Status for Statutory Agencies and Government-owned Companies
- **Ministry Paper No. 79**
  Cabinet Agenda Issues for September 13, 2010
- **Ministry Paper No. 80**
  Cabinet Agenda Issues for September 20, 2010
- **Ministry Paper No. 81**

Progress on the Land Administration and Management Programme (LAMP) Land Titling and Registration

- Statement - Receipt and Payments of the Contigencies Fund for Financial Year ended March 31, 2010
- The Credit Reporting Act, 2010 The Credit Reporting Regulations, 2010
- Road Maintenance Fund Act (Imposition of Special Consumption Tax on Petroleum Products) Order, 2010.

NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, on behalf of the Minister of Finance I have two motions to bring to the House.

Mr. Speaker, I beg to give notice that at the next meeting of the House I will move Motion No. 1, The Credit Reporting Act, the Credit Reporting Regulations Resolution, 2010:

Whereas by virtue of section 19(1) of the Credit Reporting Act 2010, (hereinafter referred to as the Act) the Minister may make regulations generally for the purpose of giving effect to the provisions of the Act;

And whereas on 17th day of September, 2010 the Minister made the Credit Reporting Regulations, 2010;

And whereas it is provided by subsection (2) of section 19 of the Act that regulations made under subsection (1) of that section shall be subject to affirmative resolution:

Now Therefore be it Resolved by the Honourable House as follows:

1. This resolution may be cited as the Credit Reporting Regulations Resolution, 2010; and
2. The Credit Reporting Regulations, 2010 which were laid on the Table of the House on the 5th day of October 2010 are hereby affirmed.

ROAD MAINTENANCE FUND – SCT PETROLEUM PRODUCTS

The second resolution, Mr. Speaker, is the Road Maintenance Fund Act, the Road Maintenance Fund (Special Consumption Tax on Petroleum Products) Order, Resolution.

Whereas section 3(2)(d) of the Road Maintenance Fund act (hereinafter referred to as the Act) provides that there shall be paid into the fund such other amount as the Minister responsible for Finance may from time to time specify by order subject to affirmative resolution of the House of Representatives;

And whereas section 9 of the General Consumption Tax Act imposes a tax down as the Special Consumption Tax on the manufacture or importation into Jamaica of prescribed goods;

And whereas certain petroleum products are prescribed goods under the Second Schedule of the General Consumption Tax Act;

And whereas the Minister responsible for Finance has in the Road Maintenance Fund (Special Consumption Tax on Petroleum Products) Order, 2010 ordered that

20% of the special consumption tax on certain petroleum products shall be paid into the Road Maintenance Fund;

And whereas it is desirable that the Road Maintenance Fund (Special Consumption Tax on Petroleum Products) Order, 2010 be affirmed:

Now therefore be it Resolved by this Honourable House as follows:

1. This Resolution may be cited as the Road Maintenance Fund (Special Consumption Tax on Petroleum Products) Order, 2010 resolution; and
2. The Road Maintenance Fund (Special Consumption Tax on Petroleum Products) Order, 2010

which was laid on the table of the House on the 5th day of October 2010 is hereby affirmed.

The SPEAKER: Thank you, House Leader. Mr. Hylton.

CUBA - LIFTING OF BLOCKADE

Mr. HYLTON: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move the motion concerning the resolution on the lifting of the US Blockade of Cuba.

Whereas last year this Honourable House unanimously passed a motion in support of Cuba's resolution submitted in the United Nations (UN) General Assembly titled: "**The necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba."**

And whereas last year of some 187 Member States of the UN, including Jamaica, voted in favour of the said resolution;

And whereas on September 14, 2009, the US Administration extended the application against Cuba of the Trading with the Enemy Act, thus keeping in place the legal framework in which the policy of blockade against Cuba of 1962 are based;

And whereas despite the expectations by the international community that the accession to the presidency of Barack Obama would bring about fundamental change in the implementation of the blockade policy against Cuba;

And whereas the economic, commercial and financial blockade imposed by the United States against Cuba continues to be the main obstacle to the economic and social development of Cuba and to its recovery from the effects of the global recession and natural disasters resulting from intensified hurricanes;

And whereas the blockade is a violation of International Law and is contrary to the purposes and principles of the UN Charter and to the norms governing international trade and freedom of navigation, as well as constituting a transgression of the right to peace, development and security of a sovereign state; and which in its essence and its aims, continues to be an act of unilateral aggression and a permanent threat against the stability of a Member Country of the United Nations;

And whereas Jamaica's national interests are being compromised by

the continuation of the blockade and the extra-territorial application of US laws regulating transactions between Jamaica and Cuba, directly and indirectly:

Be it Resolved that this Honourable House express itself on the morality, the legality and desirability of this decade's old blockade against Cuba and give support to the on-going dialogue between the United States and Cuba and to the Government in putting forward Jamaica's position on Tuesday, the 26th of October, 2010 in support of the anticipated resolution.

(Applause)

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, we will have six (6) questions for answer today. The Prime Minister will be answering all questions asked of him.

Dr. DAVIES: There is another question.

Mr. HOLNESS: Question Number Eight.

The SPEAKER: Is it 7, 8 and.

Mr. HOLNESS: Question Nos. 7, 8, 10, 11, 12 and 13.

The SPEAKER: Could we go in that numerical order then?

Dr. DAVIES: How about nine?

Mr. HOLNESS: I hear the Member asking about....

The SPEAKER: Question Nine is not of the Prime Minister.

Dr. DAVIES: I know that.

The SPEAKER: Well, could we deal first with the Prime Minister and then you can afterwards.

Mr. HOLNESS: Let me just answer the Member, Speaker. Question 9 is due for answer and Question 14 and Question 15.

(*Sotto voce* remarks by some Members)

Mr. HOLNESS: No. According to the rules, Mr. Speaker, when a Member is seeking deferral of answering a question he should notify the Clerk of the House and an explanation made to the House and the House would make a determination as to the acceptance of the explanation.

The Minister of Finance is not here today to answer the questions asked of him and I would want to ask the Members who posed the questions if they would accept his apology. He is not here and certainly could not answer and we would defer the answer for a maximum two weeks. And the Minister of Transport and Works which has Question 15 asked of him, his answers are not yet ready, Mr. Speaker, and for good reasons, being that there are two resolutions on the Order Paper, which closely relate to these questions, and so his staff is trying to put everything together in one package. And I would therefore ask, on his behalf, for a deferral for another two weeks at maximum. So if that is satisfactory to the House, Mr. Speaker, then we would be, in keeping with the Standing Orders, deferring those questions for a maximum of two weeks. We could then proceed, Mr. Speaker, if this be the case.

The SPEAKER: Before you proceed. Yes, Mr. Kellier.

Mr. KELLIER: Mr. Speaker, I understand the predicament that the House Leader finds himself in. However, questions in relation to those to be answered by the Minister of Finance, what we would need on

this side, Mr. Speaker, is a complete assurance, because the time has really gone way beyond what is reasonable. We want a complete assurance from the House Leader that on the Minister's return he will answer those questions promptly so that we can dispense with the matters here.

The SPEAKER: Well, Mr. Kellier, he says within two weeks. So let us hope and we will urge him to, at the next sitting that it can be answered. So far we have six questions to be answered now by the Prime Minister and when that is done only about four (4) questions will remain on the Order Paper, so let us move on with it. Prime Minister, question - Rev. Thwaites.

Rev. THWAITES: Mr. Speaker, the deferral of the two questions to the Minister of Finance and the Minister of Transport and Works, as requested, are acceptable to me and I would ask the Honourable Prime Minister if he would reply to the questions standing in my name at Number Seven.

SECURITY FORCES KILLINGS

The PRIME MINISTER: Mr. Speaker:

Question: Will the Prime Minister please state:

a. How many citizens have been killed by the security forces for the first six months of 2010 and how does the number compare with the last three years?

Answer: In 2007 – 128;
2008 – 105;
2009 – 125;
2010 - 148.

b. Will the Government require that the security forces make public disclosure of the number of such fatalities each month from now on?

Answer: This information is already included in the monthly crime statistics that are provided by the police to the media.

The SPEAKER: Dr. Davies, question 8.

Dr. DAVIES: Through you, sir, would the Prime Minister provide answers for Question Number 8 standing in my name?

Mr. HOLNESS: Before the Prime Minister, there is just a matter of housekeeping. Mr. Speaker, as you would notice, the time for questions has passed. I therefore move for the suspension of Standing Orders to allow us to take questions beyond 3.15.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the questions and answers to be taken after the appropriate time of 3:15.

Put to the House and agreed to.

The SPEAKER: Prime Minister.

E-MAIL MESSAGES RE MANATT, PHELPS & PHILLIPS

The PRIME MINISTER: Mr. Speaker,

Question 1: Does the Prime Minister recall my asking him here in Parliament whether the e-mail messages which he had indicated had been exchanged between the Solicitor General and the law firm Manatt, Phelps & Phillips could be made public?

Answer: Yes.

Question 2: If the answer to Part l is in the

affirmative, does the Prime Minister recall his response that he will seek legal opinion as to whether these email messages could be made public?

Answer: Yes.

Question 3: If the answer to Part 2 is in the affirmative, would the Prime Minister indicate whether he had sought legal opinion on the matter?

Answer: Yes.

Question 4: If the answer to Part 3 is in the affirmative, would the Prime Minister indicate whether he has received the opinion?

Answer: Yes.

Question 5: If the answer to Part 4 is in the affirmative, would the Prime Minister table the opinion which he has received?

Answer: Verbal opinion was received from the Solicitor General stating that the emails were not subject to legal professional privilege or any confidentiality agreement and therefore could be disclosed.

Question 6: If the answer to Part 4 is negative, would the Prime Minister indicate the reason for the delay and indicate when the opinion will be available?

Answer: Please see answer to Question 5.

The SPEAKER: Dr. Davies.

Dr. DAVIES: Mr. Speaker, other events have overtaken the questions and their answers, but I would ask, sir, Mr. Speaker, that given that the questions were posed in Parliament about this matter, the Prime Minister had not come back to Parliament, would the Prime Minister be willing to table for parliamentary perusal the full set of e-mail exchanges?

The PRIME MINISTER: Mr. Speaker, I'm quite happy to do so. And I would ask the Leader of the House to make arrangements for the documents to be tabled.

(*Sotto voce* comments)

The SPEAKER: Dr. Phillips, Question 10.

Dr. PHILLIPS: Would the Prime Minister...I'll formally ask the Prime Minister to furnish the answers for question listed at Number 10.

NEW FALMOUTH POLICE STATION

The PRIME MINISTER: Mr. Speaker,

Question 1: Is the Prime Minister aware that a contract for the construction of a new police station in Falmouth was let in 2004 but is still not to date completed?

Answer: A contract valued at $219.5 Million was awarded to Ashtrom Building Systems Limited on January 20, 2005.

It was a turn-key contract, that is, the contractors were required to design, secure all relevant planning and building approvals, construct and deliver the facility. All of this was to have been completed by April of 2006, 14% months.

The project encountered considerable delay and eventually the contractors formally suspended construction work in June of 2007. At that time, approximately 50% of the work had been completed and payments totalling $161 Million had been made.

Protracted negotiations with the contractors in an effort to have them resume work on the project failed to reach a satisfactory agreement, and towards the end of last year, the decision was taken to terminate the contract.

Question 2: Will the Prime Minister indicate the schedule for completion of this facility?

Answer: The Urban Development Corporation has been mandated to oversee the completion of the project. The architectural and engineering drawings are being reviewed, especially in light of specific requirements laid down by the Trelawny Parish Council and the Jamaica National Heritage Trust, that were not included in the original drawing. Site assessment to evaluate the work already done has been carried out. It is estimated that it will cost approximately $250 Million and will require 12-15 months to complete the project. An application for financing has been made to the PetroCaribe Fund and approval is expected shortly.

The SPEAKER: Dr. Phillips.

Dr. PHILIPS: Thank you, Mr. Speaker. Is it the case, Prime Minister that the cruise ship arrivals using the new Falmouth pier would begin before this has been completed? And if so, are you satisfied that adequate arrangements are in place that can ensure the level of policing necessary for that town, given the increased traffic that will be passing through?

The PRIME MINISTER: Because of the unacceptable condition of the buildings in which the police were housed, I think you are aware that arrangements were made to accommodate them temporarily in a section associated with the Trelawny stadium.

It is intended... Well, first of all, we expect the first ship to arrive next month. Not the mega-ship for which the port was specifically designed. That will come in January or February of next year. But the port will in effect, go into operation as of next month.

The intention in the interim, until the new Trelawny police station is completed, is to provide a police post on location. And as you are probably aware, there are some old warehouse-type buildings, and the Port Authority is making arrangements to provide adequate accommodation on a temporary basis to ensure that we have a sufficient presence of police personnel on the pier, particularly on those days when the cruise ships will be in.

Dr. PHILLIPS: Just one more, Mr. Speaker. You say an application has been made to the PetroCaribe Fund. When do you expect that this application - the consideration of this application will be finalized?

The PRIME MINISTER: It has been considered. It is just the formal approval that is required. So it's something that I would expect in a matter of days.

The SPEAKER: Prime Minister, Doctor Davies.

Dr. DAVIES: Yes. Prime Minister, you indicated that the UDC estimates that it requires another $290 Million...?

The PRIME MINISTER: Two fifty.

Dr. DAVIES:...Two Fifty Million to complete the station. How much of that is escalation, how much of that is due to additional requirements? And the second question is in terms of the amount to be borrowed from PetroCaribe, who is borrowing it? Which institution is responsible for that?
Is it the Ministry of National Security? Is it UDC? Who is responsible?

The PRIME MINISTER: I can't give you that exact breakdown. The breakdown that I have here is the sort of standard breakdown: $213 Million for actual construction. There's a $12 Million there for contingency. There's $13 Million for technical services. And there's an overall project contingency of 5%. So the specific breakdown that you've asked for, l don't have. The loan is being sought by the UDC.

(Interruptions)

The SPEAKER: (Gavelling) Members, Members, please! The Prime Minister is answering questions and a number of little committee meetings seem to be taking place.

The PRIME MINISTER: The UDC has been asked to coordinate the outside activities relating to the development of the port. The Port Authority is in charge of what is happening in terms of the port itself. But the off-site activities, the UDC is coordinating that. And it is in that coordinating role that they have been asked to undertake this assignment.

The $250 Million that is required for this particular project is part of a larger loan that is being sought from PetroCaribe by UDC to finance a number of other UDC public projects. And it is, as I indicated before, approval is almost in place.

Dr. DAVIES: But, Prime Minister, the UDC will be borrowing money to complete the police station. What is the source of revenue to allow them to repay that loan?

The PRIME MINISTER: That will have to come from the budget through the Minister of National Security. It is essentially their project. So the repayment would have to be made by the - through the Ministry of National Security.

Mr. KELLIER: Mr. Speaker. Prime Minister can you say at this time in respect of the out-going contractor...

The PRIME MINISTER: The?

Mr. KELLIER: The contractor, Ashtrom Building Systems, the contractor that was on the job before, have we paid up all the monies owing to them?

The PRIME MINISTER: That is a matter that has not yet been finally resolved because there are claims that have been made and those claims are being disputed. The termination has been effected, but there are a number of lingering issues. That is one. That will not itself delay this project.

There is another issue that could, and that is the claim by Ashtrom that they own the architectural and engineering drawings. And that's an issue that we are seeking to resolve.
I've asked the UDC to put in place, even while we are seeking to resolve that, alternative

arrangements to ensure that that does not delay the resumption of the project. I'd told them as soon as the loan is approved and the funds are available, that it's important to get the work restarted.

So that's an issue that the lawyers perhaps will have to resolve. But the facility has been too long in coming and we just have to get on with it and get that facility put in place.

Dr. PHILLIPS: Just two final concerns. Have new contractors been appointed and if so, who?

(Inaudible comments by the Prime Minister)

Dr. PHILLIPS: Not yet. And the second issue, the borrowing from PetroCaribe Funds. Was that incorporated in the overall Public Sector Loan ceilings that were approved in the budget.

The PRIME MINISTER: To the best of my knowledge, yes, because the UDC had indicated its project plans and its budget for this year and I believe that this has been subsumed within that.

(Doctor Harris stands)

The SPEAKER: Could this be the last question, Doctor Harris?

Dr. HARRIS: I cannot decide on that one, Mr. Speaker.

Mr. Speaker, Prime Minister, considering the arrangements that have been made so far, and considering the nature of the original contract, and considering that it would have been less costly if the original contractors were to be contracted again, is it possible that the process could be expedited if the same contractors were used to finish the project?

The PRIME MINISTER: We made extensive efforts to do so, and we were in discussions with the contractors over a prolonged period of time. We were not able to reach any agreement on a resumption. We had to seek the advice of the Attorney General's Department who advised that in view of our failure to reach agreement, that the contract should be terminated so that we could engage new contractors to complete the project.

The SPEAKER: Dr. Phillips. Sorry, is that a follow-up question?

Dr. HARRIS: Prime Minister, to my certain knowledge, the situation was not so much legal as so much personal. There were personalities involved that never meshed, for the want of a better word. Now, in my mind, it was a very simple problem and it should not have gone the way it went.

The SPEAKER: What is the relevance, Dr Harris?

(*Sotto voce* comments by Members)

Dr. HARRIS: Gentlemen, gentlemen, the question is, if there were intervention from someone more senior...

The SPEAKER: Dr. Harris, the thing has been terminated.

Dr. HARRIS: It has not been terminated with due respect, Mr. Speaker, because there are going to be some…

(*Sotto voce* comments by Members)

Dr. HARRIS: Mr. Speaker, there are going to be many issues that are going to come to the fore. And the project the way it went, the way it went, went because of a lot of misunderstandings. These issues have been resolved, these issues have been resolved, and it is going to take the project another longer period of time to get other people inside there and start from the scratch again to do the same work that is the point that 1 am trying to make. And what l am saying is, if we are going to get in a contractor, that contractor must now seek

not only to get the same set of parameters that were available to the previous contractor, but the same set of drawings that were available and the same design that were available to the previous contractor, Mr. Speaker.

The PRIME MINISTER: Mr. Speaker, l have no knowledge of the nuances to which the Member refers. What I will say, is that, if there were - if there had been a reasonable possibility that we could have had a resumption with the same contractor, and we would have saved money, then you can be assured that that is the direction in which we would go. Certainly, speaking for myself, I have no ill-feeling towards that particular group of contractors. As a matter of fact, the person who is overall in charge of that company's activities in Latin American and the Caribbean is a very personal friend of mine, has been a very personal friend of mine for over 20 years. And almost on every occasion that he is in Jamaica, as recently as last week he has made contact with. So certainly at my level there is no such feeling. But the technical persons who sought to negotiate resumption, reported that what was being demanded was not something that they could recommend, and not something that we could accommodate. I think you know the history, Mr. Speaker, I think the Member knows the history of this project.

This project was supposed to have been completed in fourteen and half months. The drawings were supposed to have been submitted, prepared and submitted to the Trelawny Parish Council in two and half months. They took one whole year before they submitted the drawings. And having submitted the drawings, it was discovered by the Trelawny Parish Council that the drawings were significantly defective. So there is a lot of delay, and what has made the project particularly difficult is that the project, when it was originally started was done on the basis of a financing arrangement that had been put in place first with one financial institution, but it had a timeline to cover the duration of the project. Because of the lateness, after a certain amount of funds were drawn down, those funds lapsed, they were no longer available. New arrangements were made with another financing house and that too lapsed. So it now came on the Government to find the resources to keep the project going. There have been a whole lot of unexpected difficulties. At any rate, Mr. Speaker, the contract is formally terminated, so that legally no contract ensues at the moment, and it is a question now of going through the process of procurement to get a new contractor on the site to finish the job.

The SPEAKER: Dr. Phillip, No. 11.

Dr. PHILLIPS: Mr. Speaker, I ask the Prime Minister to provide answers to those questions listed at No. 11.

DAMAGED POLICE STATIONS – SCHEDULE OF REPAIRS ETC.

The PRIME MINISTER: Mr. Speaker.

Question 1: Will the Prime Minister indicate the extent of the damage caused to Hannah Town, Darling Street and other police stations in May 2010 when these stations came under violent attack by armed criminal gangs?

Answer: Five (5) police stations were damaged as follows:-

Hannah Town Police Station completely destroyed by fire; Darling Street Police Station gutted inside and outside by fire; Central Police Station windows damaged; Cross Roads Police Station windows damaged; Denham Town Police Station window damages window damaged, root motor vehicles and lightning fixtures by explosives

Question 2: Is it the Government's intention to replace and/or repair the police facilities which were destroyed and/or damaged?

Answer: The Government intends to repair four (4) police stations: Darling Street Central Kingston – sorry Central Police Station, Cross Roads and Denham Town. A decision is yet to be made in respect of the Hannah Town Police Station.

Question 3: If the answer is in the affirmative, can the Prime Minister indicate the schedule for such repairs?

Answer: Repairs have begun and should shortly be completed on three police stations: Central, Cross Roads and Denham Town. Repairs to the Darling Street Police Station are scheduled to commence in November of 2010, when the procurement process has been finalized. Six Million Dollars ($6 Million) has been donated by three private sector companies, NCB, LIME and Supreme Ventures towards the completion of repairs that are estimated to cost Nine and a half Million Dollars. The additional amount required will be provided from the budget of the Ministry of National Security.

Dr. PHILLIPS: Mr. Speaker, the Prime Minister - just a couple of questions.

1. You mentioned the figure of Nine and Half Million for Darling Street. Do you have available what the overall cost of those repairs to be undertaken, including the other stations that have been damaged?
2. Would you share with us the considerations to be taken into account in the decision as to whether or not to re-establish the Hannah Town Station?

The PRIME MINISTER: I don't have that break-down, but the damage to Central and Cross Roads and Denham Town were not significant, and those are being dealt with through the normal funds of the Ministry.

The PRIME MINISTER: In relation to Hannah Town, the residents are insistent and they spoke with me a few weeks ago, the residents are insistent that they want the police station to be re-established. The police, on the other hand, are committed to re-establishing the police station but feel that strategically it should be placed at a different location, possibly on Orange Street, they indicated it to

me. I propose to arrange a meeting between the police and the community for them to have a discussion to try to see if we can sort out the location.

The SPEAKER: Dr. Phillips, No. 12.

Dr. PHILLIPS: Mr. Speaker, the Prime Minister, in a position to answer the questions listed at No. 12 on the Question Notice Paper.

BAUXITE/ALUMINA INDUSTRY – RESTORATION MEASURES ETC.

The PRIME MINISTER: Mr. Speaker:-

Question 1: Can the Prime Minister indicate whether the task force on the Bauxite and Alumina Industry that he appointed in 2009 to consider and report on the measures necessary to restore the industry has completed its work?

Answer: Yes.

Question 2: If the answer to 1 above is yes, does the Prime Minister repose to lay the report in the House. If so when? If the answer is no, when is it anticipated that the report will be completed?

Answer: The report contains commercial and proprietary data and other sensitive information relating to the operations of the bauxite and alumina companies in Jamaica, which it would not be appropriate to publish.

However, I have provided the Leader of the Opposition with a copy of the Report which I know she will treat with due care.

Question 3: Will the Prime Minister indicate whether there are any plans for the reopening of the Alpart Alumina Plant in the near term?

Answer: UC RUSAL and Hydro Aluminum, the joint owners of Alpart are currently reviewing market conditions as well as start-up costs of the plant before making a decision on the possible re-opening.

Question 4: Will the Prime Minister indicate the status of negotiations for the establishment of a new North Coast aluminum facility?

Answer: The feasibility study for the establishment of an alumina refinery in Lydford, St. Ann was suspended last year because of the severe downturn in the global alumina market. Recent adviCe from the investment partners, China Minimetals Corporation and Century Aluminum Company is that they are contemplating a resumption of the feasibility study, but no firm decision has been made.

Question 5: Will the Prime Minister indicate the status of plans for the conversion of the JAMALCO Plant to non-fuel energy sources?

Answer: The House is aware of current initiatives by the Government to secure natural gas supply and facilities. In this regard, negotiations with the preferred bidder for a floating storage and regasification facility are well underway. These negotiations include securing long-term LNG supply contracts, as well as off-take agreements the bauxite alumina companies has with the potential users. JAMALCO has long signalled its need for a cheaper source of energy. And this is a significant factor in the negotiations.

Dr. PHILLIPS: Prime Minister, a couple of specific questions. First of all, my understanding is that there is - that in relation to the attempt to diversify energy sources, the country is caught in a kind of chicken and egg situation. In so far as, some of the companies are not in a position to signal that they will convert to the other fuel oil - to gas for example, unless supply and pricing considerations on the energy - on the source of that energy, the natural gas or the LNG option is there, and, is that the case? And, if so, or if not, are there any specific plans about converting any of the existing plants.

And thirdly, are there - is the start-up of any of these companies that are now considering particularly Alpart's case, the re-starting of the Alpart, is it linked to our production cost, and would the energy issue, the resolution of the energy issue contribute?

The PRIME MINISTER: The conversion from fuel oil to natural gas involves synchronizing both the back-end and the front-end. There has to be harmonizing between the arrangements to ensure long term supply and predictable supply, reliable supply. With the off-take arrangements who is going to use it at the back-end? Those discussions are now taking place. I don't think it is any secret that, at least one of the bauxite/alumina companies has expressed a preference for coal.

Indeed, I would think that if you were to talk to each of them, I would think that you would find that there is a preference for coal, because in a sense it is on site and it is there.

We, in considering the alternative - because that's what we ended up it, a choice between gas or coal - felt that for a variety of reasons gas was the better approach. And the project is - anticipates the utilization of a substantial amount of that, not just for JPSCO, but for the bauxite/alumina industry.

Insofar as - and the negotiations are being conducted under the guidance of the consultants who were engaged on the LNG project, and these are the same consultants who were engaged, I think, from 2006, or whenever. They are sort of leading the negotiations with both the back-end people and the front-end people.

Insofar as Alpart is concerned, certainly the availability of cheaper fuel would be a factor. But as has been pointed out in the Report that was submitted by Dr. Davies, market conditions weigh far more heavily, and particularly market conditions as they affect the principal owners, which is UC RUSAL and Hydro. And it's a question as to where does Alpart fall in the order of call, depending on whether they need bauxite - need alumina

or not.

An interesting issue is that the price of our - the cost of production in Jamaica can also determine whether those who need alumina for their smelters will crank up a plant in Jamaica or with the surplus of alumina on the world market now, whether it suits them to buy alumina rather than produce it themselves in Jamaica. There are a whole range of variables. We have been watching the market. The price of alumina - I think the last quote that I saw was $340 a tonne. It is still not where it was before the global crisis. I would think that market price is going to be a significant determinant in terms of when Alpart will restart.

As you now, Ewarton is up, and we are hoping that Ewarton will remain up. Kirkvine has certain challenges that have to be overcome. They involve certain new technology that is available, and fortunately, it is technology that UC RUSAL has in fact been a leader in protecting. And I am hopeful that given the circumstances of UC RUSAL's financial challenges, that I think you would know about, and given the market conditions, I am hoping that when those conditions improve, that with that new technology we can look at new life for Kirkvine as well.

The SPEAKER: Yes, Dr. Phillips.

Dr. PHILLIPS: Final issue on this Mr. Prime Minister, for me. The - in a sense I had known today you were going to answer it, but what I - some information has become available that suggests, if I understand it, that the market globally for aluminum/alumina, bauxite, is changing to the extent that alumina is now the short supply - the product that is in shortest supply, and there is a - there are a number of companies that are refocusing their strategies on just the alumina component because of these changes in price. I mentioned that against the background that our own industry is maturing, viewed in the long term from its inception at the end of the Forties and coming up; and we - you know, there is a limited period, I mean of decades, but that it will be around. And whether - two things, whether it is also the case I might say unhappily, and many administrations have in a sense been at fault, that as the industry matures there is not a lot tangible, in terms of reinvested capital that we can show for it as a country, even though the Capital Development Fund has had more than a Billion US Dollars pass through it. Collectively we have not used those resources as was intended by the Capital Development Fund.

Ought we now, in the light of these changes - and I know the preoccupation must be with just reviving some production - but ought we now collectively to look at how we position ourselves for the last phase of this depleting resource to see how we can maximize the benefits, including in issues for consideration, whether there is scope for a greater national - including public role in some of the industry? In any event would the Prime Minister be willing to have - for us to have a full-fledged debate on the future of the industry in the House at an appropriate time?

The PRIME MINISTER: The answer to the last question is, certainly. I mean, that's what Parliament is for. I have always felt that these things can benefit from a committee sitting and working through the issues, rather than a debate where we sort of talk at each other.

Let me just try to recall and then respond to the questions that you raised. I can't speak

with any authoritative knowledge in terms of the behaviour of the market, in terms of alumina *versus* aluminum. That may very well be driven by the configuration of who owns smelters, who needs alumina to keep those smelters going, but may not necessarily - the market for aluminum may not be as robust, there may be stockpiling taking place.

The concern that I have is that at the peak of the recession when the industry was at its lowest in this recent recession, my recall is that we were looking at five million tonnes of aluminum stockpiled, inventory. And I am told that as recently as last week, inventory still stood at four million. And, therefore, it seems to me that the opportunity for revival is still not at our door, because the inventories are still pretty high. I think if there is a particular demand for alumina *versus* aluminum it could well be because of the role that China is now playing in the market.

From the Member and I were at university we have been told that the bauxite soon finish. And yet I am told by the JBI that we still have comfortably thirty years of reserves left, and new reserves are being discovered from time to time.

But I take the general point. I take the general point that one day it's going to be done, and when it is done we better have something to show for it or else we are going to have to explain to future generations why did we leave these craters in the ground and for what benefit that we are passing on to them.

Naturally, as you have yourself alluded, the concern was to try and get the plants up and get them running. But I do feel that we need to see how - and perhaps to see if we can wean the budget of its reliance on the Capital Development Fund for life support. If we can look at doing that...

Dr. DAVIES: That was a firm commitment, you know.

The PRIME MINISTER: Yes, yes, until I discovered what you had left.

But in addition to that, we are faced with other challenges, and let me use my words carefully. In order to get Ewarton back up we had to make significant concessions, in terms of the fiscal regime. And I suspect that if we were put in a position where it was possible to get Alpart up, or Kirkvine up, we are going to have to make similar arrangements, even if only for a period.

So the point I am making, Mr. Speaker, is that there are certain challenges that we have to overcome. But I agree with the Member, we have to look at the long term, and we have to see how quickly we can get in a gear and groove to ensure that this valuable asset has a lasting contribution to Jamaica and must not just become part of our history.

The SPEAKER: Mr. Bunting, then Miss Hanna.

Mr. BUNTING: Prime Minister, you may be aware - and just in following the dialogue between yourself and the Member from East Central St. Andrew - that there is a Report of the Sessional Select Committee on Economy and Production, on its deliberations on the bauxite alumina industry, that was tabled in December, 2008, and is still awaiting debate in this House. And it had some very, very useful contributions from the industry players, the Professor of Sustainable Management at UWI, NEPA, very useful information which we have not had a chance to really benefit from, understanding of course, that the industry has been in turmoil since that time.

But perhaps that could form the basis of that debate that we say is so necessary now.

But there is one issue which would have come out in that debate, and I think it's urgent to ask you to consider now, and that is - particularly in light of the concessions that may need to be made, and which I certainly would be minded to support, in the case of Kirkvine - that there is a bit of a *quid pro quo*. One of the great vulnerabilities that was exposed, that Jamaica has, is that at any one time there are literally billions of dollars of obligations owed to the country by the bauxite/alumina companies for the rehabilitation of the mined-out lands. And 1 think in hindsight, certainly, it was a mistake not to negotiate that as the bauxite was mined and the alumina produced, that the estimated amounts for rehabilitation should have been put into some sort of escrow, out of control of either the government or the bauxite companies, that that escrow fund could have been pulled down, as they do the actual rehabilitation. But in the event that a particular company closed, packed up, because of the economics or whatever, it didn't make sense to continue, they would leave those huge obligations and that liability to restore the environment effectively to the government and the people of Jamaica. Because as a practical matter, even in the case - recent case of RUSAI, and their financial challenges, I don't know what chance we would have had in the scheme of their international creditors to be able to recover those obligations.

So I would just ask you, Prime Minister, if you would consider in any negotiations which has - we are giving up further tax concessions to get the plants restarted, which is completely understandable, but that we take into account building in what would be a new requirement, but would very much match the prin - you know, be in sync with the matching principle of accounting, which is to recognize an expense, a liability, as the revenue is generated, and to pay those funds into some sort of escrow, so that whether it be the company itself or NEPA, or whoever may have to do that rehabilitation in future, there would be something set aside from the current revenues and income to do that, and it's an obligation which they have anyway.

Thank you.

The PRIME MINISTER: it's certainly something that could and ought to be considered in any new negotiation.

And I do agree with the point that you made, that we should not allow restoration to be deferred. So we shouldn't allow an arrears of restoration to be built up so that you can have large - vast areas of land that have to be restored. It really ought to be done on a consistent basis.

Part of what has affected our ability to demand of the bauxite and alumina companies what is required of them, is because we have found ourselves in recent years - and I am not just talking about the last three - having difficulty to respond to their demands of us, which includes, for example, our share of capital work that sometimes we have difficulty in finding, our share of production cost that we had not been able to meet, and we build up huge arrears over time.

But I think the general thrust of your argument is one with which I could not disagree. I have complained in this House myself about the scarification of vast areas of beautiful landscaped lands, I mean, landscaped by God, in his wisdom. And I just feel that we

have a duty to ensure that even after we take out the ore, as we have to, that we must leave that community in good shape. And to the extent that any of those obligations have not been met, then that is something that we must seek to correct in future negotiations.

The SPEAKER: Miss Hanna.

Miss HANNA: Prime Minister, I agree that one of the biggest problems that face the expansion of our bauxite industry certainly has to do with energy, and certainly, not only in terms of the bauxite industry, but other businesses. If we are paying perhaps six (6) times more than our trading partners in energy cost, then it really doesn't make us competitive in an international global economy. And I certainly support the competitive access to our energy grid, in terms of increasing capacity.

But while I think all of us would like a diversified energy strategy to ensure that we bring down our energy costs, there are some critical questions that certainly I have been asking, and certainly would hope that you were able to answer.

Because while it is that we look to LNG perhaps, as one of the diversified sources that we are going to look to, I was wondering, Prime Minister, a number of things. One, what would be the final price that we will pay for LNG? It is a very limited commodity, and if it is that we are trying to get past, or minimize our dependence on imported fuel, which is also very very high when you look at our imported cost of fuel, if we are looking to LNG as a limited supply, and as a source, we might very well end up in a situation that is cartelized and could very well end up paying more for LNG. So, I wanted to know, one, where are we getting those sources of LNG from and two, what will be the final cost of that LNG, and who will guarantee the supply of the LNG, in terms of diversifying it?

And certainly, if LNG. is so cost-effective, and in looking at our diversified strategy, why do we need to provide guarantees of a market prior to making an investment?

The other thing, Prime Minister, is that when I looked at LNG, in terms of the transportation, it is the most expensive transportation cost of all the energy sources. And certainly, moving forward, if you can answer some of these questions, I would be very, very appreciative.

Thank you.

The PRIME MINISTER: I thought we had had this discussion in this House before, and I thought the Member for Western St. Andrew had argued quite convincingly.

(*Sotto voce* comments/Laughter)

The PRIME MINISTER: No, it is not possible for me, at this stage, to tell you what the level of reduction is expected to be. All of that is dependent not only on the overall configuration, but is dependent on negotiations that are in train to identify sources, and to identify and engage the principal consumers. The whole process is being monitored very closely by the OUR, because I agree with you, we - our electricity now is close to Thirty US Cents a kilowatt hour.

The only place that I have been able to find with more expensive electricity - and I have never been able to find out why - is Hawaii. But we are competing - Trinidad, of course, their electricity goes to their producers at Three Cents a kilowatt hour. It is a special arrangement they have. For most of our trading partners, they are in the 10, 11, 12 Cents a kilowatt hour range. And therefore, we

have to address it.

Now, certainly on the basis of all of the technical advice that we have, we have been given assurances that supplies will be available because significant new gas fields have - gas reserves have been identified in recent times. The transportation costs, of course, is a factor of distance. And, as you possibly now, even if you have a contract with Qatar, it doesn't mean that the gas that you actually get comes from Qatar. I mean, gas is traded on the high seas. So, the numbers seem to suggest that there would be a significant reduction.

I have mentioned before that we ended up with a choice of these two because there is a third that his never really been considered but new technology is suggesting that it must not be overlooked. And that is nuclear power.

(Applause)

Now, the technology that has been available up to now would not have been appropriate for Jamaica, (a), became we wouldn't have been able to get to the critical mass that would make it economical, and (b), because we can't be unmindful of the environmental concerns. But, as I said the technology has moved far. We have at the university, for example, a little teeny-weeny plant that - which is to be expanded. They are working towards expanding that to a ten megawatt plant. And Professor Lalor is drawing a lot of data from the kind of new plants that are coming on the market. So, it is something that we can look at in the future.

We do not rule but - and we pray, we pray - if you look at that belt where oil and gas have been discovered over the last ten years, then you wonder how it is that Jamaica has not found its own. We are out now, as you know, with new blocks for which we have invited bids that close in March 31st of next year in Houston. And I am just hopeful that something will - we are satisfied that we do have reserves, satisfied. The question is whether or not they are of the quantities that would be commercially feasible, particularly because of the depths at which it is suspected that they are located, which is in excess of 3,000 metres below the seabed. And therefore, it is a question of determining whether it is - the quantities and the cost of getting to it would be feasible. That would certainly give Jamaica new opportunities that it doesn't have now, in terms of moving forward.

The SPEAKER: Question 13, Reverend Thwaites. Reverend Thwaites, just one short, quick follow-up from...

Miss HANNA: Yes, Prime Minister I hear what you say. And certainly, when you spoke about bauxite earlier you spoke about some bauxite companies not willing to transfer to LNG, but perhaps it's another source of energy which is coal. In the situation...

(*Sotto voce* comment)

...exercising a preference. The situation that we have now where Cement Company has a coal plant for instance, is it that you are asking most companies, or even companies that would like to invest in Jamaica. Let us say, for instance, that another cement company wanted to invest in Jamaica and would like to bring a coal plant as well to run that cement facility, are we saying to them therefore, that LNG is the option that we would like to go with?

The PRIME MINISTER: We are not saying that; we are not saying that. We are working with them, in terms of the comparative analysis, because although coal is plentiful, the capital cost of establishing a coal

plant are so horrendously greater than an LNG plant, that anybody that is opting for that source of fuel needs to work through their own numbers to see whether over time, that would be in their best interest.

And quite frankly, unless coal was significantly preferable from a pure economic point of view, I don't think that it would outweigh the concerns about the environment, and the impact that that is likely to have. So, what the alumina companies are saying is that look, we are accustomed to coal. And many of the countries where we have our plants is driven by coal, and the coal is right next door to us, and we have no problem in getting supplies and the market is not as volatile, that's what we are accustomed to. But if you can offer us something that is cheaper than oil, and if that can keep us competitive in the global market, well, just come and talk to us. I mean, that has been their position.

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Thank you, Mr. Speaker. Will the Prime Minister provide an answer to the question... Number 13 listed in my name?

LAMP – PROGRESS REPORT

The PRIME MINISTER: Mr. Speaker, the question is:

> "*Will you please give this House a progress report on the LAMP project and the plans to expand its reach to achieve universal application of the Registration of Titles Act? "*

It was a very general question. I have today tabled a Ministry Paper, and I took the opportunity - I hope the Member got it - of sending him yesterday a draft of the Ministry Paper to assist him if there were any supplementary questions he may want to raise.

Rev. THWAITES: Mr. Speaker, thank you very much for that.

Will the Prime Minister acknowledge that the main constraint to the expansion of the project for universal registration has to do with the availability and cost of surveys and, would he consider a project which would more fully than at present, incorporate those who are student surveyors with Commissioned Surveyors in order to advance the availability of plans to be pre-checked for unregistered land?

The PRIME MINISTER: Mr. Speaker, that's exactly what we are doing. I met myself, with the President and other officials of UTECH, and we have made an arrangement where UTECH students would do, in a sense, most of the held work which would then be validated - checked and validated by a Commissioned Land Surveyor. And UTECH has actually woven it into their academic programme. So, that is being done now. And that has given us some of the acceleration that we have seen in recent times. A lot, of course, depends on (a), the size of the class and the number of students who are available, because I think it's confined to students in their third year - I can't remember - it's the advanced students in the architectural course. And, of course, the ability - our ability to - our and the beneficiary's ability to finance it.

As was pointed out in the Ministry Paper, even though the cost of securing a title for a small piece of land, under two acres, with a tax roll value of less than 500 is $34,500. LAMP is reporting that many potential beneficiaries are too poor. They just can't find

$34,500 to pay even that much. If they did it privately it would probably cost them $150,000. And that's a challenge. We have tried to arrange with some of the lending agencies: the PC banks, the credit unions, to try and design some loan programmes specifically for this, but that's a real challenge. We have only thirteen land surveyors employed in our programme. That's up from eight two years ago, but that too is a constraint. There are some institutional capacity problems as I pointed out.

We do have problems as well in terms of the courts because where it involves Probate, or Letters of Administration, or boundary, or ownership disputes that have to be resolved by the Court, it can take an interminable length of time to get those cases dealt it, averaging now about close to a year. So, we are trying to address as many of those problems as we can to try and see if we can get some more out.

We have made progress. We are now up to - I can't remember the exact figure but I think we have issued so far 2,300 titles. I think we - that's doubled what it was two years ago. So, we are getting... and with the involvement of Geoland, we are getting some more capacity, but we still have a long way to go.

Rev. THWAITES: Mr. Speaker, would the Prime Minister consider the appointment of a full time paralegal and deputy registrar at the level of the Supreme Court to deal with matters relating to LAMP, which would considerably quicken the pace of the instances of intestacy and testacy where these are preliminaries to registration.

And secondly, the establishment of a Land Court in each county of Jamaica, which would deal specifically with the issues, the type of which he had adumbrated and which you, Mr. Speaker, know very well of.

The PRIME MINISTER: Mr. Speaker, the first proposal is a very interesting one, and I certainly would want to explore it. The second is actually a recommendation that had been made by LAMP unit itself. The problem with it is that there is some resistance to creating new courts when you are faced already with significant constraints within the court system, because what you are talking about is shifting court personnel from areas where they are already short-staffed and under pressure. It is something that I would explore. It is something that I would ask the Minister of Justice to have discussions with the Chief Justice on.

The first one, definitely I would want to pursue it and the second one, let's have some discussions and see what guidance we get from the Chief Justice on the matter.

Rev. THWAITES: Mr. Speaker, just to advise. There isn't necessity to form any separate court. One of the most critical elements of the Justice Reform Programme which impinges on this, which I would really implore Government to consider for the next year, is the appointment of at least 15 to 20 more Magistrates.

Mr. PICKERSGILL: Hear, hear!

Rev. THWAITES: This is absolutely necessary. And they could, to some extent, be deployed in this endeavour.

Would the Prime Minister consider the extension of the declaration of the LAMP areas as far as first registration is concerned, to the entire island?

(Applause)

The PRIME MINISTER: We hope to get there, Mr. Speaker, but to do that we need

more capacity. I mean, we have a finite number of officers and to establish the offices, the contact, to do all the various things to support the programme, we are seeking a grant from the Korean International Development Agency which is a State-owned... Government of Korea. We are seeking a grant which would enable us to do that, and the intention really is to cover the entire island. We have been making some progress. You see the number of parishes that have been brought on; and if we can get some additional resources, then we would be able to expand the staff and we would be able to extend the designated areas to cover the remaining parishes that have not yet been declared.

Rev. THWAITES: Mr. Speaker, is the Prime Minister aware of the considerable congestion with regard to applications for subdivision in the Parish Councils?

And, would he follow through on what I have heard him set out, and respectfully agreed with, is the importance of separating issues relating to planning from those of titling?

And would Government consider the very minor amendments to legislation which would allow - in fact, you could go on the basis of the existing legislation empowering LAMP, but administer it in a way that allowed people to get their titles, and then have issues of user developed and dealt with separately. Were that to be done, Mr. Speaker, we could achieve a great deal more pace in this extraordinary epiphany of capital which this programme bespeaks?

The PRIME MINISTER: Mr. Speaker, I think the Member knows of my own strong feeling on that. I'm not satisfied that the idea is being pursued with the kind of aggressiveness that I would like to see and I think that that has to do with what one may call institutional resistance.

Just yesterday I have passed the new Principal Director in the Office of the Prime Minister who is, herself a lawyer and I've asked her to take personal charge of that and to pull all agencies together and to come back to me and not to explain to me why we shouldn't do it but to tell me how we're going to do it and how quickly we can do it. If it's something that I believe is right - in a sense some of what that seeks to do has already been made possible under LAMP, because the Minister has power under LAMP, for example, to exempt from subdivision requirements in order to issue titles. And I think that we need to go the full step and to declare that a Certificate of Title is exactly what it says, it's a certificate of ownership and that the question of the level of development must reflect itself in the value of the property and not in your right to be able to present a document to say that it is yours.

Naturally, we are still going to have to require surveys, because we don't want to have boundaries in any dispute or ambiguity and we have to make sure that even if you don't have a road to your piece of land, there must be defined access through which you can get there. But once that is done, I see no reason why you cannot give that person an official document that says this is your piece of land, these are the boundaries, this is how you get to it, even if you don't have nicely paved roads and curved walls and water supply. That must be something that can be dealt with through investment that owners perhaps will be willing to make, if they now know that they have a proper document.

Rev. THWAITES: Mr. Speaker, is there a timeframe for this exercise that the Prime Minister has set out? Would he be prepared to - well I suppose I could revisit this matter in a quarter's time? I'm very anxious that this one doesn't go to sleep you know, sir. This is that which can make the poor have assets and ...

The SPEAKER: Reverend Thwaites, I can assure you that the Speaker of the House has a great interest in this matter.

Rev. THWAITES: Well, Mr. Speaker, that is the most thanking, I yield.

The SPEAKER: It is being pushed. Very well.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, at Public Business today, the Minister of Mining and Energy will take the debate on the energy policy, which is item Number 1 under Government Business on the Order Paper.

ENERGY POLICY - 2009/2030

Mr. ROBERTSON: Thank you, House Leader.

Mr. Speaker, at this late stage I will still have to do this noble document justice, Energy Policy 2009/2030. But I would ask if the Speaker would allow me just to indicate to the Member from St. Ann, who spoke on coal and sounded like a coal lobbyist in Jamaica in 2010, that mockery would have been made of the Copenhagen Accord, which was only in front of us when we met in December ‘09 - I checked the date recently from a Member on her side - and I will indicate to her that cement and coal in the region where you are possibly thinking of, I can't see it passing any environmental test or standard. So I don't think that that would be possible.

I also want to indicate that...

(Inaudible comments by a Member)

Mr. ROBERTSON: You do sound like a coal lobbyist now.

(Laughter)

I just want to indicate that mitigating against the environmental cost of coal at this time, is not possible and this county - and I would want to indicate that all the checks we have made, this country would not find financing for a coal project based on the criteria that would be put to the test. And I would also want to indicate that I'll supply some formation on the competitiveness of liquified natural gas at this time.

And there's a lot that you could also learn from Members on your side, who speak on energy and mining because they don't seem to be supporting your position. (Applause)

Mr. Speaker, let me indicate that one of the most pressing issues facing our beloved nation today is the need to find solutions to our energy crisis, starting with the implementation of our National Energy Policy. Let me, from the outset indicate that this administration is committed to affording our nation, the prospect of cheaper and more environmentally friendly sources of energy.

Additionally, energy efficiency and the development of local energy resources, especially economically competitive sources of renewable energy, will become major parts of our approach to resolving our energy crisis. The Jamaican economy is currently heavily indebted and dependent on imported fuel. As a net importer of fuel, the country is therefore susceptible to the volatilities of the world oil market, both in terms of supply and the price of oil.

It is clear that in order to minimise these effects on the economy, we must diversify our energy base. During calendar year 2009, Jamaica imported 22 million barrels of oil for which we spent US$1.3 Billion. This is a marked reduction compared to 2008, when US$2.8 Billion was spent on oil imports,

Mr. Speaker, we must appreciate that this drastic reduction was largely due to the downturn in the bauxite and alumina sector, which saw the closure of three of the four alumina plants. For calendar year 2008, the bauxite and alumina sector accounted for nine million barrels of oil, or 31% of total petroleum imports, while for the calendar year 2009, it only accounted for three million barrels of oil, or 14% of total petroleum imports. Higher oil prices also have a significant impact on our balance of payments and the current account deficit.

The deficit in the current account, Mr. Speaker, measures the extent to which Jamaica is depending on the rest of the world to satisfy our import needs. During the period under review, the current account deficit is projected to drop to an accumulated total of US$3.7 Billion. Increased energy prices also fuel inflation. Every Jamaican consumer, business person and consumers alike, are aware that there is a snowballing effect of increased energy prices on all goods and services consumed. Increased energy prices result in higher electricity prices and transportation cost for the delivery of goods and services to all Jamaicans, whether we live on the planes of St. Catherine, Clarendon and Westmoreland, or in the hills of St. Thomas, Portland, St. Mary or the interior of other parishes.

It is therefore incumbent on all of us as a nation, to develop a national consensus on the way forward, in lowering the cost of energy as a major import in the overall cost of production. And it is in this context that work has been undertaken in recent years, in the development of a comprehensive national energy policy.

Mr. Speaker, our administration cannot take sole ownership of the development of a national energy policy, rather, work was started under the last administration of the People's National Party. The records of this Honourable House will show that a draft National Energy Policy 2006/2022, was tabled in 2006, and as soon as the current administration of the Jamaica Labour Party took office in September 2007, the Ministry of Energy under the leadership of former Minister, Clive Mullings, continued the development process of the energy policy.

I therefore wish to thank both Members, the Member from East Kingston and Port Royal and the Member from West Central St. James, for the significant work that was done under both administrations up to the, beginning of the 2009/2010 fiscal year.

Mr. Speaker, one of the challenges which I received in April 2009, when the Honourable Prime Minister challenged the Ministry of Mining and Energy to expeditiously complete the National Energy Policy in order to present a very clear policy position on energy for the country. The timing was critical because we were in the heights of the recent global recession that had a most adverse impact on the bauxite, tourism and the local manufacturing sectors. To compound the problem, the price of oil, which is our most utilized source of energy, skyrocketed to US$148 per barrel in the summer of 2008, thereby dealing a cruel blow to our productive

sector and ordinary consumers.

Mr. Speaker, we accepted the Prime Minister's challenge and in July 2009 the Ministry of Energy and Mining completed the first draft of the National Energy Policy 2009/2030. The approach taken to develop the policy was to do an analysis of the local and international energy situation taking into consideration the global trends against our local realities. After wide scale stakeholders consultations, we then prepared a comprehensive policy to meet the immediate medium and long-term strategic objectives of the country. Key inputs included, but were not limited to, the work done by the National Energy Task Force, feedback from the public consultations done in the first quarter of 2008 involving discussions with the Private Sector Organization of Jamaica, Academia, NGOs and other representatives of civil society. Comments were also received from our international development partners. All made invaluable contributions in ensuring that the policy took into account all the key factors that needed to be addressed. All made invaluable contributions.

I therefore wish to thank all those who participated and contributed to this important policy development process. Thank you to the members of the Energy Policy Working Group that was chaired by the Permanent Secretary, MRS. MARCIA FORBES, and which chairmanship was continued by the current permanent - Secretary, MRS. HILARY ALEXANDER. Both were ably supported by the very committed team of technocrats in the ministry. Thank you also to representatives of other government ministries, departments and agencies who also dedicated their time and expertise in research, document reviews and data information analysis.

Special mention must be made of the Petroleum Corporation of Jamaica, the Office of the Prime Minister, including the Environmental Management Department, the Ministry of Investment and Commerce and Jamaica Trade and Invest, the National Environmental Planning Agency (NEPA), the Ministry of Transport and Works, the Ministry of Agriculture and Fisheries, the Ministry of Finance and the Public Service and the Ministry of Foreign Affairs and Foreign Trade. We must not forget the input of the bauxite industry led by the Jamaica Bauxite Institute. We say thank you once again to the Private Sector Organization of Jamaica and representatives of their several umbrella groups for their hard work.

Mr. Speaker, because of the collaborative work and contributions, for the first time in recent history Jamaica now has a National Energy Policy that is long term, visionary, comprehensive, progressive and responsive to changes in the local and international energy environment.

Jamaica's National Energy Policy 2009/2030 was approved by Cabinet in October 2009 and subsequently laid in the House of Parliament on December 8, 2009. Mr. Speaker, this policy aims to facilitate the establishment of a comprehensive programme of efficiency improvement and energy diversification in order to provide high quality affordable environmentally-friendly energy and to reduce the country's dependence on high-cost imported oil. It is also designed to ensure that by 2030 Jamaica will be classified as a developed country. The National Energy Policy is Jamaica's first long-term energy policy. It is especially timely in light of the

increasingly important role of energy in the socio-economic development of the country.

As I stated previously, Mr. Speaker, Jamaica's future is inextricably linked to finding cost effective environmentally sustainable energy solutions. Therefore the formulation and, more importantly, the implementation of this policy is critical in helping Jamaica to achieve overall sustained national development.

Our National Energy Policy recognizes the role and importance of energy in the socio-economic development of Jamaica. The policy examines the energy situation we face and proposes a range of options and strategies which the Government is committed to pursue over the short, medium and long-term. The energy policy will support our **Vision 2030**, our National Development Plan providing the enabling environment for us to achieve a national outcome of a secure and sustainable energy supply for our country. It is important to note that the policy incorporates actions to deal with global trends such as climate change, energy conservation and efficiency and renewable energy. It also establishes linkages with other sectors such as agriculture, transport, construction, bauxite and finance, to achieve policy coherence and fulfill the country's energy goals.

Mr. Speaker, the maintenance of the National Energy Policy is specifically designed to encourage wise energy use, energy conservation and efficiency nationally through discrete projects aimed at reducing the nation's energy bill. The policy envisions the creation of a modern and appropriate energy infrastructure to promote economic development, which includes promoting the diversification of our energy base to include natural gas, ethanol and other biofuels. In addition, it envisages the development of indigenous energy sources which could possibly involve further oil and gas exploration both onshore and offshore. The policy promotes the development of renewable energy sources specifically solar, wind, mini hydro, biofuels, biomass, including bagasse and a reduced carbon footprint. The policy also promotes energy sufficiency and security of energy supplies through facilitating negotiations to ensure stable and adequate energy supplies at least cost, for example, the San Jose Accord, the PetroCaribe, the Nigerian Agreement and the Ecuadorian crude oil purchases.

Mr. Speaker, another critical element of the policy is the establishment of a modern and well-defined legal and regulatory framework for the energy sector which seeks to protect consumers, investors and the environment against unsafe conditions and unsafe practices. It is further expected that government ministries, agencies and other State entities will distinguish themselves as models of energy conservation and environmental stewardship. Similarly, it is envisioned that the productive sector and individual householders will embrace eco efficiency and the green economy.

Mr. Speaker, the Ministry of Energy and Mining has the dual responsibilities of articulating the policy and coordinating the monitoring of its implementation. As such, the ministry will provide leadership for the achievement of an efficient, diversified and sustainable energy sector. One of the important activities will be the policy review process which will need to be both dynamic and responsive. It is anticipated that the first

review will be conducted shortly and every three years thereafter, unless events require earlier review.

Mr. Speaker, the implementation of this policy will be led by the Ministry of Energy and Mining and the Petroleum Corporation of Jamaica with the assistance of several other departments and agencies of government. However, the involvement of all stakeholders is fundamental to the successful implementation of this policy and as such, we will be seeking the support and assistance of non-stakeholders, including the private sector, non-government organizations and community-based organizations. In addition, the support of our international development partners continues to provide much needed financial and technical assistance to the ministry as it proceeds to move the energy agenda forward.

Mr. Speaker, the following are some of the achievements to date: the first three-year action plan was completed in April 2010. This action plan covers the period 2009 to 2012 and is the road map that will start us along the road to achieving the goals set out in the policy. The major objective of this first planning period is to decrease the country's dependency on imported oil and improve efficiencies in the use of energy.

In 2009 also, Mr. Speaker, the Government announced that it was interested in pursuing liquified natural gas (LNG), as the preferred fuel diversification option for Jamaica. This announcement was against a background in which energy forecasts predicted that natural gas prices would be low relative to oil for the foreseeable future. Long term natural gas supplies would be sought to take advantage of prices at this time and the introduction of LNG offers the prospects of low electricity rates and a more competitive bauxite and alumina industry. Cabinet, advised by experts in the gas industry, decided that a floating LNG terminal technology was to be used because it offers the quickest prospect for involvement of all stakeholders, which is fundamental to the successful implementation of this policy. As such, the introduction of LNG is ideally suited to deliver the volume of gas we will require. The project should be implemented as a private sector financed, build, own and operate project.

In November 2009, the Petroleum Corporation of Jamaica issued a request for proposal to prequalified applicants in order to select a firm to be given the approval to develop the LNG terminal and gas pipeline network. Responses to this RFP were received in February 2010 and after a process of bid evaluations, a consortium of investors was selected for negotiations to construct the Floating Storage Regasification Unit and the requisite pipeline infrastructure.

Mr. Speaker, the LNG option offers significant benefits to the country. It is important, for example, to point out that attire current differential between crude oil and natural gas prices, Jamaica would save up to US$300 Million *per annum* on energy import cost, even after taking into account the cost of the infrastructure necessary to handle LNG. In this regard the US$300 Million *per annum* that we could now be saving if we had LNG, excluding the loss of earnings by the plants in the bauxite and alumina sector that had to cease or reduce operations due to their inability to compete with plants elsewhere, due primarily to their use of oil as the main

source of energy.

Another major benefit Mr. Speaker, is that the generation of electricity by modern, efficient plants, using a cheaper source of fuel, will also reduce the cost of electricity to consumers. This is a key aim of the energy policy and a matter we have pursued with urgency.

Mr. Speaker, goal number two of the policy addresses the need for modernization of the energy infrastructure. This is tandem with goal number four of the policy which addresses the energy security and fuel diversification strategy.

As a result of these two policy goals, along with the need to improve the overall efficiency in the use of energy, the OUR has invited bids from local and international firms to supply up to 480 megawatts of new generating capacity to the system. This will allow for the displacement of old and inefficient generating plants and provide for growth in demand over the medium term.

Mr. Speaker, this will result in improved system heat rates, which is the rate at which fuel is converted to electricity. This, along with the expected reduction in fuel price as a result of the introduction of natural gas, will translate into a reduction of Jamaica's energy costs and eventually the customer's electricity bill.

Mr. Speaker, I now turn your attention to renewable energy solutions.

Mr. PICKERSGILL: What page are you?

Mr. ROBERTSON: Our Administration... We gone 'bout halfway.

Mr. Speaker, our Administration is committed to leading the continued development and promotion of renewable energy options that will reduce the country's dependence on imported fossil fuel by increasing the percentage of Jamaica's energy being generated from renewable sources, from the current level of about 9% to 15% by 2020 and further to 20% by 2030.

Members of this Honourable House will recall that when l gave my contribution to the Sectoral Debate in 2009, 1 mentioned that we had approximately 5% of renewables in our then energy supply mix and now, one year later, the records show that the use of renewables has increased and now accounts for 9% of the country's energy supply mix.

The truth is, Mr. Speaker, the figure of 20% wi11 be achieved long before 2030, and it is imperative that we ensure that the best options are taken to attain this goal, for example, the use of waste-to-energy and biofuel. In essence, the targets for renewable energy contribution are clear, realistic and achievable.

The main renewable energy technologies that are of interest to Jamaica and those that have recently engaged the interest of the local multilateral and bilateral agencies are solar, wind, mini hydro, biofuels, biomass, and as I said before, including biogas. In fact Mr. Speaker, only yesterday, I was made aware of a serious thermal energy interest being offered through new technology.

Mr. Speaker, the National Energy Policy supports the use and deployment of renewables in the country's energy mix, but we need to ensure that this is supported by proper empirical data and Jamaican studies, and not driven by emotion, exuberance and the cutting and pasting from the policies of other countries, for example, countries that can afford to subsidize their energy programmes

or that have natural energy advantages, such as hydro, or that have huge reserves of natural gas.

Mr. Speaker, I'd like to look at some recent developments. In December 2009, the hyrdo-electricity power plant at Constant Spring was recommissioned into service after extensive rehabilitation. The plant, which had been out of service since 2001, now adds .77 megawatts of electricity to the national grid. This is a cooperation between the Jamaica Public Service and the National Water Commission. Through a competitive bidding process, Mr. Speaker, JPS received approval from the Offices of Utilities Regulation for the construction of a three megawatt wind powered plant in Munro, St. Elizabeth. The construction of the plant is virtually completed and testing and commissioning is in progress. It is to be opened by the Honourable Prime Minister on October 13, 2010.

Mr. Speaker, ground was broken in March 2010 for the expansion of the 20.7 megawatt Wigton Wind Farm, to 38.7 megawatts. Construction is well underway and the plant is expected to be commissioned into service by the end of the current year. When completed, the project will provide 55 gigawatts of electricity energy, capable of powering approximately 24,000 homes. It will reduce...

Mr. PAULWELL: How many watts?

Mr. ROBERTSON: Fifty-five.

Mr. PAULWELL: Watts?

(Inaudible)

Mr. ROBERTSON: Gigawatts. It was a plan from your time.

Mr. E. SMITH: Don't let him throw you of

Mr. ROBERTSON: He's not throwing me off. He wouldn't do that. He's very proud of my work. He's very proud of my work, the work that we've done. You can't say that, Minister?

(Inaudible comments by Mr. Paulwell)

Mr. ROBERTSON: Reduced consumption of imported fuel by this project, will be approximately 32,000 barrels of oil and save the country annually, at today's cost, S$3.2 Million of foreign exchange. Mr. Speaker, we will also avoid the emission of approximately 46,000 tonnes of carbon dioxide and lower the overall fuel charge on consumer's electricity bills as fossil fuel energy is substituted by renewable energy.

Mr. Speaker, in terms of biofuels, Jamaica is fortunate, both geographically and by experience, historically, to produce the commonly acknowledged best source of biomass, which is sugar cane energy. Through divestiture of our public sugar cane estates, Jamaica is providing an investment opportunity to produce indigenous ethanol and power-generation for sale to the grid. We recognize global markets for ethanol, sugar and rum are currently in flux, and investment decisions regarding these co-product ratios will be largely determined by prevailing markets. We also, Mr. Speaker, have looked at incentives, another pressing issue that had to be challenged and faced.

Our administration is quite aware of the various calls for incentives to encourage renewable energy development. Here again, the National Energy Policy prescribes various initiatives to allow for serious investments in renewable energy technologies. A range of fiscal, legislative and regulatory issues are to be addressed, most of which are further articulated in the draft renewable energy

policy, which is already posted on the Ministry's website as part of the public consultation process. And I brought one for the Minister...

A MEMBER: Minister?

Mr. ROBERTSON: I call him that since he believes he's that....

(Inaudible)

(Inaudible comments)

A MEMBER: This is for him?

Mr. ROBERTSON: Yes, for him, two more policies.

Mr. PAULWELL: I got them.

Mr. ROBERTSON: You got them. I did send them. Thank you.

It is worth mentioning that while the Ministry develops and articulates policies, Mr. Speaker, the Office of Utilities Regulation, the OUR, has a regulatory role to play in establishing electricity tariffs and our electricity rates. We therefore continue to look to the OUR to take effective measures to implement the relevant policy prescriptions. Some of us in this House cannot be forgiven for not understanding the OUR's role and cannot be forgiven either for conveniently forgetting the independence of the OUR.

Mr. Speaker, under goal Number Two of the National Energy Policy, the Government has committed to implement appropriate energy distribution and transmission systems and to unbundle generation and transmission and distribution, creating an energy efficient electricity structure. These commitments allow for the introduction of new technologies such as smart metering, net metering, net billing and power wheeling as options to create access to the transmission and distribution systems. We are committed to these policy issues which will promote the development of renewable energy and small-scale investment in the electricity sector.

Mr. Speaker, an important factor for renewable energy to be successful, is the matter of access to the electricity grid. This access avoids the investment in battery storage which are costly, accounting for about 30-40% of renewable energy systems as well as being unfriendly to the environment. These batteries have to be changed frequently and create a problem for disposal.

Net metering, net billing and power wheeling can create this access, as each provides a channel for the consumer to sell its excess electricity to the grid instead of investing in expensive battery storage or operating inefficiently from various locations, in the case of wheeling.

Mr. Speaker, net wheeling is a system whereby an electric utility company, Jamaica Public Service, in the case of Jamaica, buys excess power from its customers at an agreed rate compared to what it retails it to the same customers. A premium would be necessary as a facilitator and licensing fee for the utility company to be compensated for the cost and use of the grid by the customer. This system requires only one meter at the point of interconnection with the electricity grid. The customer is billed or credited for the net amount of electrical energy measured in kilowatt hours, consumed from, or delivered to the utility grid.

Consistent with the National Energy Policy Green Paper, the system of net metering is one of the recommendations to ensure there is a prescribed protocol for the supply of electricity to the national grid.

Under goal Number Five of the National Energy Policy dealing with the establishment

of a well-defined governance, institutional, legal and regulatory framework, one of the strategies articulated is to conduct studies to include, net metering and wheeling in the tariff rates and introduce appropriate mechanisms for net metering and wheeling procedures and standards to encourage the development of renewable energy and cogeneration opportunities.

Mr. Speaker, net billing is the system whereby an electric utility company buys excess power from its customers at the generation avoided cost, plus a premium in our case in our policy, of up to 15% if the source is renewable energy.

This system normally requires two meters to be installed at or about the point where the customer is connected to the electricity grid. In the case of net billing, the customer is billed or credited separately for the amount of electricity produced and electricity consumed by the customer. The system of net billing has been in place in Jamaica for a very long time and where it exists, it is working very well and only subject to contractual arrangement between JPS and the power provider.

In terms of power wheeling, Mr. Speaker, this is the concept whereby a generator of electricity will transport electricity across the national grid for its own use at another location. The electric grid is essentially used as a transport mechanism. This concept is not new and the protocol for its application locally is being developed.

The Office of Utilities Regulation is responsible for ensuring that pricing mechanisms are fair and that neither the investor, the consumer nor the utility company is unfairly treated in the arrangements that are reached for these agreements. To this end, the OUR, along with the Jamaica Public Service are finalizing the details of a standard offer contract which will become available in short order, for the customers with renewable energy installations to access the electricity grid at a fair price and on reasonable terms.

In the case of wheeling, Mr. Speaker, appropriate contracts will need to be developed for companies operating at one geographical location and needing to use power at another location. This power could be passed by feeding into the JPS transmission and distribution system and extracting a similar amount at the other location.

A key objective of the policy, Mr. Speaker, is the modernization of the energy infrastructure and to ensure that electricity customers are better informed about their consumption patterns, cost of energy and other relevant information.

Mr. Speaker, l look at smart meters that are increasingly being used in modern electricity systems. These are advanced metres that record consumption in intervals of an hour or less and communicates this information at least daily via some communication network back to the utility company for monitoring and billing purposes. The customers are able to see the same information from the meters.

Traditional electrical meters only measure total consumption, and as such, provide no information of when the energy was consumed. Smart meters provide an economical way of measuring this information, allowing price setting agencies to introduce different prices for consumption based on the time of the day and the season.

The use of smart meters is one of the new technologies that Jamaica must adopt to better manage its electricity systems such as energy

consumption costs and losses.

Mr. Speaker, I next turn our attention to the Centre of Excellence, for Renewable Energy. This organization continues to partner with tertiary institutions and collaborate with government agencies and private sector agencies which are able to strike the proper balance between environmental protection, economic growth and to demonstrate the use of renewables.

Mr. Speaker, CERE is located in the PCJ, and today actively collaborates with local, regional and international development partners and has developed a portfolio project to attract financing for the development of hydro, solar, wind, bombs, and biofuels project. CERE was also instrumental in the introduction of the ethanol in gasoline project in November 2008. It has also played a significant role in the islandwide roll-out of the ethanol project.

Significant technical assistance has been received by the Ministry of Energy and Mining and its agencies from international partners for conducting studies in renewable energy technologies. And in this regard, we have received assistance as follows:-

- The Inter-American Development Bank recently signed a Technical Assistance Project for US$1 Million for renewables.
- The World Bank has signed recently also an Aide Memoire including support of US$5.15 Million.
- The United States Development Programme (UNDP) is providing US$60,000 to support the implementation of the energy policy Next Steps Programme.
- The United States Agency for International Development (USAID) in collaboration with Brazil is providing technical assistance for a biofuel industry development project to the tune of US$350,000.
- I must mention also that the PetroCaribe Corporation Agreement is financing the expansion of the Wigton Wind Farm from 20.7 megawatts to 38.7 megawatts at a cost of U5$49.9 Million approximately US$50 Million.
- The Latin American Energy Organization (OLADE) continues to provide on-going technical assistance for the training and capacity building within the Ministry of Energy and Mining and the wider energy sector.
- A longstanding matter is the establishment of the OLADE Caribbean, sub-regional office in Jamaica. This matter has received strong support from all the Caribbean member countries as this office will ensure that all the energy programmes and plans for the region are consistent with the priorities of the Member countries. The location of the office in Jamaica will result in increased financing for renewable energy development, energy efficiency improvement, improved capacity building and the creation of jobs for energy professionals. This is a matter of priority and every effort is being made to establish this office this year, this calendar year.
- The International Atomic Energy Agency continues to provide technical assistance for energy modelling and

resource assessment planning and evaluation.

- And the global, environment fund provides technical assistance to the tune of US$750,000 for the introduction of Renewable Wave Energy Technology to isolated coastal communities.

Mr. Speaker, with the support of the UNDP as mentioned above, the Ministry of Energy and Mining is now working with a consultant to develop and finalize some critical energy policy Next Steps including establishment of key sector indicators and targets. Development of the first three-year implementation plan and the development of six (6) new policies to give focus to key areas of the energy sector. These policies are the renewable energy policy, the energy policy from waste, the biofuels policy energy conservation and efficiency policy, the carbon emissions and trading policy and the electricity sector policy and strategy.

Also, Mr. Speaker with the support of CARICOM a National Electricity Policy and Strategy Document is being developed and it is in its final stages of completion. Attention, Mr. Speaker, will also be paid to energy conservation and efficiency improvement for the private sector to improve business competitiveness.

General incentives which are currently being implemented included programme for the efficiency branding of facilities, greening if you wish, and these include the tourism, commercial, manufacturing and industrial sectors. Mr. Speaker, a programme providing financial and technical support, for ECE implementation for commercial manufacturing and industrial sectors is also well underway. Establishing targets for energy use reduction for large commercial, manufacturing and industrial enterprises, some facilities, Mr. Speaker, will be deemed energy management facilities and will be required to appoint an energy manager, have an updated energy audit and implement a system of tracking and reporting.

We also have a programme, Mr. Speaker, for expanding the financing facility for householders to access solar water heaters and solar home systems, and other energy conservation and efficiency devises at low interest rates. Replacing incandescent lamps with compact florescent lamps in homes and businesses is also a major programme. There is significant potential for energy savings from the replacement of incandescent light with compact fluorescent bulbs, and LEDS and other energy efficient devises.

Encouraging the National Housing Trust to introduce ECE initiatives as a condition for home improvement loans is also being looked at. Other financing agencies are also to be encouraged to include as a requirement ECE efforts, energy audits of their facilities for loans at preferential interest rates. Mr. Speaker, these areas present several opportunities for the private sector and for financial institutions such as new financial instruments to support energy conservation and efficiency, development of energy service companies, introduction of new products and manufacturing and local assembling of products.

Mr. Speaker, in conclusion, the national energy policy, prescribes the framework within which the Jamaica energy sector can be developed, modernized and provides the medium to long-term energy needs of the

country. It is being enhanced by the development of several sub-policy strategies and the requisite legislation, regulatory and institutional provisions to ensure success. What is needed now, Mr. Speaker, is investment capital to further develop the country's renewable energy potentials in solar, wind, hydro and biofuels. We recognize the limitations in the present legislative and regulatory framework, but we are taking the required steps to do whatever is necessary within the context of the overall operations of the Government. It is through the policy prescriptions of the national energy policy and the several sub-policies, and the collaboration with key stakeholders that we will achieve fullscale deployment of renewable energy technologies, improved energy conservation and efficiency, diversify the energy mix and place the Jamaica energy sector on a sustainable development path.

Mr. Speaker, Members of this Honourable House, Jamaica is open for business. We will transform the energy sector from one that is characterized as overly dependent on imported oil and an old and inefficient energy sector into one that is modern, diversified and cost effective. And this development thrust will be pursued in a sustainable manner in harmony with the green environment.

Mr. Speaker, I thank you.

(Applause)

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, we will continue debate on the policy next week when the Opposition spokesperson will respond.

Mr. Speaker, it is not proposed to do any further business today. I therefore move that the sitting be adjourned until the 12th of October, when we will resume business.

The SPEAKER: Members, the motion before the House is that this Honourable House do adjourn until Tuesday, October the 12th at 2:00 p.m.

Motion put before the House and agreed to.

The SPEAKER: This Honourable House stands adjourned.

Adjournment taken at 5:37 p.m. until Tuesday, October 12, 2010 at 2:00 p.m.

TUESDAY, October 12, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2:15 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Planning and Development and Defence.

KARL GEORGE SAMUDA, CD, (JLP), St. Andrew, North Central, Minister of Industry and Commerce.

DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing.

PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security.

LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works.

EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister with responsibility for Information and Telecommunication.

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment.

OTHER MEMBERS

DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central.

MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western.

THE MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition.

MR. DERRICK CHARLES SMITH, CD, (JLP), St. Andrew, North Western.

MR. ERNEST AUGUSTUS SMITH, (JLP), St. Ann, South Western.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

Mr. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern.

PRAYERS

Prayers were offered by Mr. G. Mair.

The House resumed its sitting at 2:15 p.m.

The SPEAKER: (Gavels) Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKER: Members, this evening we would like to welcome in the Gallery, the

following groups who are sitting with us today. CAPE Law students and their lecturers from the Brown's Town Community College; (Applause) Social Studies students and their lecturers from the Shortwood Teachers' College; (Applause) and participants in the 2010 National Youth Parliament accompanied by officers from the National Centre for Youth Development. (Applause)

Welcome to the sitting of Parliament this afternoon. Please enjoy the sitting, but just check on your cellphones and make sure that they are off or on vibrate, so you do not disturb the sitting of Parliament.

STATEMENTS BY MINISTERS

Mr. HOLNESS: Mr. Speaker, the Prime Minister has a brief Statement to the House.

The SPEAKER: Prime Minister.

COMMISSION OF ENQUIRY – ENGAGEMENT OF LAW FIRM MANATT, PHELPS & PHILLIPS

The PRIME MINISTER: Mr. Speaker, the Government has decided to establish a Commission of Enquiry to enquire into the issues relating to the request by the United States Government for the extradition of Mr. Christopher Coke, the manner in which the request was dealt with and the engagement by Harold Brady and Company of the US firm Manatt Phelps & Phillips. The composition of the commission and the more precise terms of reference will be announced shortly.

The SPEAKER: Thank you, Prime Minister.

(Inaudible comment by a Member)

Mr. M. PEART: Why yu don't want we talk?

The SPEAKER: It's unambiguous.

(Cross talks/*Sotto voce* comments)

The SPEAKER: Yes, Dr. Phillips.

(Cross talks)

Members, enough, enough! Dr. Phillips.

(Cross talks)

Enough, Members!

Dr. PHILLIPS: Mr. Speaker, I just wanted to enquire of the Prime Minister if the - what was agreed, l think informally, arising out of one of the Vale Royal discussions that the terms of reference and the composition will be discussed with the Leader of the Opposition?

A MEMBER: Vale Royal?

The PRIME MINISTER: I don't recall any such undertaking in the Vale Royal discussion. I know that in the case of the enquiry into the collapse of some financial institutions in the 1990s that we had consulted with the Opposition following a specific request, or proposal that was made in this Chamber. But it is not my understanding that the appointment of commissions of enquiry have at any time in the past, been the subject of any unanimity, particularly where it involves an issue on which the Opposition has taken very strong and strident position.

Dr. PHILLIPS: Prime Minister, without having at my disposal here chapter and verse, I believe that arising, probably preceding your tenure, there was a set of understandings that related to the appointments of both public service and Police Services Commission and I believe, though I would not swear to it, that it extended to a question of consultation in relation to commissions of enquiry. But without asking you here just to say that it is something that maybe both sides could explore what that agreement was.

And I would - I think also, Prime Minister,

that in the particular circumstances of - that have attach to this particular issue, it may well be to the benefit of the country if there was to be some sharing of views as to the Terms of Reference and composition.

A MEMBER: We hear yu.

Mr. M. PEART: Unoo nuh want that at all.

(Cross talks)

The PRIME MINISTER: Without doubt and without doing anything that is extraordinary, I will be in touch with the Leader of the Opposition on the matter. As a matter of courtesy, I've kept her informed on matters that I consider warrant that level of communication. I think you will appreciate however, that ultimately the buck stops somewhere and that is where the decision has to be made.

The SPEAKER: Thank you, Prime Minister.

ANNOUNCEMENTS

The Acting Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 82/10**
  Government Guarantee of a loan of US$20 Million to the Students' Loan Bureau to provide affordable and adequate financing to students from poor and vulnerable households to complete tertiary level programmes in approved institutions in Jamaica and the Caribbean.
- Certified Appropriation Accounts
  Head: 2700, 2700A and 2700B with the Ministry of Mining and Telecommunications for the year 2008/2009.
- Head: 5600 and 5600A, Ministry of Energy for 2008/2009.
- Head: 5900, Ministry of Energy, Mining and Telecommunications for the year 2007/2008.
- Head: 5200A and 5200B, Ministry of Industry, Technology, Energy and Commerce 2007/2008.
- Head: 5900 and 5900A, the Ministry of Energy, Mining and Telecommunications for the year 2008/2009.

(MOST HON. PORTIA LUCRETIA SIMPSON MILLER, (PNP), St. Andrew, South Western, Leader of the Opposition, entered and took her seat.)

The SPEAKER: I see a few Members asking if the documents are actually present before them. Can I just ask, Members, if the documents are not present, as I indicated on several occasions, we have copies of these documents and rather than laying before every Member, we just ask the Members who would like copies to just check with the Clerk afterwards.

Yes, Mr. Thwaites.

Rev. THWAITES: Mr. Speaker, it will be very helpful if when the announcements are made, We were told whether, as we would expect we would find the relevant document on our tables, if not, that select copies are available, or alternately, that it's on the website, otherwise you'll go fishing.

The SPEAKER: I think to be fair though, Rev. Thwaites, I have said and I repeat, to avoid the paper trail, and I think many Members have expressed to me that many times they collect these documents and they are not utilized, I am not denying that some

Members would like to see the hard copy, that we urge Members to bear in mind, without me repeating it again after today, that most of these documents, we have maybe a dozen copies which will be available to those Members who would like a hard copy. And in many cases they will be put on the Parliamentary website so that Members who would like to see them, either the hard copies or the electronic copies, can get them, but we are trying to avoid the paper trail.

Rev. THWAITES: I accept that Speaker. But would the Clerk just please tell us where.

Government MEMBER: Go to the Parliament website.

Rev. THWAITES: I beg your pardon. Tell us into which category: on your table, select documents available somewhere behind you or on the website.

The SPEAKER: Okay. Very well, Rev. Thwaites. We will let that be in future.

NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: Rev. Thwaites.

N.I.S.

Rev. THWAITES: Mr. Speaker, I beg to give notice that at the next meeting of the home I will move the following motion:

> Be it Resolved that the National Insurance Scheme is underperforming and should be reformed and extended to provide a more adequate social security system for Jamaican workers.

Dr. DAVIES: Pearnel second that motion.

Mr. CHARLES: You sin, you need help!

The SPEAKER: Mr. Holness.

Mr. HOLNESS: Mr. Speaker...

Dr. DAVIES: Pearnel, be nice. You are too old to be...

The SPEAKER: (Gavels) Listen, a Member is on his feet. There is no need for the crosstalk, especially from the Front Bench of each side.

Mr. HOLNESS: Thank you very much, Mr. Speaker. Thank you, Mr. Speaker.

On behalf of the Prime Minister, Mr. Speaker, I beg to give notice that at the next meeting of the House I will move to introduce and have read a first time the Bills shortly entitled: "The Constitution (Amendment) (No. 2) Act, 2010" and "The Criminal Justice (Plea Negotiations and Agreements) (Amendment) Act, 2010."

On behalf of the Minister of Youth, Sports and Culture, Mr. Speaker, I beg to give notice that at the next meeting of the House I will move to introduce and have read a first time a Bill shortly entitled: "The National Library of Jamaica Act 2010."

Mr. Speaker, on behalf of the Minister of Finance, I beg to give notice that at the next meeting of the House I will move:

LOANS GUARANTEE - SLB

> Be it Resolved with reference to Ministry Paper No. 82 dated September 30, 2010, which was laid on the Table of the House on the 12th day of October, 2010, that this Honourable House of Representatives approves the granting of a Government Guarantee under the Provisions of the Approved Organizations and Authorities Loans (Government Guarantee) Act, of a loan of US$20 Million to the Students'

Loan Bureau, by the Caribbean Development Bank. This will facilitate the provision of affordable and adequate financing to students from poor and vulnerable households to complete tertiary level programmes in approved institutions in Jamaica and the Caribbean.

The SPEAKER: Mr. Hylton, you would like to go it.

Mr. HYLTON: Mr. Speaker, I had moved a motion, given notice of a motion…

The SPEAKER: Yes. On that matter, Mr. Hylton, the House Leader indicated to me that the Minister of Foreign Affairs and Foreign Trade would like to participate in that debate and was asking for postponement until next Tuesday. I am aware that we had set it for today.

Mr. HOLNESS: Mr. Speaker, I want to reassure the Member that the House is intent on debating the motion moved. The Minister of Foreign Affairs wants to participate in that debate and he wants to be here at the opening of the debate. He asked that the debate be postponed until next week and I believe that that was conveyed to you previously.

Mr. HYLTON: Mr. Speaker, I am being taken aback now of the postponement. I am prepared and ready to go and I am being told…

The SPEAKER: Yes. I think you will understand, Mr. Hylton. In fact I only heard an hour ago and I did convey - I thought you were told before. I…

Mr. PEART: ...apologize.

Mr. HOLNESS: Mr. Speaker. The Minister of Foreign Affairs is ill, which is why I had given consideration to the postponement of the debate. Mr. Speaker, whilst I understand the concern of the Member, I once again seek to reassure him that the debate will be held. And it is the normal courtesy that we extend to Members who have significant standing in such debate, that if they are unable to attend that we postpone the debate for them.

(*Sotto voce* remarks by Dr. Davies)

The SPEAKER: We know it has to be the latest next week Tuesday, Mr. Hylton. Yes...

Mr. KELLIER: Mr. Speaker.

The SPEAKER: Yes, Mr. Kellier.

Mr. KELLER: Mr. Speaker, the matter of - we had agreed that we would be provided with a roster of the Notices of Motions Given Orally as to how we would proceed in dealing with these….

The SPEAKER: Yes. House Leader.

Mr. KELLIER: …and to date there has been no formal contact to sort out those.

The SPEAKER: House Leader…

Mr. KELLER: And I know the Member from Eastern Westmoreland is very pious in respect of No. 30 because he was given some kind of assurance that that motion would be taken very early.

The SPEAKER: Yes. Leader of Opposition Business, can I ask you to go, at an appropriate time shortly, with the Leader of the House in a side bar and work this out please because I think it is important.

Mr. HOLNESS: Mr. Speaker, we have scheduled several of the Private Members Motions, many of which have been tabled by our friends in the Opposition. Now we intend, Mr. Speaker, to take one such important motion today. We will be taking Motion No. 15 by the Member from Central Kingston, after which we will then be taking a motion by the Member from North East St. Catherine and after that, Mr. Speaker, we will be looking at

the motions because there are two separate motions made on the same matter, so we will be looking to take those together the week following.

Mr. BUCHANAN: Mr. Speaker, if I may. Mr. Speaker, the House Leader had said then that on the 4th, which was the Monday and not the 5th which would have been the Tuesday, we would have ensued the debate on the JDIP restructuring and since there is the devastation from the....

Government MEMBER: Bring it on!

Mr. BUCHANAN: ....hurricane rains, I believe that would be priority and be forwarded that we can bring back sanity to the several communities.

The SPEAKER: Yes. Mr. Buchanan, there is no doubt that that motion is relevant in the light of the recent devastation and I am sure the Leader of Opposition Business will consult with the Leader of the House with a view to putting that as soon as possible. In the meantime, I have no doubt you will gather further arguments in support of your motion.

Mr. BUCHANAN: I am ready now, Speaker.

QUESTIONS AND ANSWERS TO QUESTIONS

Mr. CLARKE: Mr. Speaker, I would like the Minister of Agriculture to answer the questions standing in my name.

The SPEAKER: Well, let us hear what questions are relevant this evening. House Leader, could you just indicate to us.

Mr. M. PEART: Relevant. Mi nuh understand you, sir.

Mr. HOLNESS: Mr. Speaker, I am sure to the delight of the Member from Westmoreland the Minister of Agriculture is ready to answer all questions standing in his name.

The SPEAKER: Just give us the numbers.

Mr. HOLNESS: Sixteen, seventeen and eighteen.

The SPEAKER: Fifteen, sixteen, seventeen and eighteen.

Mr. HOLNESS: And I believe as well, Mr. Speaker, that the Minister of Transport and Works will answer question No. 15 standing in his name.

The SPEAKER: Fifteen. Do you want us to go - how do we hope to proceed?

Mr. HOLNESS: I am proposing that the Minister of Agriculture answers the (Inaudible) questions.

The SPEAKER: Very well. Thank you. Mr. Clarke.

SUGAR CROP - YEAR'S OUTTURN

Dr. TUFTON: Thank you, Mr. Speaker.

The SPEAKER: Is this No. 16 first?

Dr. TUFTON: Yes, sir. Answers to question No. 16, Mr. Speaker.

Question 1: Will the Minister indicate the outturn of this year's sugar crop for the Jamaica Sugar Holdings to include cost of production and profit or loss position?

Answer: For the sugar crop ended August 15, 2010 overall production was as follows: cane per tonne or overall cane tonnage 1.39 million tonnes; sugar produced…

Mr. CLARKE: I have not yet received the answers.

Dr. TUFTON: I gave all the questions to the…

Mr. CLARKE: No, I don't.

The SPEAKER: You got three copies?

Mr. CLARKE: I only got this one. It doesn't have the… (Holding up a sheet of paper)

The SPEAKER: You have the answers to 16, 17 and 18, just check if the proper one was given to you. You should get three answers, Mr. Clarke.

Mr. CLARKE: Yes, that's it.

The SPEAKER: Okay. Yes, Mr. Tufton.

Dr. TUFTON:

Answer: Sugar tonnage 121,806 and the TCTS ratio 11.41.

The production out turn for SCJ H estates, inclusive of cane farmers was as follows, Mr. Speaker: Cane for Monymusk - 237,206 tonnes; for Frome - 479,024, grand total of 716,230 and sugar, in terms of tonnage, for Monymusk - 17,004; Frome - 40,830, total of 57,834.

In respect of the profit and loss position Mr. Speaker, for SCJ H we are unable to declare an out turn for 2009/10 crop at this time since the profit/share arrangement with Eridania has not yet been decided in accordance with the contract that was signed.

The Member may recall, Mr. Speaker, that there was a fixed price but there was also a profit sharing depending on the sale price. We expect to have those numbers by the end of November and I want to commit to my colleague that I will present those numbers to him when it's ready.

Question 2: Will the Minister indicate the final price to be paid for sugar supplied to Eridania?

Answer: Again, Mr. Speaker, it's difficult to determine now because it's still a process. And so by the end of November we will have the actual numbers based on the cost sharing.

Question 3: Will the Minister provide details of the amount expended so far in the sugar investment process?

Answer: In respect of the divestment of Frome, Monymusk, Long Pond, St. Thomas and Bernard Lodge Sugar Estates, the amounts expended as at August 31, 2010 are as follows: For the first round, Mr. Speaker, which started before my time, in 2006 to January 2009, it was $64 Million approximately. For the second round, February 2009, August 2009, $61,779,840. For the third round, April 2010 to present, $36,609,169. Grand total since 2004, Mr. Speaker, $162,420,575.14.

Question 4: Will the Minister state details of the amount received by the Government so far for divested estates?

Answer: In respect of the divestment of Frome, Monymusk, Long Pond, St. Thomas and

Bernard Lodge Sugar Estates, Mr. Speaker, the amounts received as at August 31, 2010 are as follows: St. Thomas Sugar Estate sales proceeds $42.5 Million for factory and related lands. This was received on the 2nd of July, 2009. Leased proceeds, J$8.1 Million or US$95,000 for years one to five and so the next payment is due on the 16th of July 2014.

Long Pond and Hampden sugar estates, sales proceeds: $127.5 Million which is US$1.5 Million - J$127.5 Million or US$1.5 Million for factory and related lands. Received $25.5 Million which is US$300,000, on signing of the agreement July 2009, July 21, 2009. The balance, Mr. Speaker, of $102 Million is to be paid in exchange for title to the factory lands in the name of Everglades Farms. Everglades Farms to pay interest at a rate of 7% per annum on the balance purchase money for a period commencing from the date of the possession until the date of payment in full.

So the process is still in train, Mr. Speaker, and we have some obligations in terms of titles and so on that we have to deal with.

In terms of lease proceeds, lease payments deferred for first three years, payment due July 2012. Frome, Monymusk and Bernard Lodge Estates, Mr. Speaker, as per the lease and sale and purchase agreement, COMPLANT has paid the agreed deposit of J$40.2 Million and that was received on August 23, 2010.

Question 5: Will the Minister state details to this Honourable House of all the agreements between the Government, purchasers and the proposed purchasers?

Answer: Mr. Speaker, it would take a while to go through all the Agreements. I've made copies of all the Agreements, both in terms of the sale - investment agreements, but also in terms of the sale agreement involving Tate & Lyle and Eridania. I need to ask for this to be delivered and the Member can do any follow-up questions if he so desires.

(The Orderly delivers to Mr. Clarke copies of Dr. Tufton's Reports)

Question 6, Mr. Speaker, would also be addressed with the documents sent over to the Member.

Question 7: Will the Minister indicate how the commitment to supplying a hundred thousand tonnes of sugar to Tate & Lyle will be met?

Answer: SCJH's commitment, Mr. Speaker, is to supply a minimum of a hundred thousand tonnes of raw sugar

to Tate to Lyle. This amount is to be supplied based on the plans of SCJH as follows: Frome, 58,000 tonnes of sugar to be produced; Monymusk 42,000 tonnes; Long Pond/Hampden area, 8,000. Total: 108,000 tonnes. That's the target which would exceed the hundred thousand. A lot depends, of course, on what will happen over that time.

(MR. ROBERT PICKERSGILL, (PNP), St. Catherine, North Western, entered and took his seat.)

Most importantly, Mr. Speaker, in response to that question, the guarantee to ensure that Tate & Lyle is supplied with a minimum of a hundred thousand tonnes of raw sugar by the end of the 2009/2010 crop is a pooling arrangement with all sugar processors, whereby Tate & Lyle has first call on all sugar produced in Jamaica. Also, confidence in meeting this commitment rests on good prevailing weather conditions, Mr. Speaker, as well as the establishment of eight hundred hectares of plant cane at Frome Estates.

Thank you.

(Inaudible comments by Miss Hanna)

The SPEAKER: Yes, Mr. Clarke.

Mr. CLARKE: Minister, can you indicate what was the cost per pound for production this year on the sugar holding estates?

I think some time in February or March we were told then that it was running at about US21c per pound. Can you say what it is at this point in time? Secondly, can you disaggregate the expenses for the divestment? I see you have first round, $64 Million; second round, $61 Million and the third round, $36 Million. Can you disaggregate that for me? It might not be possible for you now but I'd hope that you can give me those details.

Eridania: The price we are receiving from Eridania based on your answer, we won't know what the profit-sharing will be until the end of November. Was there any indication at all as to what that could probably be? Because as we speak, Minister, there is no way that the final payments can be worked out for the farmers or the estates unless we have an indication as to what is coming from Eridania. What was the base price from Eridania? What was the price we received from supplying sugar to the US? And, what's the price for the local consumption of sugar? As also, you know that they had to import sugar to satisfy local demand, what was the price paid for that sugar that was imported?

Dr. TUFTON: Mr. Speaker, I am going to have to get some of the specifics of some of the questions asked and I commit to providing it to the Member. I can't recall exactly what the end - cost period is. I can check. But you are correct. During the period when we spoke to it, we did say it was just over Twenty Cents, coming down from, I believe, it was Twenty-six or a little over Thirty. But I can check on that. The issue of the disaggregation of the cost for the different phases, I have it here, but

again it's going to take a while. It's broken down between advertisement, consultant, legal, entertainment, hosting meetings, transportation, DBJ Secretariat Services, and it's broken down in each case, primarily along those categories. So, I can give you the specifics of that information.

On the issue of the profit-share with Eridania we made it very clear here, Mr. Speaker, some time ago that the… ...the negotiating team negotiated a two-tier structure for pricing. The first was a fixed price below which we would not go for the sugar per ton and that in the case of Eridania it was $330 per ton, and then beyond that, a lot would depend on what the market prices in Europe. As it turned out in our favour, the market price in Europe has been above that $330 per ton. Currently, it is a good price.

There is a profit-share arrangement after the cost has been taken out where we split the profits on anything above $330, fifty-fifty between ourselves and Eridania. And that process will only be definitive and complete when the sugar that was provided to them is sold. And that's why I gave you the date of the latter part of November. So, we will be better off than the $330.

There is an analysis and an estimate here as it relates to what it may come in at. We are looking at net price per ton based on c.i.f. price, pro premium and profit-share which is estimated at about $396, just under 400 Euros per ton, which would translate, based on the exchange rate today, Mr. Speaker, of about Forty-four Thousand Five Hundred, thereabout, Jamaican dollars per ton.

(Inaudible comments by Mr. Clarke)

Three Ninety-six, an exchange rate of One Hundred and Twelve.

Mr. CLARKE: Euros, euros!

Dr. TUFTON: Well, we have to convert the Euros to US, right.

Mr. CLARKE: Point thirty-one, what? (Inaudible)

Dr. TUFTON: I'm not sure, but I can provide it for you after.

On the issue of the US, the Member, Mr. Speaker, has been consistently attempting to compare the price foregone in the US market which is, or, has been, for this past season - this current season - a higher price than the price in Europe, and insinuating, if not explicitly stating, Mr. Speaker, that we sold ourselves short by not redirecting the sugar to the US as opposed to Europe.

I would just like to remind this Honourable House and the Member that when we negotiated this agreement with Eridania, we were negotiating in the context of a price that was nowhere close to the price that we are currently experiencing in the world, because nobody, Mr. Speaker, could have predicted that eight months down the road, having negotiated this particular price, the world market price for sugar, based on environmental adjustments and shortfalls in places like India, where they imported on the world market for the first time - they are one of the larger producers, over 30 Million tonnes per year - challenges in Brazil, another major producer, plus the fallout in Europe from the beet farmers because of the reduction of subsidies, created a shortage. And when we were negotiating that price, we were not aware that that shortage would have existed.

However, we did take steps through the two-tier pricing system to profit-share just in case there was a higher price than the Three Hundred and Thirty. And we are going to

benefit from that. But as it relates to the US price, Mr. Speaker, we planned on what was at the time. It turned out that it became better for sugar producers. But that's something that we could not have predicted.

The SPEAKER: Yes, Mr. Clarke.

Mr. CLARKE: Minister, the only contention that we have is that on many occasions I indicated to you that you couldn't achieve the 79,000 tonnes. You did fifty-eight. And that is the contention because you have had to take 20,000 from a more lucrative market to satisfy this market. I had no problem was the agreement with Eridania. Just to say that you over-sold and then now I asked again for this year - you fell short from 79 to 58. This year you are suggesting that you are going to be doing a hundred thousand. And I'm going to warn you again that you're going to have problems supplying that. Just a few more questions on that. Do you...Have you…?

Mr. CHARLES: Have you never made an agreement?

Mr. CLARKE: We never had any agreement with Eridania or anything. Anyway, just take it any and relax yourself. Yeah man.

(Inaudible comments by Mr. Charles and Mr. M. Peart)

Mr. CLARKE: Cool your head. You're going to speak later. Minister...

Dr. DAVIES: Look over your notes.

Mr. CLARKE: Minister...

Dr. DAVIES: Look over your notes.

Mr. CLARKE: Minister, the separation with COIMEX, did you include that in your cost? There was a cost for the separation with COIMEX and it was done because you were divesting and I think that came up to about a Hundred Million Dollars. So you must - I think you should include that in it.

Dr. TUFTON: Quickly, Mr. Speaker, again for clarity and for context, none of the targets that were set by any of the sugar estates, including the privately-run, more efficiently operated estates, meaning Worthy Park and Appleton were met this year. This year, every entity fell short because of the environmental conditions which are hazards of agriculture. We had the worst drought in 20 years. And the Member knows that. Seven of the twelve months of that year, we had less than average rainfall, and in some instances, up to 50% less.

And so, one could again not plan for that, and the Member is a cane farmer so he knows, Mr. Speaker, that he could have got better results if he had a little more rainfall in St. Elizabeth.

All the facilities lost money - I mean, fell below target. And so, if the Member is arguing that we were overly optimistic, is he arguing similarly so as it relates to the two private estates, Worthy Park and Appleton, which I'm sure, he will concede are better capitalized and have projected and forecasted a lot more and would have nothing to gain by over-projection?

Similarly, in the world, as was said earlier as it relates to India and Brazil. So we regret that we did not meet the 79,000 tons, we did make an attempt to realistically set a target that was achievable, we started late, that was the other issue, because we got the money later than we would have liked based on the Eridania deal, but beyond that and most importantly, the drought affected the yields right across the country, right across the board both in public and private estates.

Mr. CLARKE: Minister, the decrease in the other sugar estates is substantially less than

in your estate. All I am saying is that, you were warned just admit that you were warned and it doesn't matter...

Dr. TUFTON: Let me answer the other rest of the questions.

Mr. CLARKE: ...because Monymusk was supposed to do 39,000 tons of sugar, Monymusk and it did 17,000, that is a substantial drop and again you were warned. And you know, I begged you, and said no, it couldn't happen, and it did not happen.

Mr. TUFTON: Thank you, Mr. Speaker. Can I proceed with the other questions?

The SPEAKER: No, no, one second, I think Dr. Harris had a very short question.

Dr. HARRIS: Mr. Speaker, I understand from where you sit but sugar is very important to at left 14 Members of Parliament inside here, it is life and death to all of us.

The SPEAKER: I know, Dr. Harris, it is very sweet, but just make it short.

Dr. HARRIS: No, no, Mr. Speaker, on the issue of sugar and on the issue of community development I will not be muzzled in this Parliament today. (Applause)

Mr. Speaker...

(*Sotto voce* comments by Members)

The SPEAKER: Question, question!

Dr. HARRIS: Before you respond, when we speak about sugar...

(*Sotto* voce comments by Members

The SPEAKER: Allow the Member.

Dr. HARRIS: Mr. Speaker, in the confidences where we produce sugar and we have sugar factories, it is not only about the tonnage or the ton cane per ton sugar that we are speaking about. What we are speaking about in my circumstance is community development; it goes to the core of the organization of the community in which I live.

Mr. Speaker, when Long Pond and Hampden were divested two years ago, we were very excited, and through you to the Minister we were very excited because we knew that sugar was going to continue as an industry. We thought, and we were reassured that sugar was going to continue in the way that it usually operated, and it would have provided a minimum of 800 jobs in my constituency alone.

In St. James, colleague Minister Bartlett...

Mr. HOLNESS: Mr. Speaker, forgive the interruption. But the Member cannot take a question as a pretext for a debate. I encourage you, Mr. Speaker, to encourage him to come to a question.

The SPEAKER: Yes, Dr. Harris, reduce the preamble now, reduce the preamble and ask the question.

Dr. HARRIS: Mr. Speaker, I understand and I appreciate the context in which we operate. But if I were to tell you that I am going to ask you about Long Pond and Hampden you would tell me that this is not the place and the time. And I would agree with you. But if I were to tell you that what we are talking about...

Mr. HOLNESS: Again, Mr. Speaker, I must insist that either the Member ask a question or he sits down.

The SPEAKER: Yes, Dr, Harris please, come on.

Dr. HARRIS: Mr. Speaker, the question that I want to ask, and I am hoping that we do not trivialize it or politicize it because as I said before, we are speaking....

(*Sotto voce* comments by Members)

Dr. HARRIS: Wait nuh man, don't be in a hurry, don't be in a hurry, we are talking about a sensitive issue. What we are talking

about is a not only cane farmers. Mr. Speaker, if we were to look at Long Pond and Hampden, the question that I want to ask, Mr. Speaker - and by the way, my preamble should be that the community that I am coming from has sent me today to tell this House that they are very restive.

A MEMBER: What?

Dr. HARRIS: They are very restive.

The SPEAKER: You want to do it on notice of adjournment. Would you like to do it on notice of adjournment? If you don't have a question...

Dr. HARRIS: The question is, Mr. Speaker...

The SPEAKER: If you don't have a question, Dr. Harris...

Dr. HARRIS: The question is, when are we going to get a sugar industry in Trelawny that is properly funded, properly managed? Question...

The SPEAKER: That is the first question?

Dr. HARRIS: The question - another question that I will ask. I will ask three questions and then afterwards the Minister can respond. When are going to have a sugar industry or an owner of the 25,000 acres in Trelawny that is going to lead to expansion in the farming community inside of that area?

The SPEAKER: And the third one.

Dr. HARRIS: Mr. Speaker, you are pulling me out you know, Mr. Speaker.

The SPEAKER: But you said there are three questions.

Dr. HARRIS: The third question that I am asking, Mr. Speaker, is the non-cane lands that are now in the lease arrangement with the owners of Long Pond and Hampden. When are we going to see a policy, a policy, a divestment policy that is transparent and that is friendly towards the people that have been denied access to these lands for these thousands of years? (Applause)

The SPEAKER: Yes, Dr. Harris, you said you would ask three first and then afterwards.

Dr. HARRIS: Mr. Speaker, I will not be...

The SPEAKER: You did say so.

Dr. HARRIS: Mr. Speaker, if you want I can add more questions to it.

The SPEAKER: But you said you would ask three first.

Dr. HARRIS: After these questions, I will ask more.

The SPEAKER: Dr. Tufton.

Dr. TUFTON: Mr. Speaker, I am trying to understand exactly what the Member is asking, but I believe he is expressing some concerns about the Trelawny sugar which is Long Pond and Hampden. That asset, Mr. Speaker, was part of the package assets for divestment and was purchased by Everglades, Everglades's farm. There is a sale agreement related to that asset and I gave my college across the floor a copy of that sale agreement which is attached or which includes a development plan for the estate including the lands. So in response to the third question about a divestment policy, Mr. Speaker, it is clearly articulated in that document and I will advise the Member to look at it and satisfy himself in the interest of his constituents. Included in that is also a plan for the non-sugar lands, because there is in fact, provisions were made during the negotiations arid it is part of the contract for development plan for the non-sugar lands.

Mr. Speaker, the situation with that estate

is as follows; it was purchased with that development plan in mind, but requiring, Mr. Speaker, significant recapitulation. As the Member will recognize, we - the sugar assets belonging to the Government was costing the taxpayers anywhere between Three and Five Billion Dollars a year to subsidize, they were undercapitalized and inefficiently operated. And we took the steps, starting with his administration to make them more efficient through divestment. That facility would be no different from the others and the new owners took a position, having had the benefit of expert advice that in order to retool they needed to shut down the facility for one year. Incidentally Mr. Speaker, it is not the first time this has happened, Appleton did it as a private entity some years ago where they literally closed for a season to put in new boilers and so on.

So they took that decision and that is their right so to do, and in practice, in keeping with the mandate of modernizing and retooling the facility. In the meantime, we got involved through the SIA, the regulatory body, and we have had discussions with them to two weeks ago, Mr. Speaker, to do the following:

One, to ensure that the cane, even though the factories are closed for retooling, the cane planted on the estates as well as by the private farmers would be transported to the Frome for processing. And so we are encouraging and have encouraged the private farmers to continue, in fact we need as much cane as possible to satisfy our hundred thousand commitments.

Additionally to that, Mr. Speaker, persons who have been laid off from the factories, not the general downsizing that we did earlier, all of those individuals would have benefitted under EU programme for support, both technical advise and some monetary support. Persons who have been laid off because of the down-time, under the EU programme we have identified some resources and we will be meeting with them and providing them with some resources as a means of temporary relief while the management retool the factory hopefully for opening for the next crop.

Dr. HARRIS: Mr. Speaker, the Minister has introduced two points; one is the transport of the sugar cane from Trelawny to Frome, and the other one is subsidy. Now, the question is, how is that subsidy going to be done - the sugar cane to Frome at whose cost? And - yes.

Dr. TUFTON: Mr. Speaker, the cost to transport the cane would be borne by the SEJ Holdings, the operators of Frome. They will take the cane there, and so the farmers will not be worse off and they will get the price according to the formula established.

And as it relates to the second question which is...

The SPEAKER: No, there wasn't a second question.

Dr. TUFTON: There wasn't a second question thank you.

Dr. HARRIS: Mr. Speaker, let me ask two more questions. Mr. Speaker, there was one substantial question that I asked that I did not hear the answer to, maybe it was said but I did not hear it. The non-cane lands, when are we going to hear a clearly articulated policy?

(*Sotto voce* comments by Members)

Dr. HARRIS: Gentlemen, listen and you will learn.

MEMBERS: You listen and you will learn.

(*Sotto voce* comments by Members)

Dr. HARRIS: When are we going to hear a clearly articulated policy with the non-cane lands to benefit the people in the community?

Dr. TUFTON: Mr. Speaker, it is in the report I sent across to my colleague.

The SPEAKER: Mr. Clarke.

Mr. CLARKE: Minister, when does Complant begin to take control and what is the timeline, and how it is going to be operationalized?

Dr. TUFTON: Again, Mr. Speaker, it is in the sale document, the divestment document. But just in brief, Complant will start assuming control as we take of the crop, they will go in and take the fields that are reaped and that of course, as the Member knows is the process leading into next May. At that point they will take full control of the assets, the factory.

The SPEAKER: You have any follow-up?

Mr. CLARKE: Mr. Speaker, the payment, when will that come onboard, not the lease, the payment for the acquisition.

Dr. TUFTON: Again, Mr. Speaker, it is in the document.

(*Sotto voce* comments by Members)

Dr. TUFTON: However, the payment schedule is scheduled over that period of time as they assume greater control, but also very importantly, linked to transferring of titles and lands and so on which involves legal work which could be protracted in some cases.

The SPEAKER: (Gavels) House Leader, it is now 3:15.

Mr. HOLNESS: Mr. Speaker, the time for questions has expired. I therefore, move for the suspension of Standing Orders to allow us to take question time beyond 3:15.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow Question Time to continue beyond the time of 3:15?

Put to the House and agreed to.

The SPEAKER: You are finished, Mr. Clarke. Mr. Hylton, you had a question.

Mr. HYLTON: The high price generally, Minister it was released ....(Inaudible) (microphone failure)……..

Dr. TUFTON: Mr. Speaker, that mandate rests between the regulatory authority but more importantly, during the process of divestment extensive analysis was done as part of the packaging of the asset bearing in mind future potential earnings, which was what we used to drive a value rather than the existing value which, as you know, was not that great.

On the issue of Europe, we were very clear that given the fallout in subsidies to beef farmers it would be a matter of time before prices or excess capacity in Europe, which is what tended to drive down prices in world markets, would have been taken out, and Europe did lose quite a bit of excess capacity. What we could not have and we accommodated that in our analysis. What we could not have predicted, would be the weather systems in India. The Member may know, Mr. Speaker that India and Brazil are the largest producers of cane sugar, 30-odd million tonnes *per annum*. India lost about 15% of its output during the course of that year and for the first time, I think maybe the first time ever it could be the first time in a long time, India went to the world market in ordered take up the shortfall based on the 15% loss. That drove the price of sugar up unusually, and it's something that we just could not have predicted.

The SPEAKER: Dr. Davies - sorry.

Mr. HLTON: .....(Inaudible)

(microphone not working)

Dr. TUFTON: I am in full agreement with the Member, Mr. Speaker, that is part of the packaging which resulted in an investor like COMPLANT to come to Jamaica, which included in the plan is to double cane production in Jamaica in order to satisfy that increase in demand.

The SPEAKER: Dr. Davies.

Dr. DAVIES: Through you, Mr. Speaker. Minister...

Dr. HARRIS: Sad situation. Sad situation.

(*Sotto voce* comments by Mr. Robertson)

(*Sotto voce* comment by Dr. Harris)

A MEMBER: Shut up!

The SPEAKER: (Gave1s) Listen, listen, Dr. Harris and Mr. Robertson, would you like to take the argument outside?

Mr. PICKERSGILL: Come, come, you are on bail, shut yu mout! (Laughter)

The SPEAKER: Dr. Davies.

Dr. DAVIES: Through you, Mr. Speaker.

Mr. PICKERSGILL: Shut yu mout!

(To Members of Opposition Benches)

Dr. DAVIES: Minister, I really am posing this question on behalf of the Members of the PAC. At our last sitting, last week, the Permanent Secretary in the Ministry of Labour and Social Security in explaining uncollected workers contributions, indicated that the largest percentage of those uncollected contributions came from the workers of the SCJ, SCJ Holdings, something of over $200 Million. And even if these were registered workers with the NIS, the fact that the payments weren't made to the NIS, meant that they could not receive the benefits they expected to have received. It's an issue which occupied our minds for an extended period and we would like to know specifically what is the Government's plan in terms of the use of some of the proceeds of the divestment to pay over those contributions, which the workers assumed had been made.

Let me just follow up. Subsequent to the PAC, I received a call from a former employee in the industry, a woman, and she indicated that their Health Insurance which they had contributed to and expected to continue in retirement that had been cut off too. I know the name of the company, I won't repeat it here, but I can provide you. Are you aware of these two issues, one, the fact that the NIS contributions were not paid over and secondly, that the Health Insurance had been terminated?

Dr. TUFTON: Mr. Speaker, I am going to - my colleague will be speaking today, the Minister of Labour and he will expand on the issue. Just to say, in terms of going forward, we did two things: we divided - we split the entity, the Government-owned assets, setting up a company called the Legacy Company and consolidated all the debts that we inherited under that Legacy Company, in order to restructure that debt profile and to allow for terms over time to deal with that.

On the other side, we established a company, Sugar Cane Holdings, to deal with the current obligations, current expenses. My colleague will deal with, as it relates to those resources, what component of that $280 Million was with Legacy and what is with the current entity, but I'll leave him to address that issue.

The SPEAKER: Mr. Clarke, question 17.

Mr. ARSCOTT: Mr. Speaker... Roger....

The SPEAKER: Mr. Clarke, again sorry, the last question on 16. Sorry about this, Mr. Clarke.

Mr. CLARKE: Hold on, I am asking for the answers on 17.

The SPEAKER: No, no, no! What happen is, Mr. Arscott has a question on 16.

Mr. CLARKE: Oh.

The SPEAKER: Sorry yes.

Mr. ARSCOTT: Thank you very much, Mr. Speaker.

The question of the so-called non-cane lands. Over many years when sugar was in the decline, hundreds, if not thousands of persons have grown livestock and utilized large tracts of these idle lands. Now, the question I would like to put to the Minister is, do you have a plan to - what are you going to do with those persons once COMPLANT begins now to take up those lands? Because these people have now - actually, it's a way of life for hundreds if not thousands of Jamaicans earning a living, what therefore is the programme? I am asking that a programme be developed certainly to deal with those as a reality in today's Jamaica especially those marginal lands and those close to communities. In my case, places like Race Course, Lionel Town and so on, hundreds of farmers are there rearing goats.

And it is a potential conflict now if these lands are taken over and they are displaced, it's akin to going back to probably, going back to slavery in a sense, when you look at the potential scenario?

Dr. TUFTON: Mr. Speaker, very quickly. There is an Agricultural Land Utilization Policy that is being developed now, which we will eventually, subject to Cabinet approval table here, and we can debate and discuss. It will point Mr. Speaker, the way forward and will address some of those concerns that the Member has.

The SPEAKER: Thank you, Dr. Tufton. Mr. Clarke, question 17 now.

Mr. CLARKE: Yes, Minister would you provide the answers to 17?

C.I.D.A./GRACE KENNEDY

Dr. TUFTON: Thank you, Mr. Speaker.

Question 17: Will the Minister indicate the full details of the arrangement with Grace Kennedy in the lease of the unsloped packaging house?

Answer: An 8,800 square foot post-harvest and packaging facility was constructed in Hounslow, St. Elizabeth for the processing of fresh vegetables. The facility was built under the Canadian International Development Agency (CIDA) and the Government of Jamaica, funded improving Jamaica's Agricultural Productivity Project.

The construction of the Hounslow facility, Mr. Speaker was announced in my presentation as well as in a number of other public forums. The Ministry of Agriculture and Fisheries received an Expression of Interest to lease this facility from Mr. Irwin Burton of Grace Kennedy in September 2008.

The Expression of Interest

was carefully examined and Grace Kennedy demonstrated a number of advantages, which will be critical to the success of this project. These include, Mr. Speaker:-

1. Access to critical end user markets including the Hilo Supermarket Chain, business relations with all other supermarkets, most hotels and restaurants with their brand of food products;
2. financial capability to equip the facility with agro processing equipment;
3. ability to provide working capital to fund the purchase of produce from farmers;
4. a firm commitment to pay farmers 14 days after receiving produce by way of direct bank transfer;
5. a proven track record with working with Jamaican farmers based on the involvement with the pig industry, existing contracts with farmers for the supply of hot pepper and scallion in St. Elizabeth, among others;
6. experience in developing new business and effective branding;
7. ability to pay for experienced and sound management of the facility; and
8. post-harvest management along the value chain.

The land on which the facility is built, Mr. Speaker, is established, is owned by the Commissioner of Lands. The Ministry of Agriculture obtained access to the land from the Commissioner of Lands prior to construction of the facility. The facility is leased to Grace Kennedy for an initial 10 years, with the lease payments of $2,150,000 *per annum.* To facilitate processing of vegetables and to create value-added products, Grace Kennedy will purchase agro-processing equipment as well as add to the facility additional cold room and insulation at an approximate value of some $45 Million.

Question 2: Will the Minister indicate whether there are plans to establish more of these facilities in the country and if so where?

Answer: Under the CIDA/GOJ funded improving Jamaica's Agricultural Productivity project, a second post-harvest and packaging facility will be established in Coleyville, Manchester.

It should be noted that these two facilities funded by the CIDA project are being established in the Greenhouse clusters to provide market access to greenhouse and open field farmers.

It is intended Mr. Speaker, that the Colleyville facility will purchase produce from the farmers in Manchester, Trelawny, St. Ann and Clarendon and from other parishes where demand exists. The Ministry of Agriculture and Fisheries, Mr. Speaker, has advertised for a suitable Private Sector partner to manage this facility.

Question 3: Will the Minister indicate the criteria used to secure a lease of this facility?

Answer: Ideally, a person or company seeking to manage these post harvest facilities should demonstrate the following:

1. Access to critical end user markets locally and where possible overseas;
2. ability to provide sound management of the facility;
3. financial capability to equip facility with agro-processing equipment. This should cost upwards of Jamaica $25 Million, depending on the intended product line;
4. and financial capability to pay farmers in 15 working days after receiving the produce.

The SPEAKER: Mr. Clarke.

Mr. CLARKE: Minister, what was the cost of establishing that facility at Hounslow, the Government's input?

Secondly, the Coleyville facility, I see where there is advertisement for Private Sector partnership, I know it's being operated by the Christiana Potato Growers Association. Is it that you are seeking partners for them and what will be their position as far as that plant is concerned? Will any other Farmers organization, and l speak like JAS, will it have the opportunity of participating in any projects like this anywhere else in the country?

Dr. TUFTON: Quickly, Mr. Speaker, the Hounslow facility cost - the building cost $38 Million to construct. We got $20 Million from CIDA, we borrowed $18 Million and the lease arrangements by Grace will finance the lease - service the loan.

(Inaudible comment by Opposition Member)

Dr. TUFTON: Right, as well as, they will add another $45 Million or so worth of equipment to the facility, so they will equip the facility.

In the case of Coleyville, that facility as you said correctly is already there but needs refurbishing and it is controlled by the Christiana Potato Growers Association. We will therefore - it will cost us less, approximately $20 Million or so, which would be the CIDA Grant funds, to refurbish that facility to the standards where we require it.

However, we have advertised to seek private sector partners to partner with the Potato Growers Association. Reason being that based on the criteria outlined earlier, management, financing, access to markets being the three critical ones, having had discussions with the Christiana Potato Growers Association, we concluded and have agreed to find a private sector partner to bolster their capacity as a grower's organization to run a viable entity. And that's a

model that we are trying to promote, frankly speaking, because we want to strengthen the management capacity.

In terms of other institutions, Mr. Speaker, the JAS - depending on where the need is - because we are trying to adopt a market-driven process - depending on where the need is, what products are in demand, other facilities will be built like the one in - the yam packing house which we constructed in Trelawny, and others. However, we are going to, in the interest of viability; ensure that if there is to be partnership with growers' organizations, it is based on ensuring that the capacity to manage and to capitalize is there, as opposed to the Government just giving it and then having to take it back later on. And that is the driving motivation to try and encourage private sector participation in these entities.

Mr. CLARKE: Are there any plans to deal with capacity building in terms of these farmers' organizations, to enable them to be involved in enterprises like these?

The next question I would like to ask, in terms of the relationship with Grace Kennedy and the farmers, how is it going to work? Is it going to be on a contractual basis, or is there going to be any input from Grace to the farmers, in terms of assistance, whether it's extension or inputs, or whatever? What is going to be the real relationship between Grace and the farmers?

Dr. TUFTON: All right quickly, Mr. Speaker. Interestingly, only today I had a meeting with the executive, including the President of the JAS, at my office, following on from a report on the restructuring of the organization. And we are working together to restructure, to ensure viable that growers' organizations, it's very important we believe. And part of that restructuring is to develop a commercial arm of that entity that will be taking advantages of opportunities like this one or others, and will allow them to become self-sufficient. That's a key mandate of the work, and that is a work in process.

In terms of Grace Kennedy's relationship, the relationship on paper as of now, and hopefully will be implemented in the months to come, is very interesting, and hopefully will formalize the relationship between the different stakeholders along the value chain.

For example, Grace is now talking to farmers about contracts, documented contracts that will commit the farmers to a price, based on a crop season, and commit themselves to paying that money within a specified period of time, which has always been the problem. Farmers are carrying the burden of those - are heading the stream, and of course, they are the ones who get the least. So they will have that contractual relationship, one, and in fact, they have started that watts peppers, for their pepper mash business.

Two, they will work with the farmers and RADA, to promote best practices, because that would be in their interest, also, and they would add value to the process through grading and sorting, storage and proper logistics management. So we are hoping at the end of the day to have less waste on the part of the farmers, get their money within a specified period of time, but we expect of them also that they will deliver quantities within the period of time that is required.

The SPEAKER: Question 18.

Dr. TUFTON: All right. Quickly, Mr. Speaker:

Question: Will the Minister indicate the process used for the distribution

of greenhouses being provided by the Government of Jamaica and indicate where and to whom these greenhouses have been allocated?

Answer: Under the CIDA/GOJ funded Improving Jamaica Agriculture's Productivity Project - and I say CIDA, because the question suggested that it was the Government's funds, taxpayers' funds that were providing these greenhouses. Forty (40) greenhouses have been established in the parishes of St. Elizabeth, Manchester, Trelawny, Clarendon and St. Ann. Greenhouse technology allows the farmer, Mr. Speaker, to produce certain vegetables more consistently, and add qualities demanded by end-user markets. Based on market-demand analysis, salad-slicing tomatoes and coloured bell peppers were selected as the crops to be produced in the 40 greenhouses. The parishes identified record the highest level of production of those two vegetables, especially St. Elizabeth and Manchester.

The project team developed selection criteria for beneficiaries of greenhouses, giving full regard to the Donor agency's requirement for gender sensitivity, specifically the involvement of women in agriculture.

The following criteria were used to pre-select participants in the project, Mr. Speaker.

- The participants should have good working knowledge of vegetable growing from formal training and or practical experience;
- participants must have access to a reliable source of water supply;
- participants should have adequate and appropriate land within the selected cluster areas and suitable road access to the property;
- participants must prove legal land tenure: lease, ownership or otherwise;
- the participant must be able to prove possession of working capital for the 3,000 sq ft in excess of $175,000 working capital; for the 5,000 sq ft in excess of $293,000.

Just under $300,000.

- Participants must be registered with the Rural Agricultural Development Authority;
- participant must be the owner and operator of the greenhouse;

So it's an owner-operated -

- participants must demonstrate ties to the community, either by way of residence and family obligations, and recommendations from two Community leaders, a senior member assigned to the local police station, and one other notary public.

Participants who are pre-selected, Mr. Speaker, to participate in the project should satisfy the following criteria for final grant approval:

- They must be willing to abide by the rules and operating procedures of the cluster, and recognize that failure to comply will result in the repossession of the structure;
- they must be willing to join an existing farmers' so-operative or a new cooperative formed to administer the cluster;
- they must be trainable and willing to participate in training in protected agriculture;
- they should start production no more than one month after receiving the Protected Agriculture Unit; and
- they must demonstrate a business approach to farming, which includes:
  i) a modem business philosophy;
  ii) ability to maintain proper records;
  iii) possess an active business bank account to facilitate, among other things, direct bank transfers from post-harvest facility, and a receipt book system.
- Participants must prove possession of critical instruments required, such as, PH meters, electro-conductivity meter, minimum/ maximum thermometer, and hygrometer and soil tensiometer before the structure is erected.

(Opposition Members laugh/*Sotto voce* remarks)

The project, Mr. Speaker –

(*Sotto voce* comment from an Opposition Member)

Well, Mr. Speaker, unlike the past, all our RADA Extension Officers, all of them are now equipped with an extension kit, they are now the farmers' doctors, and included in that kit are all that we have outlined here and more. So, I am saying, Mr. Speaker, it's very possible, and these are not expensive tools.

The project was advertised through the participating RADA parish offices and the various community groups. Application forms were made available to interested parties at the participating RADA parish offices and community groups. Applicants were evaluated by the project management team, the management of RADA parish offices and the respective extension officers.

Finally, applications were short-listed and the project management team carried out site visits to each pre-selected farmer for interview and approval of each location. From the site visit, farmers were selected to participate in a mandatory training programme in Protected Agriculture. These persons who successfully

completed the training programme were granted the greenhouses.

You had asked a question about who those persons are, and I have furnished you with a list of all those Persons.

Thank you.

The SPEAKER: Yes, Mr. Clarke.

Mr. CLARKE: How successful have been the operations on those 40 that you have already allocated?

Secondly, away from the expertise of your Extension Officers, do you have officers with specific training and management practices, in terms of greenhouse technology?

Dr. TUFTON: Mr. Speaker, the 40 greenhouses were established over time, and so, in terms of a track record of success, it would vary, depending on how long ago those houses were established. I have visited a number of them myself, Mr. Speaker, and I have seen lovely tomatoes and bell peppers being reaped. And so I think all being said, generally speaking, it has been a success so far.

As it relates to technical competence, as part of this project of modernizing agriculture, we have in fact sent Extension Officers abroad to be trained. We have had Extension Officers going as far as China, Dom. Rep, Costa Rica, and other places - Spain, and other places to get technical exposure and to be able to train farmers. We have also had farmers going abroad.

We have also worked with our partner agencies like IICA and CIDA, and US-AID, to develop appropriate manuals to provide technical support to greenhouse growers. And those manuals are available both to farmers and to Extension Officers. So while it is still a work in progress, we think that we are moving in a direction that will provide a better appreciation for the technology.

Mr. CLARKE: Minister, as you will agree, elevation is quite important in the construction of some of these greenhouses, especially if you are growing some vegetables. May I ask, in the northern section of St. Elizabeth, have you established any clusters in that side?

Dr. TUFTON: Mr. Speaker, first of all, the Member's assumption doesn't necessarily hold true, and I think we should clarify.

The protected agriculture technology varies significantly. There are very controlled environments where you can adjust temperature, even to the extent of being computerized, with sensitivity instruments and so on, that's the more expensive side. And then there are protected houses that have limited covering that allows the free flow of air. The technology, therefore, would be determined by the altitude. Similarly, Mr. Speaker, the crops are determined by altitude. Lettuce for example, is best grown in the higher altitude areas and would not do well on the plains. Tomatoes can in fact be grown on the lower - on the flats, but it depends again on the technology.

As it relates to northern St. Elizabeth, the guiding principle, as it relates to this specific project, was to cluster the houses around the packing facility, and so logistically, there would be some efficiencies to move between the houses and the packing facility. The northern part of the parish would be a little far from the Hounslow packing facility. But we are working with greenhouse investors on the northern side, but these are individual investors who are doing their individual efforts.

Mr. CLARKE: I say that to say - because - and I speak for my friend from northern St. Elizabeth - the guinea pig, as it were, in terms of greenhouse technology in St. Elizabeth actually started in North West St. Elizabeth, and we had a fantastic facility there. We had worked with the owner there, we even gave him some more lands. And what 1 am asking is, for somebody like that who has been in it for such a considerable length of time, I believe you - you know, find a way to give him some support.

Dr. TUFTON: Mr. Speaker, I am sure my colleague is appreciative of the Member's lobbying on his behalf. I would say to my colleague on that side that if you check with the Greenhouse Growers Association, you will get a full list of where the greenhouses are located, and quite a few of them are located on the northern side of the parish. Okay.

Thank you very much, Mr. Speaker.

The SPEAKER: Reverend Thwaites, Question 15.

Mr. KELLIER: To the Minister. The CIDA, it was a Grant funding?

Dr. TUFTON: Yes.

Mr. KELLER: Now, am I to understand, Minister, that this grant has been exhausted by the amount of greenhouses that were projected to be established? Or, are you intending to add other parishes and other areas so they can benefit from this grant?

While St. Elizabeth has benefitted, the conditions that exist in St. Elizabeth also exist in Southern St. James. It is a border. The line of border does not really change the profile of the area. So, I wish to know whether or not there is more money left unspent in this grant so you can extend the project to other areas, or the money is exhausted?

Dr. TUFTON: Mr. Speaker, I visited South St. James last week, and there are lovely banana and plantain farms there, and great farmers but not many greenhouses. But the Grant funding, for it to be approved, had to be linked to a programme. And that programme had certain conditions; the clustering of the houses around the packing facilities, as I said earlier. And we had two clusters; one is Manchester, which serves Clarendon, Manchester, Trelawny and even St. Ann. And so, it is not fair to say only St. Elizabeth benefited, if that's what you were saying.

The other one benefitted both South East and South West St. Elizabeth. And, in fact, the greenhouses - more of the greenhouses were on the southeast side in the higher altitude areas. But the funding for this particular project would have been exhausted, linked to those specific conditions.

The SPEAKER: Reverend Thwaites.

Mr. KELLIER: Sorry. Is it the intention of the Ministry to pursue a further project in this regard, to assist? Because, as you know, Minister, I don't need to tell you, and the Members in here, you are aware, the need out there is great. The farmers in Mafoota for argument's sake, that used to supply the hotels - the Holiday Inns and the Sandals, you know what has happened down there. All you know, areas like those are in need of this kind of assistance. They are well-trained and the majority of them are women, it is part of the criteria that you have outlined here. So, I really want to know. If it is finished and the evaluation has shown that it has assisted the productive capacity of the country, then it would be useful to continue the project. So, I want to know whether or not there is any move afoot by your ministry to seek further

developmental assistance from CIDA under this particular... to support these farmers?

Dr. TUFTON: We will take the Member's concerns under advisement, Mr. Speaker. And there are other programmes but we - we are always working on new programmes.

Thank you.

The SPEAKER: Reverend Thwaites, Number 15.

Rev. THWAITES: Will the Minister of Transport and Works kindly answer the question listed at Number 15 in my name?

The SPEAKER: Mr. Mike Henry.

JDIP - ROAD REPAIRS

Mr. HENRY: Thank you very much, Mr. Speaker.

Answers to questions in respect of the - posed by the Member of Parliament in respect of the JDIP programme.

Question: Will Members of Parliament be included in determining the priorities for road repair under the five-year JDIP funded - Chinese funded Programme?.

Answer: Since taking office, I have always been guided by requests from Members of Parliament, whether by way of notes across the floor, or in letters.

(*Sotto voce* comment)

In most, if not all cases, I have used this to guide the programme of repair. Any other method of engagement of Members of Parliament will be considered, and suggestions are welcome, and the offer for dialogue is continuous. You will note I didn't use telephone calls, so I don't get too many of those. Therefore, the answer is, yes.

Question: Will the Minister agree that there must be representative and community participation in deciding which roadways are to be repaired?

Answer: Yes. Community participation is always welcome. The public launches in individual parishes help to increase public participation as citizens can make direct requests for projects to be included in the overall programme.

In addition, through a technical assistance programme funded by the European Union, a series of public consultations will be held as part of the prioritization of the parochial road network. The results of this exercise will help to inform all programmes as we move forward.

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, will the Minister agree to a structured, rather than anecdotal series of consultations with each Member of Parliament regarding the... (Inaudible)

(Applause/*Sotto voce* comments)

Mr. BUCHANAN: Unno fight against Samuda.

Mr. HENRY: Perhaps I won't clear. And

since that has become a suggestion, I said *any other method of engagement of Members of Parliament will be considered and suggestions are welcome.* I note the suggestion.

MEMBERS: Hear, hear!

(Applause)

Rev. THWAITES: Mr. Speaker, I understand the Minister's answer to be, yes. And we look forward to the series of those.

Mr. MONTAGUE: Your interpretation.

(Laughter)

Mr. BUCHANAN: Now, we know that; we know that.

A MEMBER: You are a Christian man...

The SPEAKER: Will you just get on with it.

Mr. BUCHANAN: That is another part of the ginnalism.

A MEMBER: Shut up!

Rev. THWAITES: Mr. Speaker, will the...

The SPEAKER: Mr. Buchanan.

(*Sotto voce* comments/Laughter)

Rev. THWAITES: Mr. Speaker, since the Minister's response is in the affirmative that will be all.

The SPEAKER: Thank you, Reverend Thwaites.

Mr. HENRY: The answer is yes.

(Laughter)

The SPEAKER: Yes, Dr. Duncan.

Dr. DUNCAN: Is the Minister aware that there is a document, which I think was circulated last week, in the Public Accounts Committee, and some of us got that document with a list of the roads that are to be rehabilitated, plus those for periodic maintenance, one; two, were those roads selected on the basis of consultation with Members of Parliament? And, when did you have these consultations?

Mr. HENRY: Mr. Speaker, I have always known all roads - and having served in this Parliament as the longest serving Member of Parliament, I have been through all the process.

The process is usually, roads are analyzed by the Ministry of Transport and Works, and the Works Agency by the officers of the Ministry and the parish office is constantly in touch with all Members of Parliament who have access to those offices. And if they don't avail themselves of it I will advise them. And therefore, it is a criteria that is used for roads.

In fact, the Government went so far as to make that year one available, even though it should have come from the Minister laying it, because the Public Accounts Committee superseded what was its terms. So that the year one programme is - but I don't wish to go into the paradox of approach, but rather leave it - that my office and myself are always available for consultations, telephone calls, letters, notes across the floor. And I have a ale that thick which, as I get them I pass to the Works Agency, as it is the technocrats that drive my guidance, based on quality, needs and the areas that have to be addressed.

And all of which I am saying - and I will close at that, I have gone over beyond what is yes or no - that with the recent heavy rains of Nicole, with the damage having reached $17.9 Billion as I speak, which is $7 Billion more than we said a few days ago after the weeks of rain, and the fragility of the infrastructure, I would hope we recognize the urgency, the importance and the quality of approach that the National Works Agency is instructed to... in cooperation with MPs, to ensure that the taxpayers' money is well spent.

(Applause)

Dr. DUNCAN: As a follow-up, through you, Mr. Speaker, to the Minister.

You said Minister, through you, Mr. Speaker, that the National Works Agency is available to give us the information on the roads, *et cetera*. You will recall that in the last few days we spoke, and I informed you that in the parish of Hanover the National Works Agency has informed the Member of Parliament for Eastern Hanover that we cannot get that list - that information from them. When that was passed to the... what is commonly referred to as the headquarters, the same response, and would you recall that I am to follow-up with you to ask if you could use your good office, since the Hanover National Works Agency Parish Manager, and the Regional Manager, and the people at the top have refused to give us a list of the roads in the constituency that needs repairs, either or both originally, and in recent times? That's one. And two, are there going to be - have you yet been able to consider if there are going to be any changes to the roads listed in the original document of last week as a result of the recent rains?

Mr. HENRY: Mr. Speaker, when I advised Cabinet of the extent of the damage that was done, in the urgency of the situation, I advised them that there were about four to five parishes - that is why the figure was $10.9 Billion - that due to the fact that they were more damaged by flood rains than others, all the numbers have not yet been reported.

My meeting this morning which brought me those figures up to date included Hanover. And I can assure the MP I am scheduled to be in Hanover on Thursday, okay, with the Works Agency to review the complaint he made, or the relationship that he wishes to develop, just as how I am including a part of Westmoreland. There were some areas the helicopter couldn't land me to follow up on, and I am going to be pursuing all of these in the areas that I have to address.

(Laughter/*Sotto voce* comments)

A MEMBER: Multi modal.

Mr. HENRY: And it is multi modal because it is important. So that, in that context I assure you that it would be remiss of me not to thank the Works Agency and the Superintendents of Parish Councils as I think they have all responded, and worked excessive hours to seek to try and resolve what is the greatest damage we have seen to the infrastucture of the country. And I assure you that we will be approaching it methodically, as I have right before me the river training works which I have to look at what is most critical.

And, finally, I can take the matter no further because I am awaiting the return of the Minister of Finance to give me the aspect of the capacity which relates to Nicole, as, if we relied alone on JDIP which has an extension of only a figure in this budget, we will never be able to resolve the matter.

For the persons in Kingston, there are some 25 breaches, as I speak, of the Sandy Gully, which threatens people's homes - threatens one whole building. So that, basically, I assure you, I will work assiduously and continuously. And I will continue what is the input of all governments, that we write Members of Parliament, we advise them, we consult them. And my phone numbers are open at all hours to accommodate anything, as a couple of Member of Parliament here can attest to, in terms of Dr. McNeill, for instance...

(*Sotto voce* comment)

...and I am ready to try and respond in whatever way possible.

(Applause)

The SPEAKER: Dr. Rhodd... sorry...

Dr. DUNCAN: Mr. Speaker, through you to the Minister. The point I was making was that the impression I got was that there was a - not that the NWA parish manager would not be willing to give the MP the information, but there was a policy decision not to make the information available. I want to find out how the information as to the roads that have been damaged, and the estimates to repair those roads; so that we can assist with community meetings to establish priorities, and to assist the process that the Minister is now developing.

The SPEAKER: But he is...

Dr. DUNCAN: No, no, I haven't heard from him. He had promised - the Minister promised me he's accessible by telephone. I got through to him; I spoke with him, that he would get the information for me. And also, we would discuss a tour. And I am grateful that he is telling me today that we are going to be there on Thursday. But I want to know if it is a policy that you cannot get information from the parish officer.

The SPEAKER: All right, let him answer, Dr. Duncan.

(Cross talk)

Mr. HENRY: Let me not be contentious but let me try and explain a quick procedure. A parish manager can't give you a list of roads other than say it's damaged; he can't tell you it will cost $10 Million to clear, he can make a budget but we have to be very careful what figures we give out. And therefore the parish manager reports the road that is damaged, the drain that needs to be cleaned. And even if he reports that list of roads - which for your area is now in the Ministry and where I'm visiting the parish on Thursday. So if you wish to meet at a point I will clarify for you with the CEO of the NWA, which is an Executive Agency, what is the procedure. But you are free to know what roads. But really, Mr. MP, you should be telling him which roads are damaged and you should be telling him, I believe it needs X, as I have done in my own way in the years that I have had to deal with it; and that therefore you bring that list to me and say these are the ones I now are damaged on behalf of the people and let me make sure the parish manager is not behaving outside the realm of his work.

Dr. DUNCAN: Mr. Minister, you asked me and you have my list of roads because you said do not send it to them send it to you, personally.

Mr. HENRY: And that's why I'm giving you a priority visit on Thursday.

Dr. DUNCAN: So I want to know in the future, don't check with the parish manager then only check with you? That's what I'm asking.

The SPEAKER: Okay, Dr. Duncan.
Okay, Dr. Todd.

Dr. RHODD: Thank you. Mr. Speaker, may I be allowed to speak from a seat other than my own?

The SPEAKER: Yes. Not speak, ask a question.

Mr. MONTAGUE: But you don't have any seat here.

RE: RIO GRANDE VALLEY DISASTER

Dr. RHODD: Mr. Speaker, I'm going to assume - don't count your chickens before they hatch.

Mr. Speaker, I have listened to the Minister keenly and I am taking his word to be sincere, and assuming that the Minister's words are sincere I would like to, for the public record repeat a request made to him and also his technical officers in the Ministry of Transport and Works and the National Works Agency, in respect to the plight of the people in the Rio Grande Valley in my constituency.

For the public record again national disaster took place in December of 2008, where over 14 residents of this country and citizens of this country particularly of my constituency, lost their lives when a truck went over a ravine. To this date not even an iron or metallic fencing or bar has been put there. And we all now the public outcry and the national focus, including a visit from the Prime Minister and several Members of the Cabinet and several agencies of government, non- governmental organizations...

The SPEAKER: Anyway the question, Dr. Todd.

Dr. RHODD: I would like to ask the Minister, having consulted will him on repeated occasions, when will we see some action in respect to even a retaining wall constructed at the site where 14 citizens lost their lives?

The SPEAKER: Okay, Minister Henry.

Mr. HENRY: In an effort not to accuse the Member of misleading the House, I'm going to ask him to make the list of questions to me that I can come to show the amount of money that has been spent in that valley since this Government...

(Applause)

...including a bridge called Alligator Church Bridge which hadn't been built for about 20 years...

(Applause/ Heckling)

...and address that and ask for - what I'm sure previous governments and what have they.

I wish I was a miracle worker to resolve all of these matters in the shortest possible time. What I'm suggesting that I do is have the MP put the questions that he wishes on that Valley for me and I will come back with the detailed answers from the officers giving the totality of the expenditure, the importance of the request. And l really think Mr. Speaker, I came to answer two questions. There are a number of issues to be debated about this project and others on the Order Paper, and I really think we should use that time - I'm here to answer any other questions but I must compliment the MP from Central Kingston who does it in the right way, and I therefore am prepared to answer every single question on every parish and every constituency, from every MP - and indeed, because I don't want to be contentious, but if it is one tyre to be spent maybe the MP should tell us how much of his CDF he has spent on those emergencies.

(App1ause)

The SPEAKER: Dr. Davies, you have a question.

Dr. RHODD: Mr. Speaker...

The SPEAKER: Is that a follow-up question?

Dr. RHODD: Yes, Mr. Speaker.

With the greatest of respect, Mr. Speaker, I premise my question in speaking to the sincerity of the Minister's response.

The SPEAKER: No, no, Dr. Rhodd...

Dr. RHODD: Mr. Speaker...

The SPEAKER: Dr. Rhodd...

Dr. RHODD: Mr. Speaker...

The SPEAKER: Dr. Rhodd, this is not an open-ended question and answer....

Dr. RHODD: It is a question.

The SPEAKER: No, the question is...

Dr. RHODD: The Minister said I was misleading the House, Mr. Speaker.

The SPEAKER: No, no we are not getting into a debate, give me a specific question.

Dr. RHODD: Yes. No, I'm not misleading the House. The Alligator Church Bridge which the Minister spoke to and approximately four miles from the site of the accident...

The SPEAKER: But we are not in a debate.

Dr. RHODD: With the greatest of respect the Minister is the one misleading the House. I have not misled the House, he is misleading the House and he needs to withdraw that statement.

MEMBERS: What! What!

The SPEAKER: Please, please!

Dr. RHODD: And I still would like to ask the Minister, when will he allocate some funds to repair the accident site, at least a retaining wall where 14 citizens lost their lives? A simple question.

The SPEAKER: Dr. Rhodd...

Mr. HOLNESS: Mr. Speaker, with regard to the time and the business remaining on the Order Paper...

The SPEAKER: We are way overtime.

Mr. HOLNESS: ...may I encourage you, Mr. Speaker to proceed with the business of the House?

The SPEAKER: I'm trying to hurry it up but the point is...

Mr. HENRY: Let me give an assurance, if the Member of Parliament writes out the questions by hand today and hands them through and raises them next week I will come with the answers at the same time. Okay, because to this Government the life of every human being is important.

(Applause)

A MEMBER: Hear, hear!

Mr. HENRY: And indeed, many road programmes and repairs are driven by the amount of the community you serve. So I'm prepared to answer within 24 hours any questions the MP wants to ask.

The SPEAKER: Dr. Davies, your question.

Dr. DAVIES: I seek your guidance, Mr. Speaker. I have a question for the Prime Minister. I can table it in the normal way or if he is willing...

The SPEAKER: Well, if you ask the Prime Minister and he is able to answer it today he can, failing that we will allow it to be tabled.

Dr. DAVIES: They are very simple questions.

1. Was the Survey of Living Conditions, The SLC, conducted in 2008 and 2009?
2. If the answer to Question 1 is in the affirmative will the Prime Minister indicate the reason or reasons for the delay in publishing these Annual Reports?
3. If the answer to Question 1 is in the affirmative can the Prime Minister indicate when will the documents be tabled in Parliament and made available to the public?
4. Can the Prime Minister indicate whether the survey for 2010 is being carried out?

The PRIME MINISTER: Mr. Speaker,

in relation to the SLCS for 2008 and 2009 both of them have been completed; and I hope to have them tabled in Parliament by the first week of November. Cabinet has already examined the 2008. The 2009 is on its way to Cabinet. I hope to have that before Cabinet on the 24th of October and therefore I should be able to have it in Parliament by the first week of November.

But I should indicate, not unexpectedly, that the level of poverty has risen both in 2008 and in 2009. In 2008 the poverty level rose to 12.3 per cent and in 2009 it rose further to 6.5 per cent. Sixteen point five per cent, (16.5%) Mr. Speaker would be the highest level since 2004 and it is naturally a matter of concern to us.

It's not unique to Jamaica I'm not offering that as an excuse. The US, for example, just recorded 14.3 per cent, I believe, the highest level of poverty since 1994. So it is part of the effect of the global downturn that we have had; but it is something that we have had to be watching. And it is one of the things that has given even greater urgency to the efforts that we have made and we have to continue to make to strengthen the social safety net coverage.

In relation to the 2010, the actual field work was completed at the end of September, the documentation and the data is being verified. I don't want to give a timeline in terms of when that will be available, but I would expect that they should be able to go through all of the stress testing of the day; and I would think that that information should be available early in the new year.

Dr. DAVIES: The Prime Minister forgot one question, what are the reasons for the delay in the publication of the 2008 and 2009 SLC?

The PRIME MINISTER: We could have published the 2008 before. I think there was an anxiety to see what further development had taken place in 2009, so I apologize to the House for that; but I will have them both here by the first week of November.

I think I had also mentioned, I think it would have been the 2008 where every five (5) years, as you know we do this larger sample size, so that there has been a delay but if we get 2008 and 2009 tabled in a matter of another couple of weeks and if we can get 2010 early in the New Year then we would have caught up.

Mr. HOLNESS: Mr. Speaker, before you proceed to Public Business what I wanted to do, Mr. Speaker, is to recommit two items, Announcements and Notices of Motions Given Orally.

The SPEAKER: Okay. Members, the motion before the House from the Leader of the House is for the recommittal of items, Announcements and Notices of Motions Given Orally.

Motion put to the House and agreed to.

ANNOUNCEMENTS (RECOMMITTAL)

ELECTORAL COMMISSION REPORT

The Clerk by leave laid on the Table of the House a copy of the following:

> The Electoral Commission of Jamaica Report to Parliament entitled Political Party Registration and Financing, dated July 2010.

NOTICES OF MOTIONS GIVEN ORALLY (RECOMMITTAL)

PARTY FINANCING, ETC.

Mr. HOLNESS: Mr. Speaker, in keeping with the commitments that I made regarding accelerating the reports of the ECJ, Electoral Commission of Jamaica through the House I now move:-

Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it Resolved that the Report of the Electoral Commission of Jamaica on Political Party Registration and Financing dated July 2010, which was laid on the table of the House on the 12th day of October 2010, be adopted.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, at Public Business we will continue the Sectoral Debate in which the Minister of Labour and Social Security will make his contribution and that will be immediately followed by the continuation of the debate on Ministry Paper 124, where it is expected that the Member from East Kingston and Port Royal and the Member from St. Ann South East will contribute to the debate.

Mr. Speaker, the Minister of State in the Ministry of Water and Housing will take the Report on the CDF for its adoption today; and we will also, Mr. Speaker, have the Private Members' Motion moved by the Member from St. Catherine South Central on crime, we will also take that today.

The SPEAKER: Minister Charles.

(Applause)

Dr. DAVIES: Stick to the text.

BUDGET DEBATES CONTINUE

Mr. CHARLES: Thank you, Mr. Speaker.

Mr. Speaker, I wish to recognise members of my family, sitting in the Gallery, (applause) who have been very patient with me over the years that I have been here, particularly my wife, (applause) who has assisted us to be what we are.

Mr. Speaker, the Ministry of Labour family is here today, I wish to welcome them and to (applause) express my appreciation for they support to the task that we have to do there.

I wish, Mr. Speaker, to recognise members of my constituency.

A MEMBER: Where are they?

Mr. CHARLES: My councillors sitting over there. They are on their third term in Parliament - in the Council.

Mr. Speaker, I want to spend a few minutes on my constituency. We have had serious problems with the rains. We have had serious problems with water, we still do. Thirty per cent (30%) my constituency at this time they do not the Minister not to be deterred by have continuous planning water...

Dr. DAVIES: What! Horace, failure.

Mr. CHARLES: Consultation is taking place with the Ministry of Water and the National Water Commission and a meeting is to be held shortly, sometime next week to outline an approach for water for the constituency.

There is not one road in my constituency, not one major road that is not damaged, seriously damaged. The Minister of Transport and Works visited the constituency, his

officers are out there. I have supplied him the list of the roads and I am sure that he will do whatever is possible to get roads back in a position where they can be used.

Mr. CLARKE: Pearnel hold dem.

Mr. CHARLES: I have heard objection from the Opposition about certain roads that they are Labour Party roads. I don't have any roads in my constituency where only labourites live.

Mr. MONTAGUE: Hear, hear! Tell them, tell them?

(*Sotto voce* comment from Mrs. Neita-Headley)

(Cross talk)

Mr. CHARLES: Every road in my constituency minister both PNP JLP live on those roads. So I am asking the Minister not to be deterred by criticisms about how the roads are selected, that they are Labourite roads.

Mr. MONTAGUE: Outa order.

Mr. CHARLES: In my constituency both PNP and JLP want road and we want to make sure that the Opposition don't allow the Minister to move away from road because they are saying only labourites live there.

Mr. MONTAGUE: They have two types a road, good and bad.

Mr. CHARLES: The farmers have suffered greatly. The Minister of Agriculture is to advise what help we can get. We recognise, Mr. Speaker, recognise that this is not a party problem. We have the worst rainfall damage that we have had for many, many years. Many, many years, and we have to work together. Farmers have to get new plants, fertilizer and so forth.

But at a later time, Mr. Speaker, I intend to make a presentation on behalf of the constituency because things are very rough. Children, young people graduate, they have great difficulty to find jobs. We are working to see what can be done for them.

Mr. Speaker, emanating from the Sectoral Debate last year was a consensus that global recession had impacted seriously on Jamaica and other parts of the world. This impact is unprecedented. However, I believe we have seen compelling evidence which indicates that the country, while not totally out of the woods, is being stabilized and being placed on a path of economic growth.

Mr. MONTAGUE: Hear, hear! I like that speech.

Dr. DAVIES: But stick to the text. Go back to the speech.

Mr. CHARLES: The country is being stabilized both in health services, education, crime and violence...

Dr. DAVIES: How about poverty?

Mr. CHARLES: And poverty...

(*Sotto voce* comments by Opposition Members)

Mr. CHARLES: Standby, I soon show you. I will show you what I have inherited from you, and I will tell what we have inherited from you. We will tell you when that survey was done.

Miss HANNA: Sixteen point three five per cent (16.35%)

Mr. CHARLES: Mr. Speaker, in spite of the challenges the social sector was adequately provided for in the budget. As the Prime Minister assured us in his presentation, all efforts were to be made to ensure that education, healthy social security would be priority in order to provide a cushion for the vulnerable group in the society; and you must accept it has been done.

Dr. DAVIES: It's all right. Stick to the text.

Mr. CHARLES: As a result, Mr. Speaker, my Ministry which is responsible for a significant part of the social sector, was able not only to maintain existing support level but also to extend our reach to a number of services, that more persons were captured under the social security programme.

(Applause)

Mr. Speaker, through participatory dialogue with our traditional partners, employers and trade unions, other stakeholders, we have been able to maintain a relatively stable industrial relations climate. With all the sounds, we have been able to maintain a stable industrial relations climate.

Dr. DAVIES: Uptown and Downtown.

Mr. CHARLES: And I want to say thanks to the Trade Union movement...

A MEMBER: And the People's National Party.

Mr. CHARLES: I want to say thanks to the workers, that under this pressure, regardless of the political jooks and whispers, they have maintained a stability and we are going to ask them to stay with it.

Human capital development has to be a major objective in the Ministry in these times if more workers are to be properly positioned to compete in the global market. Mr. Speaker, throughout the year we experienced significant challenges on the industrial relations front as I have said, but we have been able to keep them under control.

A number of Public Sector workers, they have been demanding for improvement in their conditions. Government has outlined the terms and conditions under which they can assist them. The Government recognized the importance of this and in most instances their demands are legitimate. But what can the country do to satisfy them? Nevertheless, the economic realities we have to recognize. And I call on supporters of the Government, I call on the Opposition to recognize that there is a problem. Whoever is on this side or on that side, there is a problem when the country's budget is unable to carry on what the country is demanding. I am not afraid to say with bauxite closed down, that was a major contributor to the budget; banana export, sugar, thousands of workers who used to pay income tax to carry on the country, is down. We on both sides of the House must recognize that it is our job, not this side alone, our job, because you can be over here today, I can be over that side. One side can't run it. So by going about telling people that it is this side, this side...

A MEMBER: Eighteen more years.

Dr. DAVIES: Go back to the text; go back to the speech.

Mr. CHARLES: You don't like what I am saying, eeh?

Dr. DAVIES: No, go back to the text.

Mr. CHARLES: It's all right.

...that is this side causing it you know you are lying, you know you are lying, you know you are deceiving the people and making such rubbish.

Mr. PICKERSGILL: Eli.

Mr. CHARLES: The Government recognizes the importance of this stable climate and will do everything to keep it that way.

Mr. Speaker, as responsible public servants there has to be sensitivity in understanding the plight of the country and the government; and we call on them to

understand what we are going through at this time.

Dr. DAVIES: All right, go back to the text.

Mr. CHARLES: The Government is not intransigent in believing that there will be no changes….

Dr. DAVIES: That's a big word.

Mr. CHARLES: ....but ask that the demand be made within the confines of the current economic situation. Unless this is so, it will only become worse for every one of us.

In most of the disputes the Ministry has offered conciliatory services, the issues were satisfactorily dealt with.

Dr. DAVIES: Uptown and Downtown.

Mr. PICKERSGILL: When you were a trade unionist you never remember that.

Mr. CHARLES: The Ministry continues to build capacity for intervention and conciliation. And I want to congratulate members of staff who continue to work diligently until midnight sometimes, to keep the country stable.

(Applause)

Dr. DAVIES: So you don't work there. All right, all right, big up the staff.

(Applause)

Mr. CHARLES: It becomes my job to advise you that there are those among us, those who recognize certain part of our country's development, the Essential Services. Mr. Speaker, we cannot say to workers, get up and come out and strike. We cannot say to them that they must walk off the job or be shut out either government or employer. And I want to say today - I am not warning anybody, I am simply making a request, that the Industrial Disputes Tribunal was established to assist in arriving at solutions and keeps the country stable. Water services, Electricity services, Health services, Hospitals, Fire services, Correctional services, Overseas Telecommunications services and Civil Aviation services, these are essential to the functioning of the country.

Mr. PICKERSGILL: When you were a made unionist you never remember that. When you were a trade unionist you lock down everything. You remember when you used to lock them down?

Mr. CHARLES: The difference between you and me, I know my responsibilities and I am not afraid to do what I have to do. (Laughter) I am advising you that those of you who are shutting down these services, the law has given me certain responsibility and certain action to be taken, including sanctions.

Mr. PICKERSGILL: Lock dem down.

Mr. CHARLES: So I am making an appeal, I am making an appeal to you and to others that, let us try and recognize that the Essential Services are here to help keep the country stable. Life and property…

Mr. Speaker, I can't understand, workers turning off the electricity while my son is carrying out an operation on a man's head, I can't understand why would you want to do that...

A MEMBER: Who are you?

Mr. CHARLES: ...and you're doing it because somebody shout at you. The Essential Service requires you to advise the Minister that there is a dispute, and if the Minister does not take action within 10 days, you are free to do what you want to. This Minister takes action in 10 minutes.

(Inaudible comments by Mr. Pickersgill)

Mr. CHARLES: Ten minutes.

Dr. DAVIES: Uptown or Downtown?

Mr. CHARLES: And so I'm saying to you, who is talking about Uptown and Downtown, who live Uptown and represent Downtown, right...

(Inaudible comments by Members)

Mr. CHARLES: You live Uptown.

Dr. DAVIES: Yeah man, me never see yu face yet.

Mr. CHARLES: I come from Downtown, talk Downtown work Downtown…

Mr. PICKERSGILL: Lie!

Mr. CHARLES: ...and represent Downtown, and I will tell Downtown when Downtown wrong.

Mr. PICKERSGILL: Yu come from Moneague.

(Laughter)

Mr. CHARLES: The Government is not - in most disputes in which the Ministry has opened consolation - conciliatory service, the issues were satisfactorily resolved and I want to say thanks again to the officers of the Ministry, and in many instances, to the Trade Union leaders who have sacrificed to keep the thing going.

Mr. CHARLES: Mr. Speaker....

Mr. PICKERSGILL: Yu not saying thanks to Mrs. Anderson?

Mr. CHARLES: ...the Overseas Employment that many Members have been asking me about, the global recession has continued to make significant input negatively on our overseas employment. (Laughter)

Mr. PICKERSGILL: We warned you.

Mr. CHARLES: Mr. Speaker, the Farm Working Programme and the Hospitality Programme have been reduced because of the hostile environment in which we are operating. The Farm Worker Programme reflect a decrease in the United States of 7.8%, while the Hospitality Programme declined by 53% in comparison to 2008/2009.

Mr. PICKERSGILL: What three percent (3%)

Mr. CHARLES: In terms of the Canadian Programme, Mr. Speaker, there's a relative stability, as the Programme experienced a smaller decline, just 3%, the result from the downsizing of several farms during the latter part of 2009 and 2010. Five thousand eight hundred and sixty-two (5,862) workers participated in the Programme in the last financial year, compared to 6,053 in the previous year.

Mr. M. PEART: Dem sabotage yu?

Mr. CHARLES: Mr. Speaker, in spite of the challenges imposed by the difficulties in the national economic environment, the Ministry was able to place more the 10,000 Jamaican workers...

Mr. PICKERSGILL: When?

Mr. CHARLES: ...in employment opportunities (the United States and Canada last year.

Mr. PICKERSGILL: So wha happen to North West, St. Catherine?

Mr. CHARLES: What happen to who?

(Inaudible comments by Mr. Pickersgill)

Mr. CHARLES: When you were head of the Pickersgill Committee...

A MEMBER: Pearnel, sick to it.

Mr. CHARLES: ...where nobody could get a job, yu never come and ask no question.

(Laughter)

Government MEMBER: Stop the noise nuh Pickersgill.

Mr. CHARLES: Mr. Speaker, we cannot overemphasize the importance of remittance to the Jamaican economy. According to the

Bank of Jamaica statistics in 2009/2010, total remittance to the country was US$2.1 Billion compared to US$2.3 Billion in 2008/2009, a slight decline of about 9.5%.

(Inaudible comments by Dr. Davies)

Mr. CHARLES: Remittance from the US Farm and Hospitality Programme fell from US$9.3 Million to US$6.1 Million, largely due to the decline in the number of workers who participated in the Hospitality Programme. Remittance from Canada Programme was quite stable with a marginal decline of 2.9% and Canada fell from CA$12 Million in 2008/2009, to CA$11.7 Million in 2009/2010.

Prospect for the current financial year is extremely encouraging. Already we are witnessing an increase in a number of employment opportunities under the US Hospitality Programme. I must advise the House that over 3,000 workers who were working on this Programme and during the crisis it fell to under 1,000. We are getting some request for a return of the same workers. I've been asked by Members here, why they are not able to send. The first request is for those people who the employers will tell us, they have trained them, they know their field, they are calling for them. Many of the traditional employers are now experiencing an upturn in economic activities and recalling Jamaican workers.

The US Farm Work programme is also showing a sign of growth, new employers participate in the Programme.

Mr. Speaker, two months ago a new employer in California engaged 300 workers in their citrus industry, an area which has been slow for quite a long time.

In Canada there has been a strong indication that the rebirth of the tobacco industry, more than 160 workers were recalled. Several tobacco farms are being processed for dispatch - several workers have been processed for dispatch as we speak. They're recalling workers who were once working with them.

Mr. Speaker, unfortunately we lost two of our farm workers...

A MEMBER: Yes.

Mr. CHARLES: ... and I want to advise this House, I take the opportunity to express sympathy to the families of the two (2) workers who died recently in Ontario, Canada. They were 44 year old RALSTON WHYTE from Preddie, Manchester and 36 years old PAUL ROACH from Milk River, Clarendon.

According to the autopsies, both Whyte and Roach died as a result of environmental suffocation. The circumstances surrounding the incident are still being investigated by the Ontario Police as well as the Jamaican Liaison Service in Canada.

The families have been compensated to the sum of US$15,000 from the Liaison Service for their burial. Each family has also received a lumpsum quantity of $13 Million for both a maximum payable under the Workmen Compensation in Canada. In addition, the spouses and children will receive monthly allowance. And I want everybody to understand this. The spouse will receive monthly payment until death and the children will receive until age 19. The children will receive payment up to age 30, if they are in university. This represents a reasonable package that has been worked out by the Government of Jamaica and the Canadian.

(Applause)

The Ministry continues to be proactive

and so through our Liaison Service in Canada we are conducting an on-going inspection and to see if there is any possibility of preventing any future fatalities like this.

Mr. Speaker, we take a keen interest in the welfare of the Jamaican workers engaged overseas. We have established a Family Service Unit in the Ministry, which is a social intervention programme designed to strengthen family ties with their spouses while they are away.

And I want to congratulate the social workers who are working in this Programme, Mr. Speaker; they are taking the step to prevent migrant workers from returning home without adequate provision for their retirement for their years of employment. The social workers are making sure that their children are in school, that the money they send back is being spent on the children, that the relationship between the family remains tight.

A MEMBER: Very good.

Mr. CHARLES: Mr. Speaker, I'd mentioned that we are taking steps to prevent migrant workers from returning without adequate provision for their retirement.

Mr. PICKERSGILL: Yeah, yu say that already.

Mr. CHARLES: This is important because a number of people who go overseas and work come back here, they have no NIS, nothing. At the end of the day they are not able to travel, they'll get into difficulty. This was in the programme that was set. We've therefore put in place necessary arrangements to facilitate the participation of the National Insurance Scheme. While they are working, their contributions to National Housing Trust and the National Insurance can be made so that they can benefit when they get back here.

Mr. Speaker, the year 2009/2010 was somewhat challenging for the Ministry as it pursued its mandate of promoting and maintaining industrial harmony at the workplace through the tripartite dialogue. With the advent of economic recession its impact on the Government wage policy, there have been a number of difficult disputes as I've outlined earlier.

Mr. Speaker, the Ministry maintains a record of a number of redundancies which has been taking place. And I want to deal with this because we have a problem. We have the Opposition telling the world how many people have been made redundant. I saw one Member of the Opposition saying 70,000, I saw one saying 80,000.

Dr. DAVIES: Yu nuh hear one saying is 90?

A MEMBER: Is what amount?

Mr. CHARLES: Mr. Speaker, the Ministry maintains a record of the number of redundancies. In fact the Employment (Termination and Redundancy Payments) Act was recently amended to require employers to report to the Ministry all proposed redundancies as well as redundancies made.

Dr. DAVIES: Or else?

Mr. CHARLES: Mr. Speaker, we consider this to be of vital importance as we want to ensure that redundancies are carried out in the manner consistent with the provisions of the law. Workers must receive what they're entitled to.

Mr. PICKERSGILL: Yes.

Mr. CHARLES: The law is therefore there to protect the employers as well as the workers, protect them in the long run if there is a dispute over the payment.

I must report to this Honourable House,

that the response to the requirement of the law has been satisfactory so far. Mr. Speaker, since July 2008 up to September 23, we have received record of 22,000 redundancies...

Mr. PICKERSGILL: What?

Mr. CHARLES: ...representing unionised and non-unionised workers.

Mr. PICKERSGILL: What, only 22?

Mr. CHARLES: I have presented to you the statistics of the job loss, or I can now present to you the job loss.

- In the Manufacturing Sector, 36 companies reported a total of 619 redundancies.
- In the Financing, Insurance and Real Estate Business Services, 55 companies reported a total of 990 job losses, or redundancies.
- In the Community, Social and Personal Service Sector, 40 companies reported 586 redundancies.
- For Restaurant Services, 18 companies laid off 179 workers.
- In the Retail Services Sector 50 companies reported 894.
- The Hotel Services 1501 redundancies in 46 companies.
- Communication, Transportation, Agricultural Sector, for example, the Agricultural Sector, there was a bulk redundancy of 8,975 from 17 companies. The sugar companies alone, arising from the divestment exercise, reported 7,000 redundancies. However, I think just about 4,000 of these workers returned to work with the new owners or operators.
- Electric, Gas and Water reported 244 redundancies.

Mr. Speaker, let me advise the House. STATIN has reported that 90,000 persons who were previously employed in 2008 to 2009, have been laid off. The gap in both sets of data may be explained by the fact that STATIN accounts for all types of unemployment including short-term workers, domestic workers, casual workers employed to do task work even for a day. So if you were employed for at least one hour over a seven-day period in an economic activity, you would be, by STATIN definition, regarded as employed.

Many of these workers were not necessarily made redundant. They may have been temporarily employed to perform a task for a period, so many of them were terminated under that basis. STATIN records 80,000, we record full redundancy and not just layoffs or people who were working for a day.

Therefore in examining the data from both sources, one has to be careful about the conclusion drawn. We have to go beyond bare statistics to interpret the true nature of the problem. And I want to ask colleagues in this House to be very careful when you are making these accusations with an attempt to accuse the Government of (either) failing to keep people on their jobs. ILO has presented that over 40,000,000 people around the world will suffer redundancy and 1,000,000,000 will join the poverty line. Jamaica is a part of that.

Mr. PICKERSGILL: All politics is…

The SPEAKER: (Gavels) The Minister's time for speaking has expired.

Mr. GALLIMORE: Mr. Speaker, I move the suspension of Standing Orders to allow the Member 30 minutes to complete his presentation.

The SPEAKER: The motion before the House is for the suspension of Standing

Orders to allow the Member a further 30 minutes to complete his presentation.

Motion put to the House and agreed to.

Mr. ROBERTSON: One hour. Go on, Pearnel.

The SPEAKER: Minister Charles.

Mr. CHARLES: Thank you, Mr. Speaker.

Mr. PICKERSGILL: Is only 30 minutes you have eh nuh... …wrap up!

Mr. CHARLES: Mr. Speaker, the Ministry continues to put in place strategies to bring the Occupational Safety and Health Programme to international standards. We continue to pursue a national programme to link productivity with a safe and healthy working environment. Some of the strategies being pursued include:

i) increase in the span of workplaces, monitoring and inspecting what is taking place there;
ii) expansion of the Voluntary Compliance Programme;
iii) accelerating the process for the enactment of the new Occupational Safety and Health Act.

The National Workplace Policy on HIV/AIDS is one of great interest. HIV/AIDS will continue to get the kind of attention and support needed to prevent the spread of the disease, stigma and discrimination at the workplace. This year the National Workplace Policy on HIV/AIDS examined by the Joint Select Committee was approved by this Honourable House in February. We await the consideration of the Senate. This policy will provide a foundation for the legal framework on HIV/AIDS at the workplace. We are grateful to the USAID for funding the HIV/AIDS Voluntary Compliance Programme to the tune of US$76,000.

Mr. Speaker, on the Labour Market Study, the number of graduates leaving tertiary institutions each year whose training never seem to accomplish any real fit between the demands for jobs and the courses they pursued, is of growing concern to the Ministry. A number of students seem to be pursuing subjects that are easy to negotiate leaving gaps in subjects and skills which are more challenging, such as Mathematics and other Science subjects. What this has created, Mr. Speaker, is a "masking" or camouflaging of the employment situation in Jamaica, in that jobs may be available in different areas of the labour market but students do not have the specific skills for those openings.

Mr. PICKERSGILL: Is that so?

Mr. CHARLES: To show you, sir, if you take the newspaper on a Sunday, you will see one page of people advertising forwarders and another page of workers advertising for jobs and they just cannot mesh. So, you see there has to be a different approach to career guidance and the global availability of jobs must be used to guide career path. The Ministry of Education and the Ministry of Labour are working together to try and solve this problem.

I recently commissioned a study, Mr. Speaker, to determine the demand for and supply of skilled workers in Jamaica. The field work was conducted between March and July, 2009. The sample covered six education and training institutions and 303 employers in 11 major industries. The study attempted to identify:

i) areas of actual and potential growth in employment;
ii) gaps in the labour force as it relates to skilled labour;

iii) changes and anticipated changes in the demand for skilled workers;
iv) the extent to which migrant skilled workers are being employed at the expense of Jamaicans; and
v) employment opportunities for persons with disabilities.

Areas of actual potential growth in employment are found mainly in the agriculture, manufacturing and wholesale and retail sectors. According to the survey, the types of skills that are in high demand include customer service, computer technology and sales. Several skill gaps are identified in the labour market, Mr. Speaker, which includes Nursing, Practical Nursing, in particular, Computer Technology, Mechanical Engineering and Dental Technicians. And I want to say, sir, that the global demand for Jamaican workers hasten us to look at this because we can find many jobs abroad. The job market is not just in Jamaica anymore. It's a global situation and we have to work towards that.

The anticipated changes in demand for skilled workers over the next five years include an increase in the demand of persons with Levels 2 and 3 Vocational certifications.
It has been noted that there is a shortage of Instructors to teach Metal Engineering at Levels 4 and 5. We will have to do something about that. At the tertiary level, it is forecasted that there will be an increase in demand for persons will Bachelor's and Master's Degrees who have managerial and supervisory skills.
In addition, Mr. Speaker, it is anticipated that there will be an increase in the demand for persons in the professional, senior officials and technical categories such as Audiologists, Speech Therapists, Web Designers, Programmers, Physics Engineers and Surgical Technologists. Only 6% of the employers indicated that they employed foreign workers, which suggests that expatriates are not being employed at the expense of Jamaicans. In relation to persons with disabilities, 21% of the employers reported that they have one such person in their organization.

In sharing with the stakeholders, Mr. Speaker, the information will be given to them with a view to assist with policy formulation as it relates to career and educational planning. The Ministry plans to share the findings of the Labour Market Study through a series of sessions with Guidance Counsellors in secondary schools and with administrators in tertiary institutions islandwide in this current financial year. In fact, Mr. Speaker, the first such workshop will be held in November. This workshop will target primarily Guidance Officers at the Ministry of Education.

Mr. Speaker, I must emphasize that we have been hearing about Guidance Counsellors in schools, but we have not been hearing of people giving career guidance, and we are going to have to try and get that on board.

(Applause)

FLEXI WORK WEEK

Mr. Speaker, I want to say a few words about the flexible work week arrangements. I am pleased to announce that significant strides have been made in an effort to implement flexible work arrangements in Jamaica. The Joint Select Committee completed its deliberations and submitted its report to Parliament in January 2010. The report has been approved by both Houses of Parliament. The process to amend restrictive provisions in

the legislation which are contrary to the principles of flexible work week arrangements has now commenced. Mr. Speaker, we hope to complete the process in the financial year.

(*Sotto voce* remarks)

Mr. CHARLES: Somebody is asking, like what? For example, Mr. Speaker, if we are going by the law, women should not be working at nights. According to the present law, every woman who is working at night would be in jail. We have to amend that. Shops that are being opened on Sundays, according to law, should not be happening. So we have to amend these if we are going to work the flexible work week arrangements. That is taking place at this time.

Productivity Improvement. Mr. Speaker, Jamaica has been a low productivity country. History has shown that. The Government and the Ministry of Labour and Social Security have long accepted the fact that Jamaica's productivity record over many decades must be reversed in order for us to achieve meaningful economic growth, create decent jobs, alleviate poverty and resolve our balance of payments problems.

In relation to persons with disability, 21% of employers, as I said earlier, reported that they had at least one working with them. Mr. Speaker, they contribute to productivity. Seriously, the alarming fact that Total Factor Productivity in Jamaica has declined by 1.08% per year between 1982 and 2008. By comparison, the Total Factor Productivity of Trinidad and Tobago rose by 1.79%, while in St. Lucia it increased by 1.14% over the same period. This clearly suggests that we have failed to efficiently optimize the use of our resources namely, labour, capital, land, material, energy and information. And Jamaica cannot continue on this path and hope to either catch up or pass any of the countries around us.

The issue of productivity is complex and presents many challenges. Such complexity is borne out of the fact that productivity is dependent on the collaboration of labour and capital for the efficient production of goods and the provision of services. The involvement of Government in delivering public goods and services in an efficient and timely manner is also a key component.

It has been reported that 75% of Jamaican companies have a difficulty in finding workers with good technical skills and 66% reported that most workers lack the basic skills. Jamaica's productivity is therefore hampered by a shortage of workers with the appropriate technical skills for the kind of innovation and creativity that is necessary. In this globalized environment, Mr. Speaker, that is unacceptable. The objective of the workforce must be “How can this job be performed better?" and not "How am I supposed to do this job?"

Mr. Speaker, we require visionary management that understands that human resources are the most critical ingredient in facilitating productivity and that new methods, techniques and products must be explored. Low work ethic and worker disenfranchisement are barriers to improving productivity. We must turn Jamaica into a productivity improvement nation and one in which the fruits of productivity increases are equitably distributed. We need a national crusade for productivity improvement.

The Jamaica Productivity Centre, the national organization mandated to promote and facilitate sustained national productivity

growth is poised to assist in this process. It will provide databases with both local and international benchmarking and best practice information and analysis to allow public and private sector improvement in productivity performance.

MINIMUM WAGE

Mr. Speaker, we have a problem with the minimum wage. The Minimum Wage Commission has met and has made certain recommendations. I now turn to the review as set out here. I have noted some concerns about the delay in the implementation of increases to these wage rates as recommended by the Commission. There are several factors that must be taken into account in determining adjustments in minimum wages. There must be a balance between the increase being considered and the consequences of such an increase.

Given the current state of the economy, it is strongly felt that an increase at this time could result in production in the number of hours worked and ultimately job losses. And let me explain this.

(Inaudible comments by Mr. M. Peart and Mr. Pickersgill)

At present the minimum wage is Four Thousand Dollars and Seventy per week.

Mr. PICKERSGILL: What!

Mr. CHARLES: Sorry, Four Thousand and Seventy per week. That is the present minimum wage. Few people are getting Four Thousand and Seventy. Many of those who are working minimum wage have to employ people, too.... This is one of the crises. Many of the women who are leaving their children at home and coming to work for you for minimum wage, they are employing somebody to stay with their children. Don't ask me what they are paying them.

The members of the Minimum Wage Advisory Commission in their deliberations noted that the majority of participants at consultation exercise expressed the desire for a study to be undertaken to determine what constitutes a liveable wage. And in their Report they have made the recommendation.

Now, let me say this, Madam Speaker. I've commissioned this study to determine what constitutes a livable wage. A minimum wage and a livable wage are two different things.

Mr. M. PEART: Nothing like that.

Mr. CHARLES: The result of the study will be used to inform us as to the way forward. Madam Speaker, when we produce - when we propose to raise the minimum wage we have to examine certain factors. Let's take the sugar industry. A worker who works Four thousand and seventy dollars a week in the sugar industry, and you give him a ten per cent increase, he gets...

Mr. M. PEART: Four-fifty per week.

Mr. CHARLES: How much that?

Mr. M. PEART: Four-fifty.

Mr. CHARLES: But that ten per cent (10%) has to go on the highest paid person in the sugar industry.

Mr. M. PEART: No!

Mr. PICKERSGILL: That's rubbish!

Mr. CHARLES: The way the sugar industry moves, if you move the bottom the top has to move similarly.

(Inaudible comments)

It would drive this present sugar industry into serious problem. Now, I don't want anybody to understand that we are saying that

we are not going to move the minimum Wage.

Mr. PICKERSGILL: But that's what you're saying.

Mr. CHARLES: What we are saying is that moving the minimum wage without looking at a livable wage, what somebody can live on, is not helping. And so I'm awaiting the study to be completed.

(Inaudible comments by Mr. M. Peart)

Mr. CHARLES: At that stage, we are going to be informed as to the way forward.

I want to advise the House that the Security Guard industry is also under the minimum wage, under what is called a minimum wage. I am proposing to take to this Parliament all amendment that will remove security guards from minimum wage and that a JIC be set up...

(Interruptions by Opposition Members)

You tried it and failed. Don't mean I going fail. You just rest and watch. The security guards...

Mr. M. PEART: Different category.

Mr. CHARLES: ...should be allowed to assess their job and their performance. When we raise security guard by ten per cent (10%), there are some top people in the security guards who get that. We therefore feel that the minimum wage...

Mr. PICKERSGILL: How you measure dem productivity?

Mr. CHARLES: I measure the productivity of a security guard by working out their sometimes 72 hours a week at your yard.

Mr. PICKERSGILL: Madness, man!

Opposition MEMBER: 'Low him, 'low him!

Mr. PICKERSGILL: Is so yuh measure productivity?

Mr. CHARLES: That is productivity. So, it will be discussed with the Opposition what the Ministry proposes to do.

Mr. M. PEART: You have to categorize and.... (Inaudible)

Mr. CHARLES: It will be discussed with the owners of security and we hope to arrive at some consensus as to the way forward. We are not imposing on any group of people. But we feel that we are holding back the security guards who, if they were permitted to go to the bargaining table with their employer and their representatives, that they would be doing a better job than waiting on the minimum wage. And I can see the Leader of the Opposition who is a former trade unionist and a former Minister of Labour, seems to be saying, come and talk to me, I agree with you. Am I correct Ma'am?

Mrs. SIMPSON MILLER: Yes.

(Nods in agreement)

Mr. CHARLES: Thank you very much.

Mr. PICKERSGILL: So what you a beg....? (Inaudible)

Mr. CHARLES: Yes. I don't mind begging. What I want to do is accomplish. And if begging means accomplish, I don't have a problem. (Applause)

CHILD LABOUR

Madam Speaker, the programme for eliminating child labour is, at the Ministry of Labour, very very - at our top agenda.

In February 2009, the Government of Jamaica in collaboration with the European Union, launched the project: Tackling Child Labour Through Education. Since that time, there has been a series of consultations across the island to assess the implementation and

enforcement machinery to combat child labour in Jamaica.

Another series of consultations are due to be undertaken to review the legislative framework to address this phenomenon.

Sports is also being used as one avenue to prevent child labour. In this regard, mentorship football clinics were held in certain inner-city communities: Kingston, Spanish Town and Montego Bay during the summer. Three hundred children ages 12 to 16 are targeted to participate in these clinics. Over 1,000 adults have been sensitized on the detrimental impact of child labor.

Madam Speaker, some of these children who are at works it would bring tears to your eyes to hear their presentations, parents who are saying they can't survive if the child doesn't go out and work, and children who say if they don't work they don't have anything to eat. And therefore we have to be very careful and conscious as to how we handle these things.

Through these clinics we have achieved some degree of capacity-building for teachers, students, parents and to combat child labour. But. Madam Speaker, it is keeping children out of school and certainly keeping them on the road to continue in poverty.

The PATH programme, Madam Speaker, I will turn to that. It is the flagship Social Assistance Programme of the Government of Jamaica through its investment in human capital. As of August the number of persons benefitting stands at 350,000. This represents an increase of 30% over the number registered in April 2009. With this financial year, the programme is slated to achieve its goal of registering 360,000 beneficiaries.

Madam Speaker, a number of persons have been complaining about the PATH programme. And I would like Members of this House to understand what is the PATH programme.

The PATH programme is designed to help protect the most vulnerable in need in the society, and we know that if one is healthy and educated then the chance of that person living in poverty will decrease significantly.

I am worried about the attitude of some of our politicians. The programme seeks to break the poverty cycle through sustained emphasis on children and youth in poor houses or poor households. In fact, over 75% of the beneficiaries on PATH are children. Seventy-five per cent (75%) of the beneficiaries on PATH are children.

Every man inside here and woman should be proud to see the achievement of some of these children who would not have had the chance to go to school, if we were not supporting them. Some go to school because they can get lunch at school. Some stay at home, they don't have an education and they don't have lunch. Recently...

Opposition MEMBER: Good PNP programme.

Mr. CHARLES: ...we were able to...

Opposition MEMBER: Good PNP programme.

Mr. CHARLES: To show you, you are right. Let me say it because Ronnie has to write it in his column. This Government of which I'm a part, is not embarrassed to follow good programme, you know. Any programme we found that was good we follow it. We improve it. We don't have any embarrassment about that.

(Inaudible comments)

Madam Speaker, there seems to be some misunderstanding. The PATH programme targets mostly vulnerable within the specific category: poor children, poor elderly, poor persons with disability, poor pregnant and poor breast-feeding women. Persons who are in economically active age groups are not targeted. Let me explain. If you are between age 20 and 60, strong and healthy and poor, you are not qualified for PATH.

(Inaudible comments by Mr. M. Peart)

A MEMBER: That's right.

Mr. CHARLES: Let me explain so you don't get it you don't say you not... Some of you sen' me all yuh driva fi PATH programme.

Mr. PICKERSGILL: The driver come for the form.

A MEMBER: Don't dramatize.

Opposition MEMBER: Propaganda.

Mr. CHARLES: No, no, it's not propaganda. Some people genuinely misunderstand what the programme is about. The programme targets the vulnerable with specific categories: poor children, poor elderly people, poor persons with disability, poor pregnant and poor breast-feeding women. Persons who are in economically active age groups are not targeted, are not qualified. And if you send me their names they can't get it.

(Mr. Kellier is on his feet)

Government MEMBER: Kellier, sit down!

Mr. KELLER: Madam Speaker

Mr. CHARLES: So, the man and woman who is 27 years...

Mr. KELLIER: Madam Speaker.

Mr. CHARLES: ...and physically able to do work will not be accommodated under the PATH programme. These are persons who should not...

Mr. PICKERSGILL: Pearnel.

The DEPUTY SPEAKER: (Gavels) On a point of order.

Mr. KELLIER: On a point of order, Madam Speaker, could the Minister just yield. The Minister made a statement a while ago that indicated that some of you had sent your driver's name for the PATH programme...

Mr. ROBERTSON: You.

Mr. KELLIER: I want the Minister to clarify, for the public to know what exactly he means by that, if he was referring to Members of this House that they have sent their drivers to him. That needs clarification. The Minister made a statement a while ago to the effect that some of you sent even your drivers to be put on the PATH programme. I am seeking clarification from the Minister if he was signalling Members of the House by saying so or he was speaking in a general sense. And if it is Members of the House, l would like him to indicate who those Members are.

Mr. CHARLES: Madam Speaker, I requested - the Prime Minister asked that the PATH programme be improved by some 40,000. I requested Members of Parliament and other institutions or anybody who knows anyone who is poor, poor children, elderly, disabled, lactating mothers, to send me the list of names. We have received names from many. Have you sent me any?

(Asking Mr. Clarke)

Mr. CLARKE: No.

Mr. CHARLES: No, so it's not you. Have you sent me any?

(Asking Mr. Pickersgill)

Mr. PICKERSGILL: No.

Mr. CHARLES: So it's not you.

Madam, you have sent?

Mrs. SIMPSON MILLER: Yes.

MEMBERS: Y-e-s, y-e-s!

Mr. CHARLES: So as not to misinform… let me level with you. That man was a Minister of Labour, (Referring to Mr. Peart) and she was a Minister of Labour (Referring to Mrs. Simpson Miller)

Mrs. SIMPSON MILLER: Madam Speaker, on a point of order.

Mr. CHARLES: Can you let me finish the point before you ask.

Mrs. SIMPSON MILLER: No, because I don't want the impression to be given that my distinguished driver is a beneficiary of PATH Programme.

(Laughter)

Mr. CHARLES: May I for the record, make it absolutely clear that I at no time was referring to the Leader of the Opposition and her driver. I am simple making the point that....

The DEPUTY SPEAKER: Minister Charles, the Minister's time for speaking has expired.

Mr. HOLNESS: Madam Speaker, I am certain that, if we are not defined further by accusations of drivers being on PATH, the Minister should be able to finish his presentation within the next 30 minutes.

So, Madam Speaker, I move that the Member's time for speaking be extended sufficiently for him to complete his presentation.

The DEPUTY SPEAKER: The question before the House is that the Minister be given sufficient time to finish his presentation to Parliament.

Motion put to House and agreed to.

The DEPUTY SPEAKER: Continue, Mr. Charles.

Mr. CHARLES: Thank you, Madam Speaker.

I am going to…

(*Sotto voce* comments by Members)

Mr. CHARLES: I have had complaints from Members that a number of their constituents have advised them that they have been taken off the PATH Programme, on both sides of the House. Some persons tell you that they have been taken off, this is not so. Persons are taken off if they die, migrate or in case of children, if they graduate from high school. If you migrate, if your mother was old and poor and your sister send for her and she was getting PATH, she won't get it any more. However, we are constantly monitoring the programme to maintain its integrity and occasionally NIS pensioners who are in receipt of PATH are advised, in other words, you are getting PATH and you are NIS pensioner, you cannot have both, so those will be out.

Mr. CLARKE: I get NIS pension.

Mr. CHARLES: If you are in receipt of pension you are not eligible for PATH.

Mr. CLARKE: Two Thousand One Hundred and Fifty Dollars ($2,150) a month.

Mr. CHARLES: Madam Speaker, over the past year, the challenges brought about by the recession have affected all of us, as a result we have increased the benefits to beneficiaries under the programme. This year approximately $4 Billion has been provided to increase 25% over last year's allocation.

Madam Speaker, there is no question that in meeting the performance standard we are working and getting there. Parents are sending their children to school more than 85% of the

required days per month. If you fall below that, you will be taken off the programme, but you will continue to get a $400 per month benefit.

Madam Speaker, there is often now complaint about the length of time that it is taking to register on the programme well, in response to this problem a new Management Information System has been introduced. Clients are now advised immediately; immediately of their status upon application at the parish level. There is also an appeals process for those persons who believe their applications should be reviewed.

PATH addresses need for the disabled and the elderly persons. The Government has secured a grant of US$2.6 Million from the Japanese Government and has embarked on an aggressive islandwide campaign to register disabled and elderly poor on the PATH Programme.

Madam Speaker, we found that many of the persons in the category have not registered for PATH and are unable to travel to the parish offices, and have no form of support system to help them. Many of these persons are asset rich but income poor. And Prime Minister in his presentation recognized this. What do I mean by that? We saw some women, and I am talking women now, who have n a house, in your constituency, Madam. They bought that house for £6,000 years ago, and under the previous investigation and investigative machinery you go and ask, do you own this house? They said, “yes”, you are disqualified. The Prime Minister instructed the Ministry of Labour to go inside and find out what is happening. When we get inside, they have no light, no water; the mattress is in a state that you would not want to lie on. Instruction has been given that these people may be asset rich but income poor. Ten thousand such persons are now being put on PATH Programme.

(Applause)

I would like to publicly thank the Government and the people of Japan for their support and wish also to thank the World Bank which was instrumental in securing this grant to the Government of Jamaica. (Applause)

The Sectoral Programme, Special Youth Employment and Training Programme, Madam Speaker, welfare cannot and will never be a way out of poverty. Welfare will never be a - in fact, if you start to take care of children and keep them in poverty they never will come out of it. However, we believe that through the programme like the PATH, with a strong emphasis on human and capital development, poor families will be better able to break the cycle of poverty and provide sustained livelihood for generations to come. In this regard we will be expanding our effort to ensure that working age members of the poor household are provided with opportunity to seek and retain employment through Step-to-Work Programme.

Let me explain to, this House. The experience for the six (6) pilot projects, in the last financial year, resulted in the 3,200 persons being provided with training opportunities in order to enhance their employment - employability. We have also forged strong partnership with agencies such as HEART/Trust, National Youth Service, Jamaica Business Development Corporation and the Jamaica Foundation for Life Long Learning. Such partnerships have allowed clients in the PATH household to better

access the service that is provided for them at no cost.

This year, over 5,000 PATH household members are being targeted. And what we are saying, Madam Speaker, is that, if we come into the family and keep taking care of old people there because they are disabled and children because they are poor, once that stops they are finished. We are now investing in them, giving them money to set up small businesses among themselves, raise chickens, sell little things and turn it over as they say. Since the inception the YSEAT Programme has registered 5,000 persons and it is anticipated that we will be able to register other 2,500. Thirty-seven Million Dollars, Jamaican, have been allocated this year to assist in delivering this required training, placement service for the youth who come to the ministry for assistance. Of this number registered, over 50% have completed the HEART Level 1 Certification, making them employable.

Madam Speaker, the ministry continues to commit to the development of youth, ensuring that they can secure for themselves a livelihood that can advance their lives and the lives of their families. As such we will continue to invest in young people and their future as it is known that this will ensure a better Jamaica for all.

Mr. PICKERSGILL: Where is the speech? You know you are inconsiderate.

(*Sotto voce* comments by Members)

Mr. CHARLES: Madam Speaker, you might recall that there was some very serious criticisms in this House about the National Insurance Scheme. I turn now to the scheme which continues to be a major component in the Government's social protection programme.

Social Insurance Scheme which provide a financial safety net for the elderly such as the NIS, are under increasing pressure worldwide. Major demographic changes such as caused mainly by rising life expectancy, improved health care, lower birth rates, have resulted in significant growth in population of older persons in the population.

At present, MS provides benefit to approximately 95,000 pensioners in Jamaica. The protection is that, this number will increase substantially in the coming year. The latest actuarial evaluation showed that by 2015, the number of pensioners is projected to be 121,000 approximately 200,000 by 2035. According to STATIN, Jamaica's current population of persons 60 years and over is estimated at 298,000 or approximately 11% of the total population.

It is projected, Madam Speaker, that by the year 2025 this number will increase to approximately 472,000 or14.5% of the total population, according to the data from the Economic Commission for Latin America and the Caribbean. A person who is currently 60 can expect to live for another 19 years, in case of men, and 22 years in the case of - sorry 19 years in the case of men and 22 years in the case of women. Against this background, the payment to NIS pensioners will continue to increase over the time, due to the maturity of the scheme and the aging of the population.

The impact of the baby-boom phenomena which lead to an increase in birth rate in 1940, is now evident, in the fact that more is being paid for benefits than is being collected in contributions.

In the last financial year, that's 2009/2010, we collected $5.51 Billion of contributions and paid out $9.16 Billion of benefits, net deficit of $3.65 billion. As a result we have had to depend more on the investment income to close the gap. For the financial year 2009/2010, the National Insurance Scheme earned net investment income of $7.44 Million up from $6.28 Billion in the previous year. This showed an improvement in performance of our investment portfolio. This also represents an increase in approximately 19% investment income, despite the reduction in interest income as a result of the Jamaica Debt Exchange Programme.

The growing reliance and investment income means that the NIS will have to pursue more aggressive investment strategies of the growth and probability in the pension fund while ensuring its prudence. This means that diversification of the present mix of investment will be important in changing the economic environment.

The total value of the Fund as of March 31, 2010 is $62 Billion, moving years from $53 Billion at the end of March. This represents a year to year growth of approximately 18% in net asset income fund, and this should answer the queries placed here today by one Member from Central Kingston who is saying that - something to the effect that the National Insurance Scheme was not being properly managed.

Madam Speaker, let me commend the National Insurance Board and the secretariat for their prudent management of the funds particularly during the past year.

(Applause)

Madam Speaker, we have introduced several reforms to ensure long-term sustainability of the scheme, while maintaining meaningful and relevant benefits for our pensioners.

One such measure was to lift the NIS Insurable Wage Ceiling to $1Million *per annum*. The Insurable Wage Ceiling was last increased seven (7) years ago from $250,000 to $500,000. The new $1 million per annum became effective on the 2nd of August, 2010. The contribution structure reflects an employee deduction of 2% of income for the National Insurance Fund and 5% of income for the National Health Fund. These contributions were matched by the employer. And I want to at this stage congratulate the employers who have been putting in a major part in this National Insurance Scheme, so that we can benefit.

And I won't attack the Opposition, because, Madam, both of you who were Ministers of Labour worked to see that we have this Fund going, regardless what had happened previously. Additional contributions to be gained will increase the pool of funds to be invested and will help to ensure that pensioners will be provided for in the future.

Madam Speaker, another major reform of the NIS which will be addressed is the disparity in the qualifying age to receive the NIS retirement benefits. It was clear, Madam Speaker, that females and males qualified to receive NIS retirement benefits were doing so at different ages, 60 for females, 65 for males. We have adjusted that. We have adjusted that, and it's going to take five (5) years commencing from 2011, to see that it is adjusted one year at a time. We don't see any major problem with anybody who becomes qualified over that period.

Madam Speaker, in order to safeguard and

protect the integrity of the NIS, we have embarked on a special project to recertify our pensioners. The main objective of this exercise is to minimize the leakages. Our pensioners and their agents can therefore expect to be visited by officers of the Ministry so we can keep a constant check on what is taking place.

All pensioners will be required to register with the Electoral Office of Jamaica in order to receive their new NI-GOLD Health Cards. These cards will be used to access benefits as of April 2011, and will also serve as identification cards for our pensioners.

Madam Speaker, the Honourable Prime Minister observed in his Budget presentation last year that the Fund was in a serious position and was likely to become bankrupt if certain corrective measures were not taken. The actuaries have advised that the reforms that have been introduced will ensure the viability and sustainability of the Fund up to the year 2035. Madam Speaker, this is a demonstration of vision, responsibility prudence.

There are a number of persons who are collecting NIS from workers who have not been turning it in to the Ministry, and I want to sound a warning. I want to sound a warning. I am not threatening anybody, but we have a responsibility to collect the money and if we don't collect the money, we would not be doing our job. Let me say, NIS is not a tax, NIS is a personal investment by those who contribute to it. When I hear people come here talking about use the money to do this, is people's money.

Madam Speaker, recently there have been a lot of discussions about the Funds not being remitted to NIS, and in fact at a PAC Meeting, I understand the Sugar Company of Jamaica was cited as owing $430 Million to the NIS. This amount represents an accumulation of non-remittance to the NISS since 1997. And the former Minister of Finance who got up talking today had the responsibility and did nothing about it, absolutely nothing. Since this Government assumed office, it became clear that non-performing government entities could no longer continue to be a burden on the budget, hence the policy of divestment. At the first meeting of the Cabinet under Prime Minister Golding, in 2007, upon close examination, it was decided that in order to tidy up the mess that persisted for many years, the Government would assume the indebtedness of the SCJ to the NIS.

(Applause by Government Members)

All that was owed under the previous Government, no worker had any chance of getting anything because some of the people gone out of business, they used the workers money to pay their way along. This Government took over the responsibility of all that debt and transmitted the NIS funding for those 10 years under you to the Fund, so that every cane-cutter, any part of Jamaica, who was not entitled to NIS because you did not send it in, they now can go to any of the Ministry of Labour's office in any part of the island, give their name, where they worked and we will tell them when and how they can get some money. Thanks to the Prime Minister of Jamaica.

(Applause)

We are bold enough to take the necessary steps and put the arrangements in place to protect the sugar workers. It is to be noted, Madam Speaker, that most of the sugar workers are elderly persons, who have been working for many years, many, many years

and had no other hope of getting any benefits.

I want to announce, Madam Speaker, that the sugar workers who have contributed to the NIS as I said earlier, are now covered and so they will get their benefits. Sorry that the member is not here.

Madam Speaker, I noted earlier that we are living in an ageing society. It is within the context of this special recognition that we are giving to persons 100 years and over a special assistance.

I want to take this opportunity to say thanks to Members of Parliament who have sent me notes and called concerning my mother, who passed a few days ago, she was also 100 years old. She will be buried on Sunday at Moneague.

We have people living - and many would like to know, at present the records show that in our 2.7 million population we have over 100 persons 100 years and over. I think that is something that Jamaica probably is in the first (a first probably for us in Jamaica.) We have a lady who is 116, 118, 115, 113 years of age, and we have one lady who says she is 126, when we checked the records we found that - we found a certificate for her for 116, but she said she wasn't registered in the early times so it's quite likely that when she was registered they didn't back date her thing.

Madam Speaker, persons with disability represent an integral part of the labour force. Many of them have been exposed and have developed a wide range of competencies. They constitute a national resource, which has not been fully harnessed over the years because of lack of opportunities. In this year's budget, $100 Million has been dedicated to empowering persons with disabilities.

Mr. M. PEART: Very good. Very good.

Mr. CHARLES: And I want to say thanks to the Prime Minister who has recommended that a major part of this budget be made available for loan assistance and grants to these persons who are disabled.

(Applause)

I just want to make two announcements and then I'll conclude.

Madam Speaker, working with the Minister of Industry and Commerce, who has been complaining to the Ministry of Labour that there is some - my word - humbug in some areas of the investment situation.

In the past investors purchasing a machine in India, coming to Jamaica to set up that machine would have to go through a six-week process of applying for the technicians to come to set up the machine. A machine at Grace Kennedy that breaks down on a Monday evening would sometimes have to wait six week to get a Work Permit for a technician in Australia to come and fix this. We considered this unacceptable, Minister, as you have said...

Mr. SAMUDA: Yes.

Mr. CHARLES: ....and I want to announce that effective.... I want to announce that the Ministry, the Ministry has taken steps in discussion with you and the private sector, that any person coming to Jamaica to work under these conditions no longer will need a Work Permit or an Exemption. They can be given a 30-day permission to land, carry out their job and go, and they can get this up to six months, but only 30-days at a time.

(Applause)

It means that, you can - if your machine breaks down tonight you can get a man

immediately, they are here tomorrow morning, fix the machine without any consultation with the Ministry of Labour.

Mr. SAMUDA: You not clapping him for that?

Mr. PICKERSGILL: I not clapping for that.

Mr. M. PEART: Just standard procedure man.

Mr. SAMUDA: Derrick, Derrick, clap the man for that.

(Mr. Clarke claps)(Laughter)

Mr. KELLIER: You need to talk about the other part of the Work Permit.

Mr. CHARLES: Madam Speaker, let me state clearly that we will be monitoring it, the Immigration Department will monitor it. If you come into the Immigration Department, you can only spend 30-days. If you have to come in for nine months, you have to apply for a Work Permit. If you have come in to fix a machine, computer, this and that, up to 30-days you need not apply. And this is what we have been having, machines break down and they can't move because of this long time.

Madam Speaker, in concluding I must emphasize that access to decent employment and a stable industrial relations environment will help unlock the potential for creating a Jamaica, the place of choice to live, to work, to raise families and to do business. In keeping with the Vision-2030 - Jamaica National Development Plan, we are working towards that at the Ministry of Labour.

The Ministry will continue to provide the platform for policies and training to facilitate this vision. The Ministry will place stronger emphasis on providing assistance to the poor and the vulnerable in society. A lot of what has been achieved to date has resulted from the mature partnership developed between the employer groups, the trade unions, the workers and the Government. We see this as the way forward. Despite our disagreement at times, I am sure no one can disagree about the extent to which our deliberations have redound to the benefit of Jamaicans over the years.

I have enormous faith the process of engagement and will work to modernize the Ministry to the whole process of transformation to address the global challenges facing us. It is in this context that I want to express thanks to the tripartite partners and look forward to continued collaboration between ourselves, the union and the workers.

The Ministry is committed to the task ahead. We are aware of the dynamic changes in the world, but we believe that the people of Jamaica have the innate potential to succeed. We will work towards that and we carry the flag of this transformation for the Government of Jamaica.

Thank you, Madam Speaker.

(Applause)

Mr. HOLNESS: Madam Speaker, the Minister of State in the Ministry of Water and Housing, will now take the Report on the CDF.

C.D.F. REPORT

Mr. WARMINGTON: Madam Speaker, on September 21, the Report for the 2009/2010 CDF Report was tabled.

Madam Speaker, the concept of the Constituency Development Fund, as you know, was developed in the context of the need for the improved governance and greater effectiveness of the people's representatives in responding to the development needs of the

constituents. Each Member of Parliament, in collaboration with the relevant agencies, local community-based organizations, and non-governmental organizations, would have designed a five-year development plan from which programmes would have been submitted to the Committee for approval.

The Committee began its meeting for the 2009/2010 session in June, 2009, and we had 15 meetings to review and approve project proposals for these constituencies and for which an Appendix was attached. Each Member of Parliament was allocated, as you know, $20 Million to execute the project in his or her constituency for the 2010/2011 2009/2010 year. Of this, One Billion One Hundred and Sixty-six Million Eight Hundred and Nine Thousand, Three Hundred and Twenty-one Dollars and Twenty cents, ($1,166,809,321.20), were spent by Members of Parliament.

The Press, Madam Speaker, have been seeking permission - this Committee usually meets *in camera*, but there have been constant requests by the Press for access to this Committee, to attend the Committee itself. Section 77 subsection (6) of the Standing Orders of the House that relates to Select Committee, states that except by an order by the House, or the presentation of a resolution to a Committee, all Select Committees should be held in public. So in effect we were contravening this aspect of the Standing Orders. But as a Member brought to attention today that at the outset of the programme, which was a new programme, It was felt that the Members need some time - needed some time to work into the programme, and by that they eliminated the need for the outside scrutiny.

So, the Committee - it was taken with the Committee this morning, and the Committee will be open to the Press. For one, we don't have anything to hide, so the Press can, as of now, attend our meetings and record the activities of the Committee.

There are certain weaknesses in the system that we are trying to correct, and the Auditor General made some observations which the Unit is now trying to work with. And the recommendations from the Auditor General really that she had concern with was the economic enablement aspect of the programme. And the Auditor General's Report states:

> "Based on an observation, it can be concluded that implementation of an Economic Enablement Project presented a challenge. Though the CDF procedure addresses approval and implementation of such a project, it is silent on the issue of the body that has post-implementation responsibility for its continuity of the survivability of the project."

This area the CDF Unit is now addressing, so that there can be monitoring during the implementation and after.

The procedural guidelines for the CDF are now - are currently under review, and it will address the concern raised, and they will be circulated very soon, as they are finalized.

Madam Speaker, the CDF is unique and is very helpful to Members of Parliament.

Government MEMBER: True.

Mr. WARMINGTON: And at this stage there are other countries that wish to review or to examine the CDF project that is in Jamaica, for implementation in other countries. For example, at this stage Kenya and Tanzania are

two of the countries that are interested in the Programme and wish to emulate what we have here.

One Member of Parliament and Member of the Committee, the Member from East Central St. Catherine, represented Jamaica at the Commonwealth Parliamentary Association, in Kenya, in September, and she made an excellent presentation on behalf of Jamaica which was well received. And we need to congratulate that Member for the presentation she gave.

(Applause)

The Professor of Political Science and Senior Associate at the Centre for International Development at Rockefeller College of Public Affairs and Policy, PROFESSOR MARK BASKIN, has advised that they have plans to continue research on the Constituency Development Funds. An extensive study of the Fund in Jamaica is being planned. They are working closely with the Commonwealth Parliamentary Association on this project. CDFs are growing throughout the United States of America and they can learn from us and we can learn from them.

Professor Baskin has advised me today that he will be in Jamaica early November, to work with us to review the programme so that he can assist other countries in the implementation.

It has been a great challenge to us, but has been a good programme, and I am sure all Members of Parliament appreciate the benefits that they have gotten and the benefits they have been able to extend to their constituents.

(Applause)

The Committee wishes to express sincere appreciation to everyone who made the meetings of the Committee possible. Special thanks to the staff of the CDF Project Management Unit, in particular, the Director, MISS MOVETA MONROE and MRS. PAULINE SCOTT BLAIR, for preparation of the project documents for review by the Committee, and for the technical officers, in particular. We wish to thank the Clerk of the House and her staff, for the able assistance we have received from them.

Madam Speaker, I wish to move for the acceptance of the Report of the CDF Committee.

(Applause)

Mr. KELLIER: Madam Speaker, I wish to support the comments made by the chairman of the Committee, for the most part, and to add, as a Member of the Committee from its inception, to add my own words of thanks first of all to the Prime Minister, I think for introducing... (Applause) ...for introducing the programme.

Just to say though, that the expectation of the programme at its onset was very, very high, in terms of the quantum. We believe that the way the programme was being structured for us to have a Parliamentary Oversight Committee, and all the rest of the attendant managerial areas, was because it was the intention at the beginning to try and find the amount of money that was projected. Unfortunately, that figure did not materialize, and we started off with a lower figure of $40 Million, and subsequently, because of the crunch, we ended up with $20 Million in the Fund.

A number of things arise, therefore. One of them has to do, Madam Speaker - and I think it affects a number of the Members of the House – and we have been grappling with these issues over time. One has to do with the

business of the consultancy arrangements in respect to persons who assist Members of parliament in ensuring that the project is properly implemented in the constituencies. And while the guidelines are under review, we certainly would wish that before that exercise closes, the matter of the consultancy be looked at. Because some of us Members are of the view that while the Prime Minister had agreed that no more than $1.5 Million would be available for that kind of work, I do not know that it was confined to one person to be engaged in such an activity. I thought more or less, and we are of the firm belief that it was more the figure of $1.5 Million that should be the ceiling of what could be used to assist in that regard, rather than it being tied to one individual. And certainly, we have seen cases coming to the Committee, where on both sides, you know, Members have put forward good reasons to have more than one consultant involved. The figure never exceeds the $1.5 Million.

And I am just appealing to all the Members of the House this evening, and really, we are the ones that - the Committee is a subcommittee of the House, so it is really the House that has the authority in this matter, and by extension, the Cabinet. So that is one of the issues that we would like to have fully clarified, because I know a number of Members on both sides, some who sit in the Cabinet as well, have found themselves in problems, in respect of that particular item.

In respect of the openness, Madam Speaker, this is something that we all support in the Committee that the Committee needs to be open to the scrutiny of the Press, lest there be any misconception that we have something to hide. And as the Chairman said, obviously, we have nothing to hide. And we fully support the openness, so that the searchlight can be horned on us in the Committee as well. We have gone through the teething process, it is now three years since this programme is on, and really, we are at a stage now where we can be open to anyone to see what is happening there.

The recent hurricane has posed a challenge for us. And the Prime Minister made a - the weather pattern that just passed associated with Nicole. And if I remember correctly, the Prime Minister gave an indication that it is - that gave me the impression that it may be possible for some adjustments to be made as soon as Minister Shaw returns from his negotiations abroad. Now, we look very hopeful that that will happen, because indeed, the suffering and the problems are out there in the constituencies to be addressed...

Mr. CLARKE: I hope him come back. (Laughter)

Mr. KELLER: ...and we would very well be happy if he could come back with some good news that could encourage the Prime Minister to fulfil that obligation to increase the CDF to take care of some of those matters.

I just want to add my congratulations, as well, to the staff in the office, and the field officers that have to interact with us in the constituencies, because they have also done a very good job and we want to thank them... (Applause) ...for what they have been doing to assist us in making these things smooth. And, indeed, everything now is the Constituency Development Fund. As a problem arises, use the CDF. And, I mean, it is not without end, and we just want the constituents to be aware that this Fund has a limit, and that we will

continue to work with the communities to ensure that the recommendations for projects, are projects which the communities want to take place within their locale.

And we want to ensure that the integrity of the programme is never compromised, and hence, we want to ensure that the full cooperation continues, to ensure that the Auditor General, and the Contractor General, and all the other Generals that have to interact with this project, we make sure that it is above board, and that when the searchlight is turned on it, it can stand the test of time.

I can tell you, Madam Speaker, and I can speak on behalf of the Members on this side, this programme has nothing to do with anything called 'pork barrel'. This is a programme to help and support constituencies in their development.

Thank you.

(Applause)

The SPEAKER: Mr. Hylton.

Mr. HYLTON: Madam Speaker, first of all, welcome... (Inaudible) ...the CDF to state categorically I was one of... I would like to join the Leader of Opposition Business in congratulating certain segments of the society that this Fund be in place to ensure that...
(Inaudible due to microphone failure)

(The Speaker returned to the Chair at 6:02 p. m.)

It is particularly important because a number of the constituents are simply not either welcomed, or made to feel welcome in a number of the Government agencies. And that's a simple fact. And therefore, they tend to shy away. They leave a lot - put a lot of pressure on the councillors, and the Members of Parliament, to assist in getting things done.

But, Mr. Speaker, I want to commend the decision to open the proceedings, because I think the country might be pleasantly surprised that what a number of them are made to understand, has been going on with the CDF is, in fact, not so.

But more particularly, Mr. Speaker, there are some flagship programmes, some best practices, that I think could be, and should be highlighted as part of this programme. And, different constituencies have engaged in different things. I believe it should also highlight the fact that, of the sixty constituencies so far, that the sixty of them have really operated as laboratories. A number of them are experimenting with different ideas, different things and I think, out of that and over a period of time you can get - develop a catalogue of best practices and good projects, what works and what doesn't work.

Today though, Mr. Speaker, I want to really speak about a project that I have been wrestling with for the last year-and-a-half. And it really - it involves the - a proposal, strongly supported by the constituency for the establishment of a Revolving Loan Fund. And, in this concept, Mr. Speaker, the constituents are very clear that they want to use the Credit Union because of some of the benefits attaching to the Credit Union membership.

We have sought to use other institutions that are engaged in micro enterprise activities, but some of the conditions surrounding the establishment of these revolving loans are simply not conducive to the kinds of activities that we believe are critical, particularly in the inner city, if you are going to provide entrepreneurial opportunities and to fund new and innovative ideas. We are determined that the Credit Union provides a better approach and the membership benefits as well, I think,

plus the culture of the Credit Union of encouraging savings, we believe is suitable.

But, Mr. Speaker, I was very surprised that at the very outset, I was being told that the CDF funds could not be used as a Revolving Loan Fund. I fought that, I spoke - I wrote and I spoke with the Ministry of Finance, with the Unit and it took quite some time before the Ministry of Finance finally decided that the Revolving Loan Fund makes good sense. And that it should shift its policy, or make explicit its policy on the Revolving Loan Fund to support it.

Having done that though - and I thought, then, we were ready to proceed, I was told that there was a concern by the auditors and that we had to go - we had to seek an opinion from the Solicitor General's Chamber.

The Solicitor General's Chamber reviewed the proposal and came back with an opinion that, as a lawyer, I quite frankly, find very, very concerning. The essence of the proposal was that there was a concern about the use of credit unions, for the reason that credit unions require a membership, and that by requiring a membership, it *ipso facto* discriminates against constituents.

I couldn't understand the point because, Mr. Speaker, the fact is that it is simply a matter of history how the credit unions and the various statues under which they are regulated is different from the regulations of a bank. One is called a membership in the credit union, and in the case of a bank, a customer. Both of them would require you to establish an account into which he will deposit the proceeds and to make payments on the loan. It is the case that the credit union - the fee for membership - for a credit union membership is a small amount some Seven Hundred and something Dollars. A bank account - to open and to retain a bank account is much more significant plus the attendant charges.

And yet I am being told, Mr. Speaker, that because you are required to be a member of a credit union it discriminates - there is potential discrimination, and therefore, it is not the - and therefore the Auditor General advises that the - sorry, the Solicitor General advises that it may not be a suitable approach.

Mr. Speaker, that has caused, and continue to cause tremendous concern, because I had - my constituency and I had... from the time we had $40 Million in the CDF, we were concerned, given the fiscal situation that that may not be sustainable. We set aside and had the project approved by the CDF Committee to start this Revolving Loan Fund. And yet, a year-and-a-half later we are unable to get the fund going because of what I believe is the bureaucratic delays. And if it is not bureaucratic delays, then I believe this House that has the responsibility to have defined the project in the first place, have now a responsibility to state very clearly that it cannot be a hindrance, or should not be made a stumbling block to the realization of the decision of the consistency about the choice of the institution that they wish to utilize.

Mr. Speaker, I find the decision even more interesting from the point of view that currently, the Bank of Jamaica is moving to regulate a number of the credit unions, particularly the larger credit unions. So that I believe, Mr. Speaker, and I am calling on the chairman of the Committee and the House, if it means that the House have to send me... or pass a resolution, or take action to send a very clear sense of the House, that this should not

be made to happen, but that credit unions - because in point of fact, what the Solicitor General is then advising is that, rather than being discriminated against if members are required to join credit unions, that the credit unions will be excluded from operating the funds in the CDF.

I am being advised by the Unit that perhaps if I had a PC Bank in my constituency, which I don't, I could utilize the PC Bank. And then they said that if we had the JDF - if we had the CDF - if we had the JBDC, that we should utilize it. Mr. Speaker, I do not believe that members should be confined to those choices.

Mr. CLARKE: If they can't revolve, give them straight.

Mr. HYLTON: No, that's not sustainable.

Where, Mr. Speaker, the confidence has made its choice as to institution, I believe the fund should be flexible enough to support that. And I am calling on the Chairman; I am calling on the House to either pass a resolution, or to give a sense of the House - decision of this House that the credit union should be available as well as any other suitable institution, properly supervised, to assist Members of Parliament in the execution of their Revolving Loan Fund. I want to ask and crave the indulgence of the House in giving that support.

(App1ause)

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: You now, Mr. Speaker, the concept of the Constituency Development Fund evolved in a situation where there are large numbers of persons within all our constituencies, who are unable to access reasonable services, and where the infrastructure for social amenities are lacking. And in the present circumstances, it is beyond doubt that the Constituency Development Fund is playing a very useful role. I am amazed at the uninformed criticism of the Fund that is paraded daily.

Most recently, there is a high official of the State who has wont to respect who speaks of diverting the Constituency Development Fund before an appreciative audience, to fund organic agriculture, which is a good thing to do, that is to have organic agriculture, but it obviously involves such a confusion of mind at that level of the bureaucracy, that I am very, very worried. But, Mr. Speaker, you know, it is not to take a contrary positions but I long for the day when a Member of Parliament doesn't have to be the chief social worker and *facto to men* his or her constituency.

Mr. MONTAGUE: I agree with that.

(Applause)

Rev. THWAITES: I do not consider it is part of my role to be accountable for those government funds, as I must be. I want a day when this State, meaning all of us in governance, and indeed the entire polity, crafts a society where welfare opportunities are reasonable, if modest, where issues like housing benefits, like community facilities, the repair of the roads, are dealt with as priorities and part of the warp and the woof of the ordinary running of the society; and not be in a position where, at the beginning of any financial year, every individual who has a need, as basic as ensuring that a child can go to school with reasonable capacity, to the Churches, to the Benevolent associations, to whoever else, prevails upon the Member of Parliament for some moiety of the Constituency Development Fund.

It is useful and necessary for the time, and

it is only people who are withdrawn from the reality of street life, whether in country or in town, who exhibit these wrongful criticisms of it. And I am surprised that those who - many, particularly in the established Press, are not clear enough. Maybe the opening of the Committee will be salutary so that they can know that this is not a pork barrel, but this is a necessary element of an imperfect society in perfectly organized polity of the time.

(*Sotto voce* comments)

But, Mr. Speaker, let us urge as time goes on, it is not beyond our dreams or our reach, for a society where, when someone needs a prescription to be filled, as is so often the case for each one of us, that we don't have to come to the Member of Parliament after you have visited the neighbourhood clinic or hospital, and prevail upon him to make some allocation, but rather that we do so to the State Agency running efficiently, running fairly, running impartially for the necessity that is there; and where the same is true for a prudent approach to education so that we do not have these scandalously long list of books and supplies, largely unnecessary; (Applause) and where we really have a fair allocation of the cost of education between parents, community, and the State, so that again the Member of Parliament is not put into that position. I used to have to play God in Central Kingston before the good company Lasco and the Global Fund relieved us of the HIV Retroviral drug cost. Because you had a month's supply - remember, Mr. Speaker? It used to cost $40,000 at the turn of the century. And because you couldn't afford more than one you had to decide who got it and who lived and who died. That is not our role. Our role as Members of Parliament is to understand the needs of our people, listen to our constituents and come to this place, and other such forums, but principally this place, and advocate for them and for just laws. That's our job. Not to be quasi businessmen, accountants, social workers, and general factotums.

And therefore so we are glad and we pay tribute to what has been begun here, but we must never be satisfied, because it involves a distortion of the legislator's role and we must seek to change and perfect that even as we use the present opportunity to render that new day possible. I thank you.

(Applause)

The SPEAKER: Mr. Warmington.

Mr. WARMINGTON: Mr. Speaker, I've noted the concern and the suggestions of the Members who spoke, and the Unit and the Committee is prepared to work with all the Members, every Member who has a problem or a concern.

The Member from Western St. Andrew spoke of the difficulty he has in getting a revolving loans programme going. The issue is that that the opinion from the Solicitor General, as if stated, spoke of the restrictiveness of this, in that it requires constituents to be members of that particular credit union. And as such people are being forced into joining a particular institution so as to access the funds, and it said - it is suggested that enabling individuals in the constituency to access funds through other entities may remove this impediment.

And the Unit has made contact with the Jamaica Business Development Corporation and has notified the member that this might be an avenue through which the funds can be made available to his constituency. It is not that the Unit or any agency is trying to prevent

the stuff - this avenue, because it is a very good programme, but the Solicitor General believes it's not a good thing for it to go through a credit union whereby the people have to pay for the membership to access government funds.

The other issue was the issue of consultancy or Administrative assistance, and a Member of the Committee spoke of it and there are several concerns from other Members. And it is stated that we should look at the possibility whether or not there can be more than one administrative assistant or - consultants in the programme. The guidelines at the outset said one consultant or administrative assistant.

We have a case whereby a constituency divided their amount among different consultants or administrative assistants, to the extent whereby consultants or administrative assistants were being paid below the minimum wage. It is a case whereby...

(Inaudible comment by Members)

Mr. WARMINGTON: What?

(Inaudible comments by Members)

Mr. WARMINGTON: Please listen. No, no, it is not the point of it. It is a case whereby constituency consultancy is a particular case in which consultants are being paid $13,500.00 a month, there is a particular case, and this is because you fragment the programme among several persons, but that is too low.

Let me state, Mr. Speaker...

(Inaudible comments by Members)

Mr. WARMINGTON: Mr. Speaker, the issue is that you cannot fragment it to a stage where they're paying the person that low. Because let me tell you - let me state here, the current CDF operation procedure makes provision for each MP to be entitled to one administrative assistant - consultant and it is very clear the purpose for which this employee must be engaged. Functions include:

- Assisting in preparation of five-year development plan including research, data collection *et cetera* and ensuring that guidelines are adhered to;
- assisting with preparing project proposals after priorities have been identified through community consultation, liaising in between CDF Project management Unit, Project Officers and Managers and the Constituency Project Oversight Committee;
- following up with suppliers and Government MDAs and ensuring those *pro forma* invoices, estimates, bills of quantities and other supporting documents are in place;
- assisting the Member of Parliament in on-the-ground monitoring of projects.

If administrative assistants or consultants are to effectively carry out these functions and monitor CDF Projects with a level of efficiency to ensure probity, transparency and accountability, then they must work very closely with CDF Project Management Unit; therefore, they have to be properly paid because of the responsibility they are given.

Recently an individual who is on record to be the consultant for a particular constituency, was featured in one of our local newspapers as an exemplary full-time employee of a corporate entity.

A MEMBER: What?

Mr. WARMINGTON: We find it impossible for such an individual to carry out

their obligations to the Member of Parliament, with respect to his/her CDF Projects, and are not surprised that this is the reason that a tremendous burden is placed on the Constituency Development Fund Project Management Unit to prepare project submission and secure supporting documentation, functions which the administrative assistants or consultants are being paid handsomely to carry out.

This is why a lot of the projects come to the Committee incomplete, because the work is left on the Unit. The Unit, when raising this issue with the particular MP, suggested that he was being unfairly singled out, as this was a common practice by Members on both sides of the aisle. This is a reply from the Member of Parliament when it was brought to his attention that the person who he has as consultant is a full-time employee that was featured in the paper.

It is no wonder there are a number of instances the Unit is unable to make contacts with individuals with whom Members of Parliament have established contracts, or contracts to employment. This situation is totally unacceptable and it is one which we are not prepared to entertain. The issue is that many cases where the consultants are to be working with the Project Management Unit and the Project Managers, these consultants are not found. There are many cases where the Unit has never seen or met the particular consultant or the particular Administration. And this is why ... So we need to have this thing streamlined and the consultants do the work that they are paid to do.

Most constituencies - almost all the constituencies or MPs, do have consultants, almost all, I don't have one. And each constituency that has a consultant access the full $1.5 Million, with the exception of the MP for South St. Andrew, he accessed only for $800,000 for his consultant. I don't because I don't need a consultant. I use that money to assist with infrastructures and other needs in the constituency.

Mr. MAIR: Hear, hear!

Mr. WARMINGTON: So these persons, if they are employed to be consultants, I'm calling on the Members of Parliament to see to it that the work is done.

Mr. Speaker, I ask the House to accept or adopt the Report from the CDF Committee.

The SPEAKER: Very well, the motion before the House is for the adoption of the Report.

Put to the House and agreed to.

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, we should have taken the motion brought by the Member from St. Catherine South Central, however, with respect to the time, Mr. Speaker, we wouldn't be able to take that motion today, the motion is therefore carried till next week.

A MEMBER: As a priority.

Mr. HOLNESS: Yes, as a priority so then all the other motions that should have been taken will shift accordingly.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today, I therefore move that the House do adjourn until the 19th of October, when we will resume our sitting.

The SPEAKER: Members, the motion before the House is that this Honourable

House do adjourn until Tuesday, the 19th of October at 2:00 p.m.

Put to the House and need to.

The SPEAKER: This Honourable House stands adjourned.

The Adjournment was taken at approximately 6.24 p.m. to Tuesday, 19th October, 2010 at 2.00 p.m.

THE HONOURABLE HOUSE OF REPRESENTATIVES

SESSION 2010 – 2011

TUESDAY, October 19, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2:18 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Planning and Development and Defence.

DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Trade.

AUDLEY FITZ ALBERT SHAW, (JLP), Manchester, North Eastern, Finance and the Public Service.

OLIVIA ATAVIA GRANGE, (JLP), St. Catherine, Central, Minister of Youth, Culture, Sports and Culture.

EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister with responsibility for Information and Telecommunication.

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

THE MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Mrs. Sharon Hay-Webster.

The House resumed its sitting at 2:18 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

STATEMENTS BY MINISTERS

COMMISSION OF ENQUIRY RE: EXTRADITION REQUEST - CHRISTOPHER 'DUDUS' COKE

Mr. HOLNESS: Mr. Speaker, the Prime Minister has a Statement.

The SPEAKER: Prime Minister.

(MR. KARL GEORGE SAMUDA, CD, (JLP), St Andrew, North Central, Minister of Industry, Commerce and Investment, entered and took his seat.)

(MR. PEARNEL PATROE CHARLES, (JLP), Clarendon, North Central, Minister of Labour and Social Security, entered and took his seat.)

The PRIME MINISTER: Mr. Speaker, further to my Statement to this House last Tuesday, the Governor-General has today been advised to appoint a Commission of Enquiry to enquire into and report on the issues relating to the extradition request for Christopher Coke by the Government of the United States of America, the manner and procedure in which the said extradition request was handled by the Government of Jamaica the circumstances in which the law firm MANATT, PHELPS & PHILLIPS was retained and its role in relation to the said extradition request, and the role and conduct of various public officials and private persons and organisations in relation to any or all of the aforesaid matters.

(MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern, entered and took her seat.)

The specific Terms of Reference of the Commission are:

1. to enquire into:
   (a) the issues relating to the extradition request for Christopher Coke by the Government of the United States of America;
   (b) the manner and procedure in

which the said extradition request was handled by the Government of Jamaica and the role and conduct of the various public officials who handled the extradition request;

(c) the circumstances in which the services of the law firm Manatt, Phelps and Phillips were engaged in relation to any or all of the matters involved, by whom were they engaged and on whose behalf they were authorized to act;

(d) whether there was any misconduct on the part of any person in any of these matters and if so, to me recommendations as the Commission sees it for the referral of such persons to the relevant authority or disciplinary body for appropriate action.

2. The Commission shall make a full and faithful report and recommendations concerning the aforesaid matters and transmit the same to the Governor-General on or before February 28, 2011.

Mr. Speaker, the Commission shall be comprised of Attorney-at-Law, the HONOURABLE EMIL GEORGE, QC, OJ, as chairman, retired Permanent Secretary the HONOURABLE ANTHONY IRONS, OJ, and Attorney-at-Law MR. DONALD SCHARDSMITH, QC.

(MR. RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment, entered and took his seat.)

(MR. JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy, entered and took his seat.)

The SPEAKER: Yes, Mrs. Simpson Miller.

(DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern, entered and took his seat.)

Mrs. SIMPSON MILLER: Thank you, Mr. Speaker.

(MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western entered and took his seat.)

I am a little disappointed that the Prime Minister had no prior consultation to naming the Commission with the Parliamentary Opposition. And we would have hoped that the decision - we welcome the decision for the Commission, but we would have hoped that the Prime Minister would have had some consultation, not only with the Opposition but with other stakeholders, in terms of the persons and the Terms of Reference and timeline. And I must express the disappointment of the constitutional Opposition of Jamaica.

(Applause by Opposition)

(HON. LAURENCE GEORGE BRODERICK, (JLP), Clarendon, Northern, Minister of State in the Ministry of Mining & Energy, entered and took his seat.)

(HON. ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of

State in the Office of the Prime Minister, entered and took his seat.)

(HON. MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Commerce, Industry and Investment, entered and took his seat.)

The PRIME MINISTER: Mr. Speaker, I had undertaken last week to consult the Opposition. I wrote to the Leader of the Opposition this morning. It was not possible to have done it before because the membership as we have proposed, was only concluded this morning. And I should point out that the membership of the Commission was the subject of intense discussions with the proposed chairman of the Commission. I had made several attempts to speak with the Leader of the Opposition on the phone, unsuccessful though those were.

(MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western, entered and took his seat.)

(DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern, entered and took his seat.)

A great deal of care has been taken to ensure that not only are the Terms of Reference sufficiently broad to allow the Commission unfettered room to examine all of the issues that are involved and that may arise, but in addition to that, I don't think that there is anyone who could for one moment question either the competence or the integrity or the impartiality of the persons who have been named to the Commission.

(MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central, entered and took his seat.)

Mr. BUCHANAN: Apology again.

Mrs. SIMPSON MILLER: Mr. Speaker, I don't think a Prime Minister anywhere in the world or a President that wishes to find any individual cannot find that individual. And I only know of one period when not only my telephones but a number of phones were down, and it was corrected within the day. The lines came back. And the Prime Minister, I am sure Jamaica House is very close to where I live or where I work and so if the Prime Minister had wanted to find me urgently, he could have sent even a police officer. I wouldn't be frightened if I heard a police was there to see me, or somebody to say it was urgent for me to speak with him. (Applause by Opposition.)

If I get a message anywhere I am in Jamaica, that the Prime Minister wishes to speak to me, no matter what 1 am doing I would take a break to ensure that I return the call because I would not know the nature of why the Prime Minister would wish to speak to me and I know he would only speak to me if it is something that is of an urgent nature. And so it is quite sad.

The fact is Prime Minister might know the three. I know two of the three. And I know two of the three are outstanding Jamaicans. I don't know one. So the Prime Minister's knowledge of the three doesn't mean that all Jamaica has the kind of knowledge about all of them as the Prime Minister does. And I really believe that that is not the point.

The point is the Prime Minister indicated not only to us in this Honourable House last week but to the nation that he would see to some kind of consultation. And we were waiting to hear from the Prime Minister. And what the Prime Minister just said, with due

respect to the Honourable Prime Minister Mr. Speaker is totally unacceptable by this Opposition. (Applause)

The PRIME MINISTER: Mr. Speaker, it is interesting that the Leader of the Opposition has not up to now acknowledged that I had delivered to her office this morning at or around 10:00 am. this morning, a letter.

Opposition MEMBERS: This morning, this morning?

The PRIME MINISTER: ...a letter advising of the appointment. I have made several attempts...

(*Sotto voce* comments)

Mr. BUCHANAN: That's autocratic.

The PRIME MINISTER: I have said as much as I need to say on the matter, Mr. Speaker.

Mrs. SIMPSON MILLER: May I indicate, Mr. Speaker, I have not received that letter. I have not been in office this morning. I have not received the letter.

Dr. DUNCAN: Mr. Speaker...

Mr. CHARLES: It's a debate.

Mr. BUCHANAN: Shut yuh mout, Pearnel.

The SPEAKER: Mr. Buchanan please. Yes, Dr. Duncan.

The PRIME MINISTER: Mr. Speaker, might I just add that if a letter arrives at my office, if a letter arrives at my office from the Leader of the Opposition, wherever I am, whether on the island or off the island, I am immediately notified.

Mrs. SIMPSON MILLER: No, no, just allow me. Mr. Speaker, my secretary lost her son and this morning she was making funeral arrangement for the burial of her son on Thursday. The fact is, nobody else at the office, if a letter is there for me from the Prime Minister, would dare to open that letter.

The SPEAKER: Dr. Duncan.

Dr. DUNCAN: No, I will not be long. At the last sitting another Member made reference to some agreements that existed between the Opposition, the present Opposition and the Government...

The SPEAKER: No, no, no. It was an alleged agreement.

Dr. DUNCAN: Mr. Speaker, is the Prime Minister - did the Prime Minister investigate the question which was asked of him last week on this said matter in relation to some agreements made between the two parties?

The SPEAKER: No, no. Dr. Duncan...

Dr. DUNCAN: ...in relation to a protocol to be followed with the setting up of commissions?

(Cross talk)

The SPEAKER: Dr. Duncan, my distinct recollection is that the Prime Minister said he knew of no such agreement.

Dr. DUNCAN: He said he knew of no such agreement, and he still knows of no such agreement?

Mr. BUCHANAN: Did he investigate?

Dr. DUNCAN: Between both parties in 2004?

The SPEAKER: My distinct recollection.

A MEMBER: What's the point?

Dr. DUNCAN: The point is that political parties, Opposition and Government have certain traditions and behavioural patterns.

The SPEAKER: Sure, but... No, but...

Dr. DUNCAN: I am saying that to my certain knowledge there was a certain agreement...

The SPEAKER: No.

(Cross talk)

The SPEAKER: No, Dr. Duncan.

Dr. DUNCAN: And he said he would investigate it.

The SPEAKER: My distinct recollection is that when the Member from East Central asked of that matter the Prime minister said he knew of no such agreement.

Dr. DUNCAN: Has he investigated it to find out if any such agreement existed?

Government MEMBER: Have you?

Dr. DUNCAN: Yes, I have.

The SPEAKER: Dr. Davies. We will check on that, Dr. Duncan.

Dr. DUNCAN: You will check on it or the Prime Minister will check on it?

The SPEAKER: Yes. Well, we'll ask him. Dr. Davies.

Dr. DAVIES: Through you, Mr. Speaker. As the Leader of the Opposition has intimated, I know two of these gentlemen. Pardon my ignorance, but I know nothing about one and it would seem to me that it would be useful for a Commission of Enquiry of this importance that the society be informed about someone who has been entrusted with such a responsibility. So if there is anything which the Prime Minister could provide us in terms of the resumes, etc. Mr. Schardsmith…

The SPEAKER: Mr. Schardsmith…

(DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, eastern, entered and took his seat.)

Dr. DAVIES: I know, but I just think hat perhaps I am unique in that regard. But I have no idea as to his background which ould put him in a position to assess this issue.

The PRIME MINISTER: The advice I have, Mr. Speaker, is that MR. DONALD SCHARDSMITH, who is a Queen's Counsel, is an eminent attorney, highly respected within the legal fraternity. He is considered to be the kind of person who could bring great value to this particular enquiry. I believe that the Member for Northwest St. Catherine might be able to assist the Member on the basis of his professional knowledge of him.

The SPEAKER: Yes, Rev. Thwaites.

Rev. THWAITES: Mr. Speaker, the Prime Minister indicated that the first term of the Commission of Enquiry would be to enquire into issues relating to the extradition request of Christopher Coke and later he spoke of unfettered terms. Would he confirm that the issue of possible connection between political parties and individuals and criminal elements and, in particular, the Shower Posse will form part of the terms and conditions of the Commission of Enquiry?

The SPEAKER: No. But I don't see the relevance of that Rev. Thwaites.

Rev. THWAITES: You don't at all?

The SPEAKER: No.

Rev. THWAITES: You don't see the relevance of that connection?

The SPEAKER: And I say, Rev. Thwaites....

Rev. THWAITES: Yes.

The SPEAKER: …if that is your position, does he open it up to other gangs or other…

Rev. THWAITES: Let him say if you invite him…

The SPEAKER: No, but with due respect…

Rev. THWAITES: You don't see any connection?

The SPEAKER: No.

Rev. THWAITES: We just want your ruling on that, Mr. Speaker. That will very very helpful. Very helpful.

(*Sotto voce* remarks by Members)

The SPEAKER: With all due respect, Rev...

Mr. HUTCHINSON: This could have been avoided.

Mrs. SIMPSON MILLER: What is this?

The SPEAKER: Prime Minister, do you want to respond?

The PRIME MINISTER: Mr. Speaker, the first part of the Terms of Reference was very deliberately crafted to allow it to be as elastic as the Commission may want to make it. It speaks of issues relating to the extradition and therefore the Commission would have wide latitude in determining what issues it considers are pertinent to the request for Mr. Coke's extradition.

The SPEAKER: Prime Minister, Dr. Duncan asked the question whether or not there was any agreement between the political parties or both sides as to whether or not there is any agreement in setting up Commissions of Enquiries? I don't know if you…

The PRIME MINISTER: I indicated last week that I was not aware of any such agreement Mr. Speaker. I have not been able to exhaust the research to determine whether there was any discussion.

(*Sotto voce* remarks by Opposition Member)

The PRIME MINISTER: I did make the point last week that the value of consultation must not be taken to remove or to impair in any way both the responsibility and the authority of Government. In this particular matter we have sought - and I am prepared to defend the outcome - we have sought to ensure that the members who make up this Commission are persons of unquestioned and unchallengeable integrity and competence.

And in doing so, it involved considerable consultation among them because there is a certain comfort level that has to be established among the various Commissioners, and we were guided more by the Commissioners themselves than by any particular preference or recommendations that we might have had.

(*Sotto voce* remarks by Mr. Pickersgill)

ANNOUNCEMENTS

The Acting Clerk laid on the Table of the House a copy of the following:

Ministry Paper No. 83

Cabinet Agenda Issues for October 4, 2010

The Report of the Ethics Committee of the House of Representatives.

REPORTS FROM COMMITTEES

The SPEAKER: Mr. Hibbert.

Mr. HIBBERT: Mr. Speaker, I beg to lay on the Table of the House a copy of the Report of the Ethics Committee of the House of Representatives.

NOTICES OF MOTIONS GIVEN ORALLY

The PRIME MINISTER: Mr. Speaker, I beg to give notice that at the next sitting of the House I will move to introduce and have read a first time - I am sorry.

The SPEAKER: Sorry, Prime Minister. Mr. Hibbert.

Mr. HIBBERT: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it Resolved that the Report of the Ethics Committee of the House of Representatives, which was laid on

the Table of the House on Tuesday, the 19th day of October 2010, be adopted.

Mr. Speaker, I further beg to give notice that at a later stage today I will move for the suspension of the Standing Orders to enable me to take the motion.

The SPEAKER: Thank you, Mr. Hibbert.

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, the Minister of Finance has Question 14 ready for presentation.

Dr. DAVIES: What about 9? You promised two weeks ago.

Mr. HOLNESS: Mr. Speaker, we are following the procedures as laid out in the Standing Orders where we have asked formally for a two-week grace period, which expires today. The Standing Order goes on to say that in the event of the expiration that the Minister to whom the question is asked, must speak with the Member who asked the question to negotiate a further extension. I suspect that was done, Mr. Speaker.

The SPEAKER: And he has done that.

Dr. DAVIES: He has spoken to me. We don't… Mr. Speaker, we have to bring some order to the issue of questions and the time taken. The Member has spoken to me. He has not mentioned any request for an extension of time as to specific request. And so whilst the Leader of Government Business has outlined the procedures, I would like to know what is the request being put to me.

The SPEAKER: I think the Minister will do so now.

Mr. SHAW: Mr. Speaker, as indicated, I have spoken with the Opposition Spokesman on Finance. 1 think a two-week period would be adequate. I have indicated to him the rigorous nature of the review that is being undertaken by the Office of the Cabinet in relation to the draft contract, but I am confident that a final one will be available shortly.

The SPEAKER: Will you agree to that, Dr. Davies?

Dr. DAVIES: Mr. Speaker, I think we are making a mountain out of a mole hill. The question allows for the possibility that the contract hasn't been completed and in that event there are some other questions which could be answered. I did not ask that if the Minister could not present the contract then there is no other thing. It goes on to speak to if the answer is in the negative, I needed certain other pieces of information. So it would seem to me, Mr. Speaker, that Part Three of the question could easily be answered, I would hope.

The SPEAKER: Well, Minister, is it possible to return next week? Is it possible? You had asked for two weeks. Is it possible?

Mr. SHAW: If it is the wish of the Member that I answer in relation to Part Three then I will do that.

The SPEAKER: Next week you will do so. Very well. So we will have it next

Rev. Thwaites, question 14?

Rev. THWAITES: Mr. Speaker, will the Honourable Minister of Finance and the Public Service please respond to Question No. 14 on the Question Paper in my name?

Mr. SHAW: Mr. Speaker, the question:

Question: In as much as paragraph 27 and page 57 of the Agreement between the Government of Jamaica and the International Monetary Fund stipulates the establishment of a Central Treasury Management System and a Treasury Single Account and mandates that a step-by-step consolidation plan for all accounts was to be fully completed by June 30, 2010:

1**:** Will the Minister state whether this process has been completed?

Answer: Yes, the step-by-step plan was completed at the end of June.

The SPEAKER: Minister, do you have a copy of the…

(Copies circulated to Rev. Thwaites and the Speaker)

Mr. SHAW:

2**:** If yes, will he present a summary and timeframe for the Central Treasury Management System?

Answer: The Ministry of Finance will continue to prepare warrants that are related to the Annual Budget and the agreed cash forecasts of the Ministries. Accounting Officers of the various Ministries will remain responsible for the execution of their Budgets, including ensuring that the requirements of financial laws and instructions are met and reconciliation and finalization of accounts are achieved within the legal requirements. They will conduct transaction processing up to the point of payment at which time prioritized payment instructions will be sent to the Accountant General.

The Accountant General will make payments based on prioritized lists sent by the Ministries and within warrants approved by the Ministry of Finance. It is envisaged that the Accountant General's Department will deposit sufficient resources on an ongoing basis to the Treasury Single Account from which all payments will be made. The Accountant General's Department will also provide electronic access to payment records pertaining to each Ministry and reports to the Ministry of Finance as may be required.

The Treasury Single Account will be established in the Bank of Jamaica. Resources will be passed through this account by the Accountant General onwards to the commercial banks as payments are required to be made to satisfy the spending plans of Ministries. The BOJ working in conjunction with the Accountant General's Department will establish the mechanism to facilitate the electronic fund transfer.

The timeframe of an interim Treasury Management will be in place by April 2011. It is planned

that the interim Treasury Management will be rolled out to all Ministries, Departments and Agencies during the fiscal year 2011/12 and the full Treasury Management System will be developed during that period.

It should be noted that we are at the early stage of the development of the interim Central Treasury Management System and we are now finalizing the process to improve the treasury management function in Government and thereafter to develop the requirements for the new Treasury Management System.

In other countries where this system is used, it has been observed that a number of years (in some cases up to 8-10 years) are required to design and implement a comprehensive system. The lessons learnt from our interim system will be invaluable for the design of the final Treasury Management System.

3: If no, will he state reasons for the delay and indicate measures to get back on schedule?

Answer: There are no delays at this point.

I must indicate, Mr. Speaker, that in this regard a concept paper has been developed and it is being circulated now for comment and in fact I have no problem sharing it will the Opposition to get their comments on it. It is being shared with the IMF. I met last week with the Deputy Assistant Treasury Manager of the United States Treasury Department. I am also sharing it with them. We have had teams that have gone to Ireland to study their system as well as Barbados, headed by the Director General in the Ministry of Finance, MR. DEVON ROWE. And I have also had discussions with MINISTER FLAHERTY of Canada, the Finance Minister, who has indicated his own interest since they, too, have a Treasury Management System that they, too, are prepared to share their experiences with us. So it's a process that is well underway.

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, will the process include the public bodies as well as the ministries and agencies?

Mr. SHAW: Yes, absolutely, it will include the public bodies. It might not include them in the first round in terms of the interim one that is set up because the idea is to start with a smaller universe to perfect that system even as we plan to widen it to the total public sector.

In fact I must indicate that the end game has to be that the total public sector is involved in this process. And one of the things that we are going to be doing, Mr. Speaker, is to carry out a benchmark survey of all accounts that exist in all branches of government because the suspicion that we have - more than a suspicion - is that there are many, many dormant accounts that are sitting around with money in them and that are racking up charges to the commercial banks, but are of no benefit to the Government at this time.

Rev. THWAITES: Mr. Speaker, will the Minister accept a suggestion that in the early

stages of this interim process, those public bodies which have significant cash surpluses should be included in order to improve the overall cash balances of the Consolidated Fund?

Mr. SHAW: That is certainly, Mr. Speaker, an item of consideration in relation to their inclusion in the interim system that we'll put into place.

Rev. THWAITES: Mr. Speaker, the concern that many persons, including some in Central Kingston have, is the amount of money that is owed them by various State agencies which needs to be relieved by this gradual process that the Minister speaks of.

In March, in answer to my question, there was a figure of over $80 Billion being owed by Central Government and the intimation was that there was a similar figure owed by the public bodies.

Can the Minister confirm that these are still the scope of the swings, and explain how the timing of this process can help to reduce any such payables by Government and Government agencies and so provide room in the economy for expenditure and expansion?

Mr. SHAW: Mr. Speaker, I can't confirm any specific figures at this stage except to say that within the context of the Letter of Intent with the IMF, we are not accumulating arrears that are in excess of the ceilings that were set. But here again, this is why we are going this route of the treasury management system because to the extent that we can better manage our cash resources, that will include as well our ability to reduce the exposure in terms of our accounts payable.

Rev. THWAITES: For clarity, Mr. Speaker, will the Minister confirm that the treasury single account referred to in his answer will be the depository for all funds available to the State of Jamaica through its government, both through the ministries and eventually through all the public bodies? I think a clear indication, a clear statement needs to be made on that.

Mr. SHAW: That is the intention, Mr. Speaker, and it does not, however, remove the responsibility for each agency and department of government to have its own responsibility for the management of the fund. But the single account will bring all the resources together.

The SPEAKER: Dr. Davies.

Dr. DAVIES: Through you, Mr. Speaker.

Mr. Minister, with regard to having this account encompassing all entities, have your officials checked through the legal implications? Because it perhaps could be done voluntarily, but I do not now that the Accountant General's office is constitutionally given powers with regard to Central Government. I don't know that even with Cabinet decision that the same would apply to make this public sector wide.

So it may be useful for you to ascertain what would be involved, including changes within each... Some of the entities have been established through different pieces of legislation and require changes in that regard. So I would urge that that work be done.

I just have a question. There's a... In paragraph 2 of your summary, and I quote:

> "*It is envisaged that the Accountant General's Department will deposit sufficient resources on an on-going basis to the Treasury, single account*."

Is there any reason it's phrased in that particular way? Will this be done, or is it

envisaged? Is this that if all things are possible, we will do it, but we may not? Why is it phrased that way? Is there any...? (Mr. Shaw nods in acknowledgement)... And I'm just asking. Is there anything we need to read into that phrasing?

Mr. SHAW: No, no, Mr. Speaker, nothing is to be read into it, except that the Accountant General's Department – the Treasury single account is to make sure you consolidate the resources into that account and that you have the resources on a timely basis to be able to treat with your obligations throughout the public sector on a timely basis and in accordance with the obligations that are made by each entity.

In terms of the legal requirements, I take the point; and in fact it is part of the rigorous process and it's mentioned in the concept paper, Mr. Speaker. It is a pretty complex process that we are seeking to undertake here. And that is why we have to go cautiously. We have to check into all of the various permutations, including the legal requirements, based on the various laws that govern the establishment of entities.

In fact, the former Minister would have been aware that such a potential conflict had faced us when we established the Public Bodies Management and Accountability Act which sought to give the Ministry of Finance an overarching power over every agency to demand that they conform to the rules and regulations of the Ministry of Finance. And it was subsequently found out that some of them felt that they couldn't continue on their own excursions. Well that was the dominant position before we put the legislation in, and we had to put the necessary legal riders into that law to make sure that everyone understands that they have to conform to the rules of the Ministry of Finance. This is a similar issue that will face us here and we have to deal with it in the process of the research.

MOTIONS FOR LEAVE TO INTRODUCE BILLS

Mr. MAIR: Mr. Speaker.

The SPEAKER: Yes.

Mr. MAIR: Mr. Speaker, I beg to seek the leave of the House for me to move to introduce and have read a first time the Bill shortly entitled: "*The Flogging Regulations (Repeal) Act, 2010 and the Crime (Prevention of) (Repeal) Act, 2010*.

The SPEAKER: Members, you've heard from the Member from St. Catherine North-East. Is that the wish of the House?

Motion put to the House and need to.

Mr. MAIR: Thank you, Members.

The SPEAKER: Member Mair.

Mr. MAIR: Mr. Speaker, I beg to introduce and have read a first time the Bills shortly entitled: "*The Flogging Regulations (Repeal) Act, 2010,* and "*The Crime (Prevention oh (Repeal) Acts 2010*."

Bill shortly entitled:

"The Flogging Regulations (Repeal) Act, 2010"

read a first time. And a Bill entitled:

"*The Crime (Prevention of) (Repeal) Act, 2010",*

read a first time.

Mr. MAIR: Mr. Speaker, I beg to give notice of the second reading of the Bills.

The SPEAKER: Thank you, Member Mair.

PRESENTATION OF BILLS WITHOUT LEAVE OF THE HOUSE FIRST OBTAINED

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, I beg to introduce and have read a first time a Bill entitled: "*The Constitution (Amendment) (No. 2) Act 2010"*.

A Bill entitled:

"*The Constitution (Amendment) (No. 2) Act, 2010"*

read a first time.

The PRIME MINISTER: Mr. Speaker, I beg to give notice of second reading.

The SPEAKER: Thank you, Prime Minister. Minister Grange.

THE LIBRARY ACT

Miss GRANGE: Mr. Speaker, I beg to move to introduce and have read a first time, a Bill shortly entitled: *"The National Library of Jamaica Act, 2010".*

Bill entitled:

"The National Library of Jamaica Act, 2010"

read a just time.

Miss GRANGE: Mr. Speaker, I beg to give notice of second reading of the Bill.

The SPEAKER: Thank you, Minister Grange. House Leader

CRIMINAL JUSTICE (PLEA NEGOTIATIONS) ACT

Mr. HOLNESS: Mr. Speaker, I beg to move for the withdrawal of the Bill, shortly entitled:

"*Criminal Justice (Plea Negotiation) (Amendment) Act, 2010*."

This Bill, Mr. Speaker, should have been tabled in the other place.

The SPEAKER: Members, before you is the proposal, motion put forward by the House Leader. Is the House in agreement?

Motion put to the House and agreed to.

PUBLIC BUSINESS

The SPEAKER: House Leader?

Mr. HOLNESS: Mr. Speaker, at Public Business today, we will continue the debate on the resolution moved by the Minister of Mining and Energy. The Member from East Kingston and Port Royal is slated to respond. We hope to close that debate today, Mr. Speaker.

Mr. Speaker, you will note that we have visiting in the Gallery today the Cuban Ambassador. We will take Motion number 35, moved by the Member from Western St. Andrew afterwards, and then we will take the Report of the Electoral Commission of Jamaica on Political Party Registration and Financing. And then Mr. Speaker, we will take Resolution number 26 by the Member from St. Catherine South Central.

The SPEAKER: Very well. Thanks. Member Phillip Paulwell?

ENERGY POLICY

Mr. PAULWELL: Thank you very much, Mr. Speaker. I note that we probably... Mr. Speaker, we did want to acknowledge the presence of the Cuban Ambassador appropriately. (Applause) (Inaudible comments) l just saw him earlier.

Mr. Speaker, I welcome the opportunity to speak on the Energy Policy that the Minister reported on three weeks ago, and just in opening the presentation to remind this House and indeed the country about the critical nature of this subject matter.

Energy, Mr. Speaker, is probably the most important reason for some of the difficulties we face as a country in terms of our uncompetitiveness. We can't survive without energy. We can't go anywhere without energy. And in my preliminary remarks I want to thank the Minister for acknowledging the work that the...well, his predecessor did and... (Inaudible comments by Mr. Robertson) I'm thanking him on your behalf… (Interruptions)...and, of course, the work that we on this side, and I must acknowledge the work of the Member of Parliament for North-West St. Catherine, the Member of Parliament for Western St. Andrew, and the little that I did, to enable, by the end of our last term, a Green Paper that was before the country and on which basis subsequent work was done.

So I want to thank the Minister for that acknowledgment. And to thank him, too, for continuing and to table and to present the policy. But of course, the Minister wouldn't expect me to just leave it at that. Because having regard to the very important nature of this subject matter, the critical aspect to our lives, I believe that the process has really taken too long for something that is as important as this; bearing in mind that where we are today, that is, with the tabling of the Energy Policy, we have far more important things to do, having finalized the policy. And so, this is the first round.

I was particularly concerned some weeks ago when we were advised that this draft would have gone to a committee of the Parliament. And I am very glad that the Government has relented because it would mean a further delay of 8 to 12 months and that we could not in all conscience accept.

So we are glad we are here today, and I want to encourage the country, as they listen to this debate, to try and understand the critical issues that are before us and for which we are seeking a united position going forward.

I think for anyone who has read last year's sectoral presentation by myself this year's presentation in the target debate, the contributions from the Opposition over the last two years, and in particular the previous role we have played in the development of the policy; they would know that the Opposition would be by and large supportive of the document. That is before us. I think there are some shortcomings, but by and large we have a policy document that we can work with. There is good analysis in the document. It might be guilty of being too descriptive, but I think we can live with that. There are prescriptions, though some of them not as definitive as certainly we would like. And I though, believe that there are the ingredients in this to move towards implementing what by and large we agree are things that are necessary to be done as a country.

So the Opposition is going to accept and support this document, and of course, later on I will try to highlight some of the weaknesses, but without making too much fuss about the document.

However, there are already many inconsistencies with what we have in this document. The Minister's presentation two weeks ago, or was it three weeks ago? Three weeks ago, and importantly, the actions and inactions of the Government to date.

Before I get into some of the details let me recommend that having presented the policy, the far more important work now has to

commence. What is this? Firstly, we have to market this thing. And I see where the newspapers have carried the full presentations and I see the policy in some details has also been highlighted. But I believe that can't be the extent of the marketing. We have to get our people to accept, to sign off, to pursue the various objectives and initiatives that we have cited in the policy. And it is therefore going to require not so much formal publication but going out there in the communities, getting into the schools, getting our youngsters to understand the importance of energy conservation and efficiency, to get the civil servants to appreciate why they need to turn off the lights when they leave the offices, to get our tourism industry to accept that energy efficiency is not only a matter for the Government, but that it makes commercial financial sense. They will become far more profitable. So we have to undertake an extensive public education programme. And, of course, we are quite willing to accept that because this is a national issue, a national problem. So that is the - in relation to marketing, public education. The most important aspect of this policy is implementation, implementation with a capital "I".

We have done, Mr. Speaker, enough studies, we have written, we have written enough papers and we have, I believe, enough policy prescriptions before now, and including in this document. For heaven's sake, Mr. Speaker, let us embrace the policy, but more importantly, let us implement the policy.

(Applause)

And it is in this very important aspect of implementation that the Opposition is going to have some serious difficulty and problems with the Government how we implement the policy.

Mr. Speaker, the promulgation of all previous Government of Jamaica energy policies had as its central impetus, and this one too, the establishment of a broad diversification strategy to address the impact of economic shocks occasioned by geopolitical developments, energy market volatility and unpredictable price movements which triggered unstable macro-economic conditions in the local economy with it resulting in harsh fiscal adjustment realities. All those policies, including this one, have been geared to balance issues relating to energy demand and supply, energy security, conservation, curtailment of the growing independence on imported petroleum energy resources and the development of renewable technologies tailored to the needs of the Jamaican environment.

The onset of significant price spikes in the cost of oil and gas signalled that it has become critical to the survival of the Jamaican economy, that more aggressive measures be pursued by the Government to accelerate the process of adjustment to mitigate the negative impact of volatile energy markets on economic outputs and on our standards of living.

To date, Mr. Speaker, the government's efforts at entrenching the principle of energy diversification cannot best be described as muted and uncertain, with little achieved in terms of implementation of broadbased initiatives to bring tangible benefits to the energy consuming public. As a consequence, both private and commercial users of energy have experienced debilitating increases in energy costs, in expenses to cover energy

costs, pushing them to the brink of business paralysis or outright financial failure.

It is not by chance, Mr. Speaker, that up to 80,000 people have lost their jobs in the economy. This being one leading indicator of the impact of energy costs as layoffs and redundancy is typically applied as the first act of financial relief for businesses.

The imposition, for example, Mr. Speaker, of a 10% GCT on the power utilities bills, represents a most ruinous prescription for revenue uptake from an already beleaguered productive sector. I am very pleased that the minister who has the responsibility for the productive sector is listening to me intently, and nderstands and appreciates exactly what I am saying.

(*Sotto voce* comment by Member)

Mr. PAULWELL: Very well. Already, Speaker, the Micro, Small, Medium Enterprise sector which Government promotes as key to growth and employment creation is losing ground and mock burial rituals have been conducted to draw attention to the plight of these operators. It is within this context that we believe that diversification of the energy complex should reflect a primary focus on the exploitation of renewable energy resources, concentrating on the indigenous potential than replacing an established dependency on one imported energy resources namely oil, with another, namely gas.

The policy that we have before us recognizes the role of the following sources. And I am saying to the Government that we share the sources outlined in the policy as viable diversification of the sector. And they are, what we have now; petroleum oil-based products, that is the ammo one - natural gas, we have lead the way in relation to promoting natural gas as a viable part of that mix. In the document also, is coal and pet coke which we acknowledge as well. And I am very pleased that it wasn't in the previous document but I must pay tribute to the Leader of the Opposition who introduced in the discussion last year, the issue of nuclear. And Opposition Leader... (Applause) …nuclear is in the document and we want to commend her, we want to commend the Opposition Leader for that. (Applause)

And of course, Mr. Speaker, we want to also note also in the document is this huge potential call renewable energy and we are going to come back to that.

But I think in crafting the debate - and this is a debate that we are entreating the country to participate in - we have to be reasonable with the facts so that people know what these facts are. Later on I will indicate to you our thinking in relation to the matter of fuel sources. But if we are saying we are committed to diversification then let everything contend on an equal and fair basis so that the facts must be presented.

I just want to go through some of the pros and cons of some of the fuel sources that are in the policy. And of course, we start with the wonder fuel which is gas, and again I concede that gas is something that we support because it burns clean compared to other fuels and we have to acknowledge that, it burns cleaner than coal, 70% less carbon dioxide compared to other fossil fuel, it help to improve the quality for air and water, it has high heating value of 24,000 BTU per pound, there is no odour and there are some other advantages. There are some disadvantages, it is not a renewable source as most of these are. It is said that it is finite, but people are now finding

more and more gas, and especially there is this new phenomenon in the US called shale gas that I think is going to make it far more available. But also in relation to the cons, it is felt that the cost of transporting it is expensive, the infrastructure to establish it is extensive. And I should note that, Minister, we had preferred in the development of the gas project a land-based facility because there are some other spin off the cryogenic energy, the additional energy that we will get from a land based, but we understand why the floating facility has been suggested because obviously it is less expensive.

And, of course, there is also, Mr. Speaker, the problem that we perceived that the price of gas necessarily and all the evidence reflects this, that it follows the price of oil almost as a mirror. So those are the issues in relation to gas.

Before I get to the renewables, let me just deal with - well we don't have to spend too much time on crude oil, we know that it is almost one of the most abundant energy resources as a positive. Its liquid form makes it easy to be transported; it is relatively inexpensive as well. And in relation to the disadvantages, again, the environmentalist will say that you need to diminish the use of this one because it does have negative consequences. And there are some other things like oil spillage *et cetera, et cetera*.

I want to move to nuclear and, Mr. Speaker, we have to be careful because some people are called Mr. Gas, some people are called Mr. Coal, some people are called Mr. Nuclear. I want to - or Miss Coal.

But I want to say, Mr. Speaker, that in relation to where we are now, and the objectives of this Policy, which is really for us to try and get the price of energy down, to try and get our businesses more competitive, to try and get our economy growing.

Opposition MEMBER: Hear! hear!

Mr. PAULWELL: In relation to the price issue, nuclear factors as the cheapest source. But of course, we have to acknowledge that there are some other issues that relate to nuclear. I believe that the scientists and the technologists have proceeded and have progressed significantly in the development of this fuel source, to the point where we believe that the negative effects are often too overstated, and as with anything, you can have accidents. And that the key is to take care to ensure that if this were to happen, that your source would be protected. And I am very encouraged by what has happened already in Jamaica.

You know, Mr. Speaker, I am sure you don't know this - many Jamaicans don't - that we have had a nuclear reactor in this country for quite a while, and it has performed tremendously and safely at the University of the West Indies. And I have to pay tribute to the team at ICENS, led by PROFESSOR GERALD LALOR... (Applause) ....for the tremendous work that they do. And when Mr. Lalor recently appeared before the Committee, he disclosed to us that he has presented something to the Minister on nuclear energy. I am hoping that the Minister will share the information with the Opposition, because I am told that there are some very encouraging findings and a breakthrough proposed, in relation to the utilization of nuclear energy.

Mr. Speaker, coal. This has been one that has been in the media a lot of late. And, again, I wish to give what the facts are. It is certainly one of the most abundant energy sources. It is

versatile, it can burn directly, it can be transformed into liquid or even gas. It is inexpensive, compared to other energy sources. It has good recreational use, like charcoal for barbecuing, and so on.

It is the leading source of electricity today, when you map electricity across the globe, coal is the leading source. It helps to reduce dependence on foreign oil. So all those environmentalists elsewhere who are benefiting from coal and say, poor countries, don't go there, they have cheaper sources of energy than we do. It reduces dependence on foreign oil, and the by-product of burning ash can be used for concrete and roadways.

Now Mr. Minister last time you spoke you did say that there is no financing available for coal. That's not true. Because in April of this year, the World Bank approved $3.75 Billion, a loan to South Africa for the establishment of the world's largest coal-fired power plant anywhere, this year.

Mr. ROBERTSON: That's an island?

Mr. PAULWELL: South Africa. I am just giving you the facts. You said that there were no resources available, and I am just saying to that that, that is not really true. And what I want to ensure is that the facts are there.

And of course, there are some negatives. The issue of the emission of waste....

(*Sotto voce* comment from Mr. Samuda)

Mr. PAULWELL: I am telling you what I am in favour of, and if you say here for the next fifteen minutes you will hear precisely what I am in favour of.

So what I am trying to do is to put the arguments out there, because this must be a part of the discussion, going forward. And I mentioned that there are issues, serious issues, in relation to the environment, and that we certainly would not want to see coal, unless we take further steps to ensure that these emission issues are minimized but we will come back to that in a little while.

Mr. Speaker, just a few days ago, DR. RAYMOND WRIGHT, consultant to the Petroleum Corporation of Jamaica cautioned that Jamaica would seriously have to turn to renewable energy as its main source of electricity by 2015, when the price of gas is expected to increase. This begs the question, what then establishes the basis for creating a new dependence on a finite resource, such as gas, which in its liquid form, LNG, is being proposed as a magic solution to lowering the cost of utility power?

Dr. Wright further advises that three important components which underpin the project's success, are yet to be finalized. And I will just go through these again. Gas is something that we support but we have to examine the project that has been presented to us to see if what the Minister is saying, that we are going to see reductions in our electricity bills, whether or not that is a realistic assumption and conclusion that we can draw.

Firstly, the main problem that we face today with the project, according to Dr. Wright - and I do embrace it - has to do with the source of this gas. To date, it is unconfirmed, and that is a major problem. Because you are aware of the fights we have had. We went to Trinidad and Tobago, we wanted to get a source - get from a source that was reliable, that could be long-term, and on which basis economic decisions could be taken because the prices would be relatively certain. You know that we did not succeed there. We went to Venezuela, they have huge

resources but they don't deal with gas. And we are still hoping that one day they will realize the importance of gas. And we have still the MOU that is current, but nothing has happened. We have an agreement between the Government and Xmar, but today we do not know from whence cometh the gas. And to that you have to add to it the transportation cost that needs to be factored. This is what the expert Dr. Wright and others are saying.

Secondly, the mobilization of capital to fund the high upfront infrastructure cost. Now, we are told that the company is having a hell of a challenge to find the money.

Government MEMBER: Heck.

Mr. PAULWELL: Sorry. A heck of a challenge to find...

Mr. PICKERSGILL: Nothing wrong with that.

Mr. PAULWELL: ...the money. Because without these other components, no bank is going to finance a project as expensive as this, but yet so many elements are unsure. So, today, unless the Minister knows otherwise, it is our understanding that the company is yet to get a go ahead. And in. fact, they are - the bank has raised certain issues that would lead us to believe that the funds are not going to be secured.

Then **thirdly**, which is very critical, Mr. Speaker, the end-user take-off agreements have not to date been secured. Mr. Speaker, this is very important, because we are going ahead, establishing the infrastructure for gas, we don't know yet where the gas is coming from, we are not too sure where the funding is coming from, but the developers, they need certain assurances. They need to know who is going to buy this gas. And even recently we are told that the most obvious purchaser, JPSCo. has not yet signed off on the project. But more importantly, we have a bauxite industry that has been clamouring for cheaper energy, and they are withholding to this point. And I hope it were otherwise, but to this point they are withholding support for the project, because they don't know certain things. They don't know where the gas coming from, they don't know what the price of it will be, and so we have a chicken-and-egg situation. Yet we are told that the project is on stream, and by 2014 the price of energy will be 30 per cent less.

Dr. DAVIES: More eggs than chicken.

Mr. PICKERSGILL: More eggs than chicken. Robertson, what you doing, man?

Mr. PAULWELL: Mr. Speaker, a lot more work has to be done; a lot more details need to be provided. And, Mr. Speaker, this eighteen-months timeline is totally unrealistic and unachievable.

Dr. DAVIES: Is true, Clive? Clive, what do you say?

Mr. PAULWELL: These are not the only two concerns, Mr. - only concerns, Mr. Speaker. The project has already been mired in controversy from the outset, on issues of transparency and probity, appears to lack the requisite in-depth analysis and detailed evaluation demanded of a commitment of the scope and the complexity involved. Comparing the cost of oil relative to the current barrel equivalent of gas is cold comfort, as future, higher energy prices plus capital recovery, handling and delivery cost will severely challenge the notion that there are real long-term cost advantages to the project that is being pursued.

Mr. Speaker, there are some other important factors to be considered. We take

note of delays - and I am going to come back to this - in the planned expansion of the Petrojam Refinery, which, if not completed to coincide with the introduction of LNG, will seriously impact the viability of Petrojam, due to the loss of the heavy fuel oil sales by JPSCO. There is also reason to believe that the project estimates do not include end-user burner-tip investments for receiving and handling the gas.

Mr. Speaker, an indicative estimate to convert existing JPSCo. generation equipment, we are told is in the order of about US$400 to US$600 Million, it's as wide as that.

So what do we have, Mr. Speaker? And just before we sum up, I want to also mention that we question the lack of attention to the creation of an appropriate regulatory framework for gas, given its planned dominant role in the future energy fuel complex. New fiscal arrangements would be required - and I know that we had started work on that - where is that? Because we need that to ensure that the Government will be able to continue to play its role in the development of the Energy Policy.

So, Mr. Speaker, the point we are making is that we seem to be swapping one black dog for monkey, especially because we have complained of the dominance of foreign oil. We are going to be complaining of the dominance of foreign gas.

The SPEAKER: (Gavels - 3:33 p.m.) The Member's time for speaking has expired.

Mr. HOLNESS: Mr. Speaker, I beg the indulgence of the House in suspending Standing Orders to allow for the extension of twenty-five minutes for the Member to complete his presentation.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the Member a further twenty-five minutes to complete his presentation.

Put to the House and agreed to.

Mr. PAULWELL: So, Mr. Speaker, the fundamental question, in relation to the gas project, is that it is not a part - it doesn't fit in with the policy for diversification. Because eventually, we are told that JPSCO will use up to 80 per cent of the gas, especially where you have the bauxite companies not participating. You are indeed exchanging one foreign-source supplier for another, and that is not in keeping with this document that we are asked to approve.

Mr. Speaker, I am pleased that the plans, programmes and projects which we initiated in the area of renewable energy and energy efficiency, that those plans are continuing, albeit at a pace which gives reason for great concern. Nothing new has really been added to the portfolio. And while we talk and we draft various policies, opportunities are being missed for investment and growth, as well as missing our national objective of real energy diversification.

I am extremely disappointed in the lack of focus in bringing on-stream the suite of renewable energy projects which were initiated under the last Administration. By now, Mr. Speaker, after three years, it is expected that there would have been less talk...

(*Sotto voce* comments from a Member)

Mr. PAULWELL: I am coming to that - and more action on the ground for substantial solar, photovoltaic, small hydro bio-fuels from

castor beans, wind, waste-to-energy, biomass projects for advancing diversification of our energy mix, and so on.

These are areas for which substantial groundwork and feasibilities were done. The seminal production "*Renewable Energies Potential in Jamaica*" with the assistance of the UN ELAC in June of 2005, gave a clear road map for investment in Renewable Energy. It is obvious that the requisite engagement with local and overseas private investors has been significantly stalled.

Mr. Speaker, l am tired of hearing the Minister repeating definitions in this Parliament. The deflation of Net Metering, Smart Metres, Power Wheeling, without any steps being taken to make these things realities. In the meantime, local industries and small businesses are dying, and foreign investors are left to no less informed about the direction the Government is going.

And the Minister said to us some week ago that these are matters for the OUR. But, Mr. Speaker, this cannot be so. These are policy matters. Net Metering is a policy matter. And it is going to involve - because you have an impact on JPSCo - and I am going to come back to that - the Government engaging JPSCo on this matter. But in the end, the Government has to speak and say definitively, *we mandate net metering*, which is not going to happen otherwise.

I am concerned about the Draft Renewable Energy Policy. And I am glad it is a Draft because it requires a lot more work, because it gives a very weak analysis of this area, which is so important to us. And it does lack substance, guidance, or imperative as to how to provide this enabling environment which it repeats many times without saying what these will be. The Draft RE Policy is a description of what a renewable policy should contain. But it does not go beyond describing. It does not prescribe.

And one of the fundamental problems we have with the Draft Renewable Energy Policy, and in fact in this policy document, is the lack of ambition in relation to the objective for renewable energy. It says that *by 2030, the country will achieve 20 per cent of its capacity due to renewable sources*. That, Mr. Speaker, in relation to where we are today, is too small. By 2030 we should be upwards of 30 per cent...

(Applause)

...upwards of 30 per cent and that we really are not taking this issue of diversification seriously if we set the bar so low.

Mr. Speaker, in our current global environment, Carbon credit trading - and this is an important issue that I would like the Minister of Finance and the Minister of Foreign Affairs, and the Minister of Industry to really understand, because there are very big opportunities for countries like Jamaica in this matter called Carbon trading. And you know, Mr. Speaker, we have a narrow timeframe until 2012 in which to take advantage of this window under the Kyoto Protocol.

The Draft Renewable Energy Policy gives no sense of importance or urgency to facilitate investors in RE - in renewable Energy. It seems prudent, and it does not really focus as it ought to on the issue of Carbon trading.

Mr. Speaker, Carbon trading is a facility that is available to countries that do things to lessen the impact of carbon in the atmosphere.

It is quantifiable. You can determine how many pounds of carbon you are preventing from emitting into the atmosphere by some of the conservation methods you use, by some of the new sources that you use. These things can be measured. And when you measure them, you can be paid substantial sums of money.

This market now is US$5 Trillion. And the only time I can recall that we had benefitted was when we did the first wind farm, and we were able to push and we got - at the time because we weren't so aggressive, and we didn't have the knowledge as we do now, I think it was a Hundred-and-odd Million Dollars we got for that wind farm. But today, you can earn millions of US Dollars by doing, not only those things in relation to direct energy, but, for example, if the agricultural industry were to start to use fertilizer that was processed from a source that is not contributing to carbon emission, you can claim, you can quantify the carbon that you are sparing the environment, and you can trade that. There is a block of money available to Jamaica, and it will only be available to 2012 - millions and millions of dollars.

And there are many things that the Government has already done, and indeed, the private sector, that will qualify us now to go and claim these credits, to go and negotiate these credits. It is a whopping sum that we are giving up. And I want to urge the Government to see this as a most critical matter, that there needs to put in place in the bureaucracy, a facilitator, not only to the Government, but to the private sector, that will enable us to pursue now, this matter of carbon credits. It is big business, and we are missing out on it.

Mr. CHARLES: When did it start?

Mr. PAULWELL: And as I mentioned, we started with the wind farm, but there is so much more that we can earn from the various things that we have done to lessen the emission of carbon into the atmosphere.

Mr. Speaker, I realize that there is some time limit you know, and there is the most important part of my presentation which is to come. So, I am going to - you know, I am not going to go on yet before saying one thing about a very important project.

Mr. Speaker, recently in August we celebrated five (5) years of the PetroCaribe Agreement, the most important energy initative undertaken in recent times. I mean, when you talk about game changer, that was the game changer.

(Applause)

Mrs. NEITA-HEADLEY: Hear, hear!

Mr. PAULWELL: And we - and I am sure the Government, we want to again express our appreciation to the people and Government of Venezuela for the tremendous appreciation - for the tremendous gifts and our appreciation for that gift. There is nothing more valuable that I can point to in our foreign policy that accounts, that equates anywhere near that.

Mr. Speaker - and finally before I get into the main issue of JPS, let me also say that last year, the Minister, and even before that, acknowledged the importance of the Cuban Light Bulb Scheme. It was probably the most ambitious demand management programme undertaken in this country.

(Applause)

And we are all agreed that it was a good project; and we are all agreed that it should be continued. And the Minister did give the assurance that it would be continued. I really want to urge that this project be continued.

And again, to pay tribute to the Government and people of Cuba for this tremendous generosity.

(Applause)

But Mr. Speaker, I come now to a fundamental issue, the burden of my presentation today.

The most profound and fundamental feature of this new policy, believe it or not is at Page 29 under the heading: Dealing with

> "*a modernized and expanded energy infrastructure that enhances energy generation capacity, and censures that energy supplies are safely, reliably and affordably transported to homes, communities and the productive sector on a sustainable basis"*

And the provisions are as follows:

(1) To unbundle generation and transmission and distribution, creating an energy-efficient electricity structure.

(2) To unbundle existing, vertically integrated industry structures, and establish and implement common carrier and common access principle where demonstrated to be technically and economically feasible.

Mr. Speaker, the Minister in just glibly referring to these sections, gave the impression that it would only relate to the often used terms Net metering, wheeling, and that it really doesn't represent a fundamental change to introduce real competition in the generation and distribution of electricity.

Our problem in this country, Mr. Speaker, is not so much the price at the petrol pump. It is not so much the price at which people have to pay to light their gas stoves. The problem we face, that businesses face is the price of electricity - the price of electricity. So, let us focus now, because in this I believe is an opportunity to solve that problem. It is not easy but there is an opportunity.

How do we go about liberalizing the grid... (displaying a book) ...which is what is stated inside here, and to achieve the maximum benefits? Mr. Speaker, we were faced with the same scenario, entirely the same scenario ten years ago when we were confronted with the difficult issues related to telecommunications. And I can draw the parallels. When we started to look at telecommunication, we were told that there were some licenses, and they were valid licenses; those licences would have expired in the year 2038, the Telecom licences. The JPSCo licence expires in the year 2021, so it is not so bad - 2021.

We were also told in those days that telecommunications is a natural monopoly. You can't exist viably as a business unless you are the sole provider. Today we are told the same thing in relation to the distribution of electricity that it can't operate otherwise than from a monopoly.

Today the consumers are faced with the same problems ten (10) years ago: High prices for telecommunications, poor service - and let me just say though, because I think we need to pay tribute where tribute is due, I think the JPSCo had operated very well during Nicole. The problems thereafter, I think they worked very well and we should acknowledge that. But when you are a monopolist, there are certain tendencies that you can't shake. It is the nature of the business and customer service is one thing that monopolists don't really spend a

lot of resources on because it is not really necessary. So, despite all the progress we have seen, the consumers are complaining.

Ten (10) years ago, the telephone system was 100 per cent privately owned. Thank God, today the JSCo is not 100 per cent privately owned, it is 80 per cent. So, the Government still has some say in how it is run. But very importantly, ten (10) years ago, we were starting to see the explosion in technology affecting telecommunications. The same thing is happening today in relation to electricity generation.

And, of course, our businesses are being made uncompetitive because there is no way Jamaican businesses, Mr. Minister, can compete at 30 US cents per kilowatt hour. It is impossible. We have to change that that paradigm.

(*Sotto voce* comment)

And yes, yes, we started because generation was a monopoly provision, but we transformed that. So, on the question of generation, that is competitive. But, it is ineffective because the other more important aspect of it, which is distribution, where I as a provider can generate and distribute to the Minister of Finance directly, using the grid which is now technologically possible. And it is probably more favourable than the Telecoms infrastructure because many people came and bypassed the infrastructure that was here, put up by Cable & Wireless because they were able to use the wireless technology to not to have to traverse the lines. There were still interconnections because you had to be calling people from different networks. But the JPSCo infrastructure is here to stay. But we have to open it up; we have to subject it to competition.

So, what are we proposing, Mr. Speaker? We have to - the Government has to initiate a renegotiation of the licenses, having regard to what I have said above. And we have been responsible because we know that this is a very thorny issue because they have their licenses. And in engaging a renegotiation, we have to be sensitive to the rights that they have - the legal rights. But there are some overriding imperatives to which I have alluded. We - the Government owns 20 per cent of the company. So, we need to use that to leverage our position in those negotiations. And I will urge the JPSCo not to resist unreasonably. They need to ensure that there is a reasonable deal, but that the public will be resentful if there is seen to be a resistance towards the change that will occur, because there are technologies emerging that people will be able to use to bypass. And we are not encouraging that; we want an orderly electricity system, but one based on fairness.

But, Mr. Speaker, there is a step that can be taken today...

(*Sotto voce* comment)

No, Mr... We had the same problem with Cable & Wireless, same problem.

(*Sotto voce* comments continue)

No, you will be amazed. Mr. Speaker, let me declare interest. Let me declare interest. I recently purchased 2000 watts of solar photovoltaic panels, and next week I am going to install them because I can't afford the electricity prices. I need that project to be viable by the introduction of Net Metering, which has to happen, because I can't afford the batteries to store the energy that we produce in the daylight. Not even so much sunlight anymore. The technology allows you now, once there is daylight, you can generate

your own energy. But I need to be able to sell my excess energy to the grid. That is what is going to make the private sector, the smaller micro business, more efficient to save money.

And so, Mr. Speaker, these are things that need to happen. There has to be a reasonable interconnection fee and a technical specification must be determined and applied evenly to all the players fairly. The Government, Mr. Speaker, must also mandate the implementation of the smart grid system, because that smart grid system will enable consumers to plan and to project their usage so that when you are approaching a certain price point you can be alerted to how much energy you have used up to that point and to smartly reconfigure how you perform for the rest of the month.

Mr. Speaker, we also need to allow JPSCo, because many people don't know, Mr. Minister, that you can now use the power lines as a communication means. There is something now called broadband overpower where tremendous band width can be achieved using that infrastructure. So they can get involved in the telecoms marketplace. There is room now even for more because the broadband prices are too high. So allow JPSCo to get involved in telecommunications.

And most importantly, Mr. Speaker, it is our view that .with that liberalization, the Government need not any more mandate a fuel source, because what is going to drive the fuel force? Competition. So if a man wants to - and it's a good thing that the efficiencies of these fuel sources now are of such and these projects that you don't have to have mega plants established to do gas or to do coal. You can have smaller units established to generate 50 megawatts here, 20 there. I mean you can get nuclear plants to generate 25 megawatts. Let the private sector decide what source of fuel that they need to be able to compete on prices and on services and let this not be the rule of government any longer.

Mr. Speaker, there are so many other things that I had wanted to speak about.

Dr. DAVIES: Speak about them.

Mr. PAULWELL: I wanted to speak about the refinery because I spoke about the game changer earlier in relation to the PetroCaribe deal, but a most important aspect of that deal was the upgrade and expansion of our refinery. And a most important objective of that was to enable PDVSA, the Government of Venezuela as a partner, to be able to sell to its colleague partner at prices that will be differential to those that are offered by virtue of the OPEC cartel. We wanted to get cheaper prices and that is fundamental to the role that Venezuela has to play. And I am very pleased that you have an Ambassador who is going down to Caracas and I think he means business; and I am really hoping that we can get back this projecttron back.

(*Sotto voce* comment by some Members)

Mr. PAULWELL: Yes, that's deficiency, but I think he can, with the right energy, enable this project to go forward, because it must or in another year or two we have to close that refinery. That refinery is antiquated. It needs to be upgraded.

Mr. Speaker, I wanted to spend some time, but I am sure I will get the opportunity sometime soon, to deal with our own prospects for oil and gas right here in our shores. And I hope, Mr. Speaker, that the Government, having been assured by the

Prime Minister and the Minister that they are convinced of the evidence that indicates that there is a commercial hydrocarbon system on or around Jamaica that we need now to explore to enable us to find what I believe to be commercial quantities, having found already that there are significant shoals in a number of the wells that were drilled. I am urging that the risk be taken to push these licensees to pursue the drilling, which is mandated on the licence, and to enable us, Mr. Speaker, to explore these resources that are ours.

So, Mr. Speaker, I want to conclude the presentation by going back to where I started, that there is a lot of work to be done, much more than the three years so far in developing this policy. The work starts now to convince our people why we have to conserve, why we have to use energy more efficiently, for the Government to move on certain critical projects, like the PetroJam upgrade, the most fundamental and far-reaching one like the JPSCO renegotiation, that will enable us to achieve competition in this important field. And that, Mr. Speaker, we don't have time on our side. Time has well been passed on this one and I urge now that with a greater sense of urgency, with tremendous alacrity, we take this matter and advance it as quickly as possible.

Thank you very much.

(Applause)

The SPEAKER: Thank you Mr. Paulwell. Mr. Broderick.

Mr. BRODERICK: The presentation just delivered by the Opposition spokesman on energy, first I must compliment the Member for showing a very wide grasp of this subject and showing his appreciation in areas that he considered to be mutually accepted.

I have no issue with his analysis of the policy...

(*Sotto voce* comment by Opposition members)

Mr. BRODERICK: Wait for the conjunction. I have no issue as it is undoubtedly the way to go in the sense of seeking to have a diversified product. If at times I become a little critical you must forgive me. But I start with the statement in which the Member has asserted that in three years not much has been achieved but for settling of the energy policy. And I will answer that by hoping not to offend anyone. But in 19 years we waited for a policy. It may want to sound trite, but it is difficult to understand a statement which says in three years, in three years all has been done is to put something on paper. We must reflect on the road that we have revealed in search of energy solutions.

Now, I am not going to look at the various options because that is settled worldwide. The issue of coal being the major supplier of electricity in a number of countries has merely to do with the fact that those countries are themselves indigenous producers of coal. As a matter of fact the World Bank's position was that, had Jamaica been a producer of coal they may not have had difficulty, but countries which are in fact not coal producers they will not entertain projects. I hope you heard that, Member.

In analysing any energy policy, we should not forget that the first and foremost that ought to be looked at and that is looked at in countries that are serious, is simply energy efficiency and conservation. And I want to put that in context because that involves in many

ways, lifestyle changes. And in that regard I will support the need for public education. But it is not only a question of institutional frameworks and regulatory frameworks; those are obvious things that are basic necessities.

It is to convince a nation that when it is purchasing anything, anything at all it must be dictated by energy efficiency. And by that we mean the subject has to include standards, labelling, where you encourage people to buy efficient washing machines, for example, efficient fridges, that when you are about to purchase a car it is based on the efficiency, the energy efficiency. When you talk in terms of replacing incandescent bulbs, it is seeking to cut that demand. Now I have not heard that word at all. I heard about generating and what have you, and I thought my friend from the Opposition would have explained in great detail that when you come down now to make the equation between renewables and your base fuel, say natural gas or oil, you have to plug in what percentage of gains you will make by conserving and by applying energy efficiency.

As an example, I'll share with this Honourable House the findings of Mexico. Mexico has recently entered into arrangement with all its industries, simply in changing out incandescent bulbs to LED bulbs. The savings to the country, and I want this to be heard, was 38% of its energy bill, 38%. This has nothing to do with renewables. This has just to do with energy efficiency.

So if you cut demand by 38%, and in fact they are aiming much higher, then you will be cutting that demand for, whether it's gas, whether it's oil, whether it's coal. So the equation is not just simply drawing a line and saying 20% for renewables, 80% for fossil fuels, which by the way includes natural gas and oil and others, coal. So I am saying that at all steps of our analysis we must not treat it in an oversimplified way. And I would like to say that Jamaica needs now to seriously embrace, especially in its public buildings, public institutions, an immediate attack on changing out inefficient practices. While we are talking, **while Nero fiddles Rome burns**. And I am saying this has no infrastructure to put in place. This requires no expansion of any refinery. This requires nothing more than energy efficiency. We have taken far too long for public institutions not to have started practicing efficiencies. Every hospital, every school, every public building, Gordon House, this is where we should start…

(*Sotto voce* remarks by Members)

Mr. BRODERICK: Yes, this is where we should start. We should look seriously at all development or development codes. Hotels should understand it's time that they go in and retrofit and change out their archaic practices from bushing of toilets and the conservation of water coming right back. These are everyday lifestyle habits. And I think that we have gotten this debate on energy in a very confused way as if we are waiting for knights in shining armour to ride in and change the game.

There is more actually than just wishes. Because I never forget, if wishes were horses a lot of us beggars would ride. But I continue by saying that you are not going to have the businessmen buying into our wishes without having proper incentives put in place. I don't want to be too expansive here because I know that's being worked on and I don't want to

sound critical because I know that this is before the Ministry of Finance in looking at fiscal incentives for the energy sector. But it would make us look extremely stupid if we are promoting on one hand a change of lifestyle in our approach to energy and then we are not making it financially viable for the business sector to step on board. And I do believe that this issue will be addressed in Cancun in December. And I sincerely hope that those attending and representing Jamaica will be part of that vanguard that is appealing to the G8 or whatever number of them, countries, in speeding up their assistance to allow and afford the smaller countries to be able to put in place energy efficiency measures.

Let me now move on to the issue of replacing oil with natural gas. The Member in his presentation said he has no problem with that arrangement but he had doubt as to the manner in which the project was processing. Well, I am sure that there would be gaps in his mind because I wouldn't think that at this stage, the infancy of the development of this project, everything would have been made available to you, Member.

There is no question that the project is one that has to be carefully, skillfully balanced. It has to be one, yes, in which we have all the off-takers on board. It has to be one in which we are certain of where the gas is coming from. But we must tell this room, quite frankly, that gas is in abundance, natural gas is in abundance so much so that a number of nuclear projects have had to be shelved because they are not competitive with natural gas projects. Nuclear is something for the future and we have a responsibility not just for today. We have a responsibility for our grandchildren; and certainly that will have to come into the mix that we make plans not just for the short, medium but also for the long term.

When we come and we talk about using an FSRU, that's not a medium or long term. That's a short term answer to a pressing problem. That is what it's designed for. And we are certain that when we look at the project and we refine the project we may very well have to get to the drawing board within four or five years and start planning a land terminal.

But I am not here to say how the project should be structured in its finality, but there are general principles that are accepted that, the floating-vessel approach is a short-term approach which gives you the breathing space to be able to develop a land terminal, which could eventually have you establishing Jamaica as a natural gas hub for distribution.

There is an abundance of natural gas now in Columbia, not just in Venezuela where they are behind in developing their sources.

And one is almost certain that the Venezuelans are not going to sit forever without taking steps to develop their natural gas resources. It all has to do with a question of timing. In fact I did not even hear one comment about interconnection which is spreading all over Central and South America, in which countries are now exporting by pipeline, both electricity and equally gas, under the sea.

(*Sotto voce* remarks by Members)

Mr. BRODERICK: It's not too difficult to imagine because in America they pipe electricity from Niagara Falls all the way down to Florida, and you can just do the mathematics to know that it's much further than Florida to Jamaica. But we need to catch up with the real world. In fact, we should be

looking seriously at being the hub for natural gas in this region and I am sure the Minister in charge of my Government is also. So there is no shortage of natural gas. There is shale gas abundance in Canada. And we could spend here all evening giving you examples that will show that for the next 30 to 50 years natural gas is not an issue.

Now, I am not one of those to come here and preach to you the merits of something that's not indigenous. I am a convert to the concept of renewable energy. I am solely and wholly convinced that that is where the future lies.

We have seen what has taken place in Costa Rica. They are 98%, 98% driven by renewable energy. Admittedly, they have large rivers and high dredge there. But just as pointed out there is no reason why we could not develop solar to even 20%. There is no reason. There is a whole revolutionary approach to solar energy.

And I will say it very quickly; the concern about being able to store the energy is no longer one that is without a solution. Technology has now been developed whereby they are able to draw the energy not from the direct sun, but from the sun rays. So it can be done with all this bad weather we are having with Nicole.

(*Sotto voce* remarks by some Members)

Mr. BRODERICK: Yes. So, in fact, to show you that our Ministry is not backward in that regard, a pilot project will soon commence, very shortly, at the Transport Centre for that technology. We have been holding a number of sessions, public sessions, to market to the public all these innovations, but there needs to be greater effort so that we can sell this to the country in its entirety.

I would like to now add one comment on the game changer that you mentioned. We have never failed to tell the world that Jamaica appreciates what the PetroCaribe arrangement has done for this country. At the last OAS Meeting in Washington it was Jamaica that led the way for some 16 CARICOM countries thereabout that were present - Central American and the Latin American bloc and OAS - that we drew to the attention of that forum that while we understood that the PetroCaribe arrangement was not a stabilizer for oil prices, we understood that it offered to small, poor Island States like us what we call everyday easy credit terms. Countries that couldn't afford to face the roller coaster in oil prices were now able to have an arrangement which would make it simple and easy for us to survive with a payment arrangement that was not burdensome. And having stood behind that position, the entire OAS forum had to shift its gear and fall in behind Jamaica's position with Venezuela. It's unfortunate that sometimes these things are not brought to the public. But then I am young in the business and will have to find a way that when we do these things we can convey accurately to my colleagues who are somewhat behind because we have left them at home to guard the chickens.

(*Sotto voce* remarks by Members)

Mr. BRODERICK: So to say that the Cuban light bulbs was not appreciated would be the biggest error that anyone could make.

(*Sotto voce* remarks from Opposition Member)

Mr. BRODERICK: No, I know you did not say that. Because it is all part and parcel of that programme of energy efficiency that should never cease; and we should be looking carefully and setting timetables of when we

are going to withdraw those 100 watt bulbs, those 70 watt bulbs and perhaps one day say no bulbs over 45 watts, and encourage people to change out to LED and other comparably lighting arrangements.

In closing, let me say that to glibly talk about breaking the monopoly of JPS, we must be a little kind to each other.

My colleagues on that side, in 2002 you should have broken the monopoly. You should have broken the monopoly in 2002, not to come and tell us in 2022. You should have broken it in 2002. (Inaudible comments by the Opposition)...2001/2002. Too much misinformation is given in this House. (Inaudible comments by the Opposition) Too much! And people who are responsible for keeping this nation on an honest pathway are not keeping their side of the bargain.

Mrs. NEITA-HEADLEY: You're right. You're right!

Mr. BRODERICK: Just so long as we know who are the people, so long as we know who the people are. But I cannot sit here and hear my colleague across the floor speaking glibly about what arrangements should be done, and what is not being done, and we were saddled with a cost plus thing, something minimum seventeen per cent profit go to beach, put yuh hand behind yuh head and stick the electricity, thirty cents (30c) kilowatt hour to the people of Jamaica and then you disown it. (Applause)

Yuh bring the child into this world; accept it is your child. JPS is not a bastard. He was a product of your marriage. You must stop it.

Mr. E. SMITH: Product of the PNP.

Mr. BRODERICK: You must stop it. As telling us now you must skillfully guh renegotiate.

Mr. PAULWELL: But that's what we did.

Mr. BRODERICK: Come on! And again to compare transmission of our electricity with telecom. (Inaudible comments by Opposition Members) Oh. I don't know. If the Member had said that JPS would convert itself to be one general purchaser of all generated electricity from whichever source and would distribute it, I could understand. But no attempt was made to explain that. One got the impression that electricity... It may happen, but not in our time...you just send a beam up there, whoops, you get it up there without any lines. We don't reach there yet, man.

So we can go like other countries, yes, one day, where the transmission is dealt with, with the company that does transmission only and generating. But these are things that you know. It's not just coming here and saying, net metering. We know it's net metering. And we are working there. Right? We're working there. And whether for renewables, we decide to give it a plus, 15% or a plus 10, we understand the issues. So it's not that we are roping in the dark, and maybe we need to have more dialogue. But we must not have loose statements that would suggest nothing is being done, and that we are groping in the dark and that the Ministry is not working hard with the OUR to fashion the type of policy that we can live it.

Dr. DAVIES: Good reason to draw the line.

Mr. BRODERICK: I am going to close now, Mr. Speaker...

A MEMBER: No, man, yuh doing well...

Mr. BRODERICK: ...because there is so much to talk about, but let's give credit where it's due.

A MEMBER: Hear, hear!

(Applause)

Mr. BRODERICK: Let's give credit where it's due. This Ministry of Energy and Mining is one in which nobody sleeps. We work, and we understand our subjects. We understand it. And we understand the need for... (lnaudible comments)...You know, I wish I honestly could say what I want to say. But sometimes age guides you but I'll give you a little prips. Sometimes we need to understand when we come to these large infrastructural projects that they have to be nursed and treated differently from your trying to run a pipeline from Morgan's Pass to Kellits. It's not the same.

Mr. PERALTO: Tell them, Broddy.

Mr. BRODERICK: It's not the same. (Applause) And you can read behind the lines. There are a number of humbugs why we're not getting these major projects implemented. Because when you're dealing with energy, energy, the only thing greater than energy right now is education. And education really tek energy, 'cause di pickney dem can't learn inna darkness. Right. (Applause) But get this straight. At the heart of the revolution of any county's industry is energy. It is the only game changer in people's lives. He knows it. Some two billion people in the world are without it.

(Inaudible comments by Mr. Clarke)

You go to countries like Tanzania you want to cry. You want to cry. It's only like twenty per cent of the people have electricity. And we must stop crying down ourselves. Both sides of this House have enough to be proud of because... Would you like to know, Jamaica has been deemed to be the leading country in the whole CARICOM and Central American region on renewables. (Applause by both sides of the House) Some of them don't have their policy started, but we come here you know as one-eyed men in blind-eyed town. And when the one-eyed man catches the rest of blind-eyed people you now, he tells them anything, 'cause them can't see. Can't see. And they sound good. But Jamaica has in place its Centre of Excellence which the Minister spoke about. (Applause) And it is working. It is working. And when it comes to energy which affects water...I don't know what it doesn't affect. But the fact is, as responsible parliamentarians.... Agriculture can't move without it Mr. Clarke. (Interruptions) As responsible... It sweet so I start again. As responsible parliamentarians, we must come together when it comes to subjects like energy, subjects like education, subjects like agriculture, just to name a few, and stop playing games. (Applause) This country is bigger than all of us. All of us. We are just mere mortals passing through. And we have wasted a lot of time on a lot of non-issues. I've never thought that I could have left the career of law and come to a place where sometimes I feel to sleep more than to stay awake and think, because I don't hear us looking at the things we have been paid to be here to look after.

And, Mr. Speaker, I thank you for this opportunity to make this contribution. (Applause)(Drs. Davies and Rhodd applaud also)

Mr. HOLNESS: Mr. Speaker, I would have liked to complete this debate, but I gave a commitment earlier that we would take Private Members' Motion Number 35 standing in the name of the Member from St. Andrew Western. The time being what it is now, Mr. Speaker, I will ask the Member to open the

debate. Oh, Mr. Speaker, I would also have to ask for the suspension of Standing Orders to allow us to take the debate at this time.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow Private Members' Motion Number 35 to be taken at this time.

Motion put to the House and agreed to.

The SPEAKER: Member, Mr. Hylton.

(Applause)

CUBA – LIFTING OF EMBARGO BY US

Mr. HYLTON: Mr. Speaker, for the second consecutive year, I'm privileged to move this motion in this Honourable House, on the lifting of the Embargo by the United States against Cuba. And for the start of this debate, Mr. Speaker, I'd just like to acknowledge the presence of the US Ambassador...

MEMBERS: Who? (Laughter)

Mr. HYLTON: ....the Cuban Ambassador... (Laughter) ..in the Gallery.

Mr. Speaker, this motion seeks to give support to the tabling last week of a resolution by the Cuban Government for the nineteenth consecutive year running to be titled: *"The Necessity of ending the Economic, Commercial and Financial Embargo Imposed by the United States of America Against Cuba"*

Mr. Speaker, the Opposition believes that the matter of Cuba's social and economic development is of immediate concern, not only to the Government but of all Jamaicans, and has therefore determined that the people of Jamaica, through their representatives, must debate this issue in the Honourable House and continue to do so until the Embargo is lifted.

Accordingly, Mr. Speaker, the Opposition gives its commitment to the Cuban people to keep this injustice in the consciousness of the Jamaican people and the world.

There's another reason, Mr. Speaker, for bringing this motion before this Honourable House. It is to demonstrate the maturity of Jamaica's foreign policy and the emergence of what appears to be a consensus on Cuba between the Opposition and Government.

Indeed, Mr. Speaker, there exists a near consensus on the lifting of sanctions against Cuba in the United Nations itself and among civil society organizations as well.

Last year's resolution, Mr. Speaker, the eighteenth such resolution on the lifting of the Embargo against Cuba was supported by over 187 countries of the approximately 200 members of the United Nations. With those voting against the resolution were the US and Israel with the Marshall Islands abstaining.

Significantly, Mr. Speaker, the Human Rights Organization, Amnesty International, which has had its differences with Cuba over the years well publicized, has only recently written to the President of the United States urging him not to renew his authority under the Cold War Legislation of 1917, titled: "*Trading with the Enemy Act*". It is with great disappointment, therefore, Mr. Speaker, that the Opposition informs this House that the President has most recently extended his authority to keep in place the regime of sanctions against the heroic Cuban people for at least another year.

The sanctions, Mr. Speaker, continue the restrictions on travel to Cuba by American citizens, unless they have relatives in Cuba. Perhaps more significant are the restrictions on trade and investment in Cuba by Americans

or even Third Country nationals, including Jamaicans.

Mr. Speaker, the extra-territorial applications of US law violate international law and impose the threat of severe sanctions against persons wishing to do business with Cuba in violation of the norms governing international trade and freedom of navigation.

Mr. Speaker, it is little known by the Jamaican population at large, that it is the case that the Cuban Embassy, up until recently, had great difficulty in establishing and operating a bank account in a financial institution of its choice. This is due, Mr. Speaker, to the extraterritorial application of US laws relating to financial institutions which have operations in the United States but may be based here in Jamaica.

Additionally, Mr. Speaker, the regime of sanctions have implications for Cuba's effort to be integrated into the region and more particularly, to become a Member of CARICOM and the CARICOM Single Market and Economy.

Mr. Speaker, the continued threat to Cuba's right to peace, development and security in its essence and in its aims continues to be an act of unilateral aggression and a permanent threat against the stability of a member country of the United Nations. The Opposition takes this opportunity to urge the US administration to engage Cuba on its - stated, and I quote "*willingness to coexist in a climate of peace, respect and sovereign equality*." (Applause)

Mr. Speaker, the continued strengthening of diplomatic, economic and cultural relations between Cuba and Jamaica is decidedly in our national interests, as it underpins strong cooperation arrangements with Cuba in the field of human resource development inclusive of the several thousands of Jamaicans and other country nationals from throughout Latin America the Caribbean, and indeed the entire world.

It is in this spirit of solidarity with the Cuban people in its struggles to hold on to the gains of their revolution and to be integrated into the reckon and the wider globalized world, that the Opposition calls on that side of the House to join in the support of the resolution with some minor amendments, as was done last year.

Mr. Speaker, in the words immortalized by the Staple Singers, 'Let's do it again'.

I thank you, Mr. Speaker.

(Applause)

The SPEAKER: Leader of the Opposition.

(Applause)

Mrs. SIMPSON MILLER: Thank you, Mr. Speaker.

Last year in a historic move, symbolizing the consensus policy on Cuba, the Opposition moved a similar motion in this Honourable House in support of the resolution recently tabled in the General Assembly at the United Nations by the Cuban Government. To lift the economic, commercial and financial blockade, against the heroic people of Cuba. The resolution had received the unanimous support of both sides of the aisle as well as the overwhelming support of the Member Countries of the UN. This is as it should be, Mr. Speaker. Here in Jamaica we have come to realize that the differences that once separated us on the issue of Cuba are relics of the Cold War era.

(Applause)

Our struggle today is to give expression to

the commonality of our history, culture and geography. We also have a commonality of destiny in a world marked by rapid economic globalization and the common threats posed to all of us in this region by global warming resulting from climate change, transnational crimes and terrorism.

Mr. Speaker that is our common challenge and our ability to resolve such challenges is our shared destiny. It is against this background that I make this second resolution moved by the Parliamentary Opposition, calling for the lifting of the blockade against Cuba. Mr. Speaker, it is hoped that once again it will be supported by both sides of this Honourable House.

The tabling of the resolution titled "***Necessity of ending the economic, commercial and financial embargo imposed by the United States of American against Cuba***," is the 19th consecutive time such a resolution, Mr. Speaker, has been tabled in the UN. Each time in the past the resolution has garnered more and more votes among the member States, from the industrialized and developing countries as well as from large and small nations the world over.

Mr. Speaker, the near unanimous support for the resolution results from the general acceptance by the community of nations and this should not be ignored. It signifies that a regime of sanctions based on the 1917 Trading with the Enemy Act, must, Mr. Speaker, be replaced by a renewed commitment to dialogue on those issues of bilateral concern between the United States and Cuba. (Applause)

Indeed, Mr. Speaker, we were all very hopeful last year when a similar resolution was passed in this House, hopeful that the positive signals of an impending dialogue between the two countries would ripen and bear sweet fruits to our collective benefit. But, Mr. Speaker, that hopeful sign has been replaced by continuing anxiety resulting from the fact that the anticipated intervention today in support of this dialogue has not taken place as promised. Instead, Mr. Speaker, an order was issued on September 2, 2010, to keep in place, the regime of sanctions against Cuba at least for another year.

Mr. Speaker, through this resolution in this Honourable House, I add my voice to the global appeal for consideration to be given to the cost of human life and the economic advancement of the peoples of these two countries, indeed, of the entire region and the hemisphere caused by this now outdated approach to resolving differences among sovereign states.

(Applause)

As of today, Mr. Speaker, the Cuban people cannot obtain the drugs necessary to cure diseases or save lives if they are manufactured in the United States of America or even if such drug contain any material or technology or processes of a US company. And it must be of concern to us, particularly in this region, given the level of assistance given us to by Cuba by way of training of a number of our doctors. (Applause) And we have two, as a living testimony this afternoon, Honourable Member from Portland and the Honourable Member from Westmoreland...

MEMBERS: Hear! Hear!

Mrs. SIMPSON MILLER: And North Trelawny.

Nor, Mr. Speaker, can the people to people contact necessary for the breaking down of barriers between societies take place

under the existing regime of hostility and deprivation. I say today in his House, there must be a better way. There is another way; there must be a better way. And we believe in Cuba's expression of willingness to coexist in a climate of peace, mutual respect and sovereign equality as provided for under international law.

Mr. Speaker, I continue to hope for the restoration of justice for the Cuban people, although it has been long in coming, and we have been disappointed before. I hope, that the occasion of the vote on this year's resolution at the United Nations on October 26, may provide an opportunity for there to be yet another reason to hope for concrete steps towards the removal of this blockade. Further, that such steps will lead to the normalization of relations between the proud countries of the peoples of the United States of America and Cuba.

Let me commend the mover of the resolution, on behalf of the Opposition. And Mr. Speaker, both countries are much loved by millions in this hemisphere and throughout the world. And I commend support as I am sure, both sides, all of us, will give support today to this resolution.

Thank you.

(Applause)

The SPEAKER: Thank you, Mrs. Simpson Miller. Dr. Baugh.

Dr. BAUGH: Thank you, Mr. Speaker, and let me at the outset apologize if my voice sounds a bit rusty.

Mr. PICKERSGILL: You campaigning?

Dr. BAUGH: No, it is not campaigning; we are not ready for you yet. (Laughter/Applause)

(*Sotto voce* comments by Members)

Dr. BAUGH: Mr. Speaker, I am at the tail-end of a very virulent flu. I don't believe that at this stage I am infectious, so I have taken my place back in the House, but had I considered that I would still transmit the virus I would take a seat on that side, at least for a while.

(*Sotto voce* comments by Members)

Dr. BAUGH: Mr. Speaker, I wish to also acknowledge the presence of His Excellency, the Cuban Ambassador to Jamaica in the House. I want to thank him for his excellent services to both countries, Jamaica and Cuba. (Applause) He has become very well-known in Jamaica. He is a man about town.

Mr. Speaker, the Honourable Prime Minister of Jamaica and myself as Foreign Minister, have used every opportunity at every possible forum to raise the issue of the lifting of the embargo against Cuba with the United States of America and with other regional or international forum. We have offered whenever required, that we would be only anxious to use our best efforts, being friends of both sides of the divide, to promote and facilitate the dialogue. We respectfully acknowledge the rights of both sides to determine the agenda and the pace of these discussions, and we acknowledge the signals that have been sent of the earliest possible signs of the intention to dialogue. We urge great urgency for strategic action to be taken to make meaningful progress towards dialogue, towards the removal of this illegal embargo against Cuba. (Applause)

It is important Mr. Speaker, for us to understand the relationship that has existed between these two countries over many years, as a matter of fact, over 300 years. Cuba and the United States of America have a shared

history of mutual benefits and mutual interests, and this dates back to the period before they both attained their independence. Cuba was a Spanish colony up to three hundred years ago, and with the waning Spanish political and economic influence there was increasing American dominance in the affairs of Cuba in terms of imports, exports, investments, foreign ownership of land and foreign ownership of industry. As a matter of fact even before - even when Cuba was a colony of Spain, trade between the North American and British colonies and Cuba started and was illegal at the time, as a matter of fact took place, as happened in this region, to bypass the onerous taxes that were imposed on colonial trade.

In the 1770s Mr. Speaker, when America embarked on its own Independence drive, and had this War of Independence with the British masters, and declared its Independence in that famous document, "**The Declaration of Independence**", that embodied all the principles of the enlightenment of liberty, freedom, of the rights of the individual, and the rights of countries.

After this War of Independence, made between Cuba and the United States of America mushroomed, with great prosperity on both sides. As a matter of fact, in 1820 PRESIDENT THOMAS JEFFERSON noted that, "**Cuba was the most interesting colony which could be an addition to our own system of States,**" indicating that America had a keen interest in integrating Cuba into their system of States.

JOHN QUINCY ADAMS, Secretary of State, saw that the natural gravitation of Cuba to the North American Union, was something that would happen in time. As a matter of fact, in '84 there was a secret offer from the United States to Spain, to purchase the island of Cuba for US$130 Million.

Mr. Speaker, during the following years, 1868 to 1898 - first of all, there was a ten-year war, when Cuba launched its wars for Independence, there were three such wars - and during that time American interest mushroomed in Cuba. A lot of corporate entities as well as private people purchased residences in Cuba and a lot of Americans went to take up their residence in Cuba. In 1897, again, there was a second offer, when PRESIDENT WILLIAM MCKINLEY offered to buy Cuba for US$300 Million.

Mr. Speaker, the rejection of that offer, and the blowing up of *The USS Maine*, in the Havana Harbour, was what triggered the Spanish-American War. In Cuba it was recognized that the Spanish-American War was really American intervention in the War of Independence of Cuba. Eventually, when that war was over, there was signed **The Treaty of Paris**, when Spain renounced its rights to Cuba, and the **Platt Amendment** to the agreement at that time also involved the withdrawal of United States troops from Cuba but preserving the rights of the United States to intervene in Cuban political, economic and military affairs, and also accommodated the ownership of Guantanamo Bay Naval Base by America; this was called the **Cuban-American Treaty.**

So, history spells out the relationship, Mr. Speaker, that there is a natural relationship between this very large and beautiful island in the Caribbean, a prosperous island, and the American continent.

And over the years, American investment in purchasing real estate - in purchasing

business, increased. In 1926 the United States owned 60 per cent of the sugar industry of Cuba and imported 95 per cent of the total Cuban crop of Sugar.

Mr. Speaker, the history is now well known in this part of the history books, that in the 1930s FULGENCIA BATISTA became the President of Cuba for two terms. And there was great wealth and there was great corruption. As a matter of fact, it became the haven for a lot of the drug trade. There was an infamous Havana conference of the mafia mob which was hosted by one Lucky Luciano I think everybody knows that name. Consequently, in 1959, there was a popular revolt, when Fidel Castro led the revolt against this corruption, against this domination, and the rest is history.

As a consequence of this, Cuba has gone through a tremendous change, a massive change. And the issues are very topical for us, Mr. Speaker, although they are complex and complicated. We know that in the early stages of the revolution, when the fighting was over, that Cuba embarked on agrarian land reform and confiscated some of the properties that were owned by people who had left Cuba and some that were American owned. And this is an issue for a lot of countries who have broken the chains of colonialism in the past, of how to deal with the question of foreign domination and foreign ownership of properties. This is not just for developing countries, it happened in many developed countries as well, such as Ireland. And we also know that this was a main issue for the country of Zimbabwe, when they had the origin of their difficulties. So the whole issue of the transfer of the power from foreign domination to the people of a country is one of the main issues which led to sovereignty and the whole issue of independence and non-interference in the business and the affairs of another country.

MEMBERS: Hear! Hear!

(Applause)

Dr. BAUGH: What is important to me - what is of greatest importance to me, Mr. Speaker, is the experience over the years. We are friends of these two countries, one is a country that has been a productive giant, the most successful such country in the world, with the largest economy of the world amounting to some $14 Trillion. The other country is a country that has experimented with a socialist revolution, with maximum involvement of the State. And anybody who goes to Cuba today or who studies what has happened to Cuba can only admire the extent to which, using minimal resources, they have achieved a tremendous.... (Applause)

Mr. BUNTING: Right on, Comrade.

Mr. PICKERSGILL: Right on, Comrade. You are talking like a good Comrade.

Dr. BAUGH: You are forgetting the part about the United States' achievement as a productive giant, you are forgetting about that.

Mr. PICKERSGILL: You are talking like a Comrade.

Dr. BAUGH: I have studied the issue, Mr. Speaker, particularly in respect of health care when I was Minister of Health in this country, looking at the financing of health care. And one can only admire what was done with the minimal amount of expenditure, in relation to other countries...

MEMBERS: Yes! Yes!

Dr. BAUGH: That Cuba was able to achieve longevity and quality of life comparable to many other countries....

(Applause) ...who expended far more money to achieve the same levels.

Mr. PICKERSGILL: Yes, yes!

Dr. BAUGH: Mr. Speaker, recently I visited Cuba. We attended the CARICOM-Cuba Conference, which was a good conference. But I took the opportunity - which you will be happy to hear - of asking to see a mini-dam a mini-dam. And I was transported one hour out of Havana - I have told the Ambassador this already - to a mini-dam which was, to my mind, a large dam, it seemed to be as large as the Mona Dam. My colleagues on this side, my friends, especially the Minister of Water, know my passion for dams. Because Puerto Rico has some seventeen (17) lakes, which were all man-made, the Dominican Republic is now building its seventh dam, and I feel that dams are very important to a developing country.... (Applause)

Government MEMBER: Very important.

Dr. BAUGH: And I was very pleased to hear that in Cuba there was a thousand such dams, these mini-dams.

Mr. PICKERSGILL: ...You campaigning! You should be listening to this.

Dr. BAUGH: And I don't know what has happened over the last eighteen-and-a-half years...

Mr. PICKERSGILL: We got dams! We got dams!

Dr. BAUGH: I don't know where they are, I am trying to find them.

(Laughter/*Sotto voce* comments)

Mr. PICKERSGILL: Laborites mash up some of them!

Dr. BAUGH: Well, you have failed to implement something which was then demonstrated to be a very good measure for developing countries.

(Heckling/*Sotto voce* comments)

Dr. DAVIES: Go back to your text. Stick to your text.

Dr. BAUGH: The point I am making, Mr. Speaker, is that the achievements of this country is not something that we should ignore.

MEMBERS: No!

Dr. BAUGH: It's something that rather than being condemned, it should be examined and reviewed.

MEMBERS: Yes.

Dr. BAUGH: Not that we are likely to do likewise. But it's a fact that there have been achievements...

Mr. PICKERSGILL: Yes!

Dr. BAUGH: ...and the comparison between a country where there is minimal involvement of the Slate, in a country that is predominantly a market economy, where the engine of production is privately owned, and a country where there is maximum involvement of the State, that comparison and that review and that study, is of interest to all of us.

Mr. PICKERSGILL: Yes!

Dr. BAUGH: A lot of us have varying degrees of how we employ the strategies of these opposing countries, to varying degrees.

The concern for me now is this, that in this new atmosphere of globalization, of regionalization, the region of the Americas lags behind other regions of the world, such as Asia, and in particular, Europe.

Mr. Speaker, everybody knows the story of the European Union, that it has grown from about - I think it started with about five to seven countries, there is now twenty-seven countries, and has an economy of some $18 Trillion dollars, which is larger than the

economy of the United States of America. Of individual countries, the United States still has the largest economy in the world, but Europe, as a Union, has an economy of $18 Trillion. In terms of economic cooperation, in terms of trading arrangements, in terms of aid-for-trade, in terms of technological tranfers, in terms of capacity building in developing countries, Europe and Asia are doing better than we are doing in this part of the world.

In Asia, China has now overtaken Japan as being the second largest economy in the world, and both China and Japan have very large economies. And both are giving great assistance to Africa, in terms of the development of Africa. And we should keep our eyes on Africa as the new opportunity - its being seen as the new opportunity, worldwide, for investment and for development. (Applause) The Americas are languishing in the past. We must now accept that the past political divisions and polarizations, due to ideological differences, is something that we must overcome.

The challenge to us, Mr. Speaker, is how to develop regionalism in the region of the Americas. We do have the Organization of the American States which is an organization that encompasses Canada the United States, Latin America and the Caribbean.

We are also developing other organizations. The Rio Group is well known, and the more recent one of Latin America and the Caribbean, which we have as a target, trading and economic cooperation for the movement of goods, capital and services, so that we develop one enormous space. The liberation of Cuba from his economic embargo is a very important firm step to developing... (Applause)

MEMBERS: Hear! Hear!

Dr. BAUGH: ...this cooperation between all of our countries in the Americas.

Mr. Speaker, let us just take from history some of the words of the main participants. First of all, Fidel Castro, in1964, sent a message to Johnson, encouraging dialogue. He wrote:

> "I seriously hope that Cuba and the United States can eventually respect and negotiate our differences. I believe that there are no areas of contention between us that cannot be discussed and settled within a climate of mutual understanding But first, of course, it is necessary to discuss our differences. I now believe that this hostility between Cuba and the United States is both unnatural and unnecessary, and it can be eliminated."

That is from Fidel Castro, 1964.

And to quote from history again, concerning the United States.

> "In April, 2009, US President Barack Obama began implementing a less strict policy towards Cuba. The US President had stated that he is open to dialogue with Cuba but that he would only lift the trade embargo if Cuba has political change.
>
> In March, '09, Obama signed into law a Congressional Spending Bill, which eased some economic sanctions on Cuba, and eased travel restrictions on Cuban-Americans, defined as persons with relative who is no more than three (3) generations removed from that person. The April Executive Branch changes further removed time

limits on Cuban-American travel to the island.

Another restriction loosened in April is in the realm of telecommunications, which will allow quicker and easier access to Internet for Cuba. At the Summits of the America, President Obama signalled the opening of a new beginning with Cuba."

And I close that quotation.

Mr. Speaker, there is no question that the intention is obvious. The intention is obvious of both countries to start the dialogue towards lifting that embargo.

As far as this resolution is concerned, Mr. Speaker, it will be recalled that when the matter of the United States embargo against Cuba was raised in the House last year by the Honourable Member from Western St. Andrew, my response was that the Government of Jamaica remains opposed to the unilateral application of economic and trade measures by one State against another, and that will obstruct the freedom of commercial activity, trade and economic cooperation.

Jamaica's opposition to the embargo is also premised on the fact that such unilateral action is in contravention of the Charter of the United Nations, and is contrary to the principles of international law, the sovereign equality of States, the non-interference in the internal affair of States, and peaceful coexistence.

In that context Jamaica has consistently voted in favour of the United Nations Resolutions entitled:

"Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba."

(*Sotto voce* comments)

Each year, the Annual Resolution of the United Nations is adopted with the overwhelming support of United Nations Member States, including Developed and Developing countries.

Mr. speaker, subsequently, the passage of a Resolution by this House in October 2009, supporting the removal of the embargo, the United Nations General Assembly adopted another Resolution, 64/6, reiterating its call on all States to refrain from promulgating laws and measures, such as the Helms-Burton Act, the extraterritorial application of which affects the sovereignty of other States, the legitimate interest of entities or persons under the jurisdiction of those States, as well as the freedom of trade and navigation. One hundred and eighty seven member of the United Nations including Jamaica supported this Resolution. The United States, Israel and Palau opposed.

Mr. Speaker, Jamaica maintains its position that conductive engagement and negotiations remain the most acceptable means of advancing peace and stability. Therefore, in accordance with the United Nations Resolution, the Government of Jamaica maintains its opposition to the promulgation of any law, legislation or measure that would infringe on the sovereignty of any State, or its lawful national interest.

(Applause)

Jamaica's position is reflected in the annual report prepared by the United Nations Secretary General on the efforts undertaken by

Member States to ensure implementation of the Resolution. Our position is also expressed in CARICOM statements delivered each year on the occasion of the adoption of United Nation's Resolution.

Mr. Speaker, I bring to the attention of the Honorable Members of the House that another UN Resolution, since the first one was introduced in 1992, will be put to the vote by United Nations General Assembly on 26th October, 2010. Mr. Speaker, Jamaica will maintain its position.

(Applause)

Mr. Speaker, it should be clear from history that there is a natural affinity for Cuba and the United States to do business. And they have done very prosperous business in the past. I believe that with the lifting of the embargo both countries will benefit. But mostly, the Americas will benefit because our goal of establishing a region of the Americas that is very efficient and prosperous in terms of trade in the movement of goods and services, and maybe eventually people, that that as an achievement will benefit all of us.

Mr. Speaker, I thank you very much.

(Applause)

The SPEAKER: Thank you very much, Dr. Baugh.

Now, we and hoped to restrict it to three Members on each side, but a number of persons have indicated their interest to speak. How many persons will speak this afternoon will depend on how succinct each person can be in their presentations. So, I am begging persons not more than five minutes. We are going to go in this order at the moment: Dr. Rhodd, then Reverend Thwaites, then Mr. Lawrence, and then we will take others after.

(*Sotto voce* comment)

Yes, yes, afterwards.

Dr. RHODD: Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Resolution moved by the Member from West St. Andrew. And in so doing, I would also like to acknowledge the presence of his EXCELLENCY AMBASSADOR YURI GALA LOPEZ.

(*Sotto voce* comments)

Bien venido, Ambassador.

(Applause)

My short contribution to this debate, Mr. Speaker, will begin with a reflection on the subject of *Justice*. Centuries ago, the Prophet Micah wrote, as is recorded in the Holy Bible in Micah 6 and Verse 8:

> "He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God."

Here in Jamaica one of the lines of our own National Anthem asserts: *Justice Truth be ours forever*. And one of the great freedom fighters of all times, the revered, the late REVEREND DR. MARTIN LUTHER KING, (JNR.) stated: *Injustice anywhere, is a threat to justice everywhere*.

A MEMBER: Hear, hear!

Dr. RHODD: It is against this background, Mr. Speaker that I would like to invite us to examine and support the rights of the Cuban people. I implore our citizens and peoples of the world to support the Cuban right of self determination, peace and dignity.

(Applause)

Mrs. NEITA-HEADLEY: Hear, hear!

Dr. RHODD: The election of President Barack Obama in 2008 inspired hope of a new US foreign policy for this Region and for the

world. It is against this background that I call upon President Barack Obama and the Government of the United States of America, to lift the unjust, illegal economic blockade which continues to deprive millions of Cubans of goods and services enjoyed by all other peoples of this Hemisphere.

We must ask our friendly neighbour, the United States why are the sins of the Cuban people greater than those of the Chinese or the Russian people.

(*Sotto voce* comments)

The Cold War has ended and the US collaborates and trades with China and Russia. We must ask why the United States Government continues to allow itself to be held hostage by a small group of Cuban mercenaries in Florida.

Persons such as LUIS POSADA CARRILES, a known criminal who is not only accused of being involved in bombings in the capital of Cuba Havana, but along with ORLANDO BOSCH were the masterminds behind the bombing of a Cubana airplane in 1976 which killed the 73 persons on board.

Mr. Speaker, from our history we now that what happens to individuals, when they experience hardship, they become more resilient and stronger. I had the privilege of witnessing that resilience and that strength first-hand when I studied and lived in Cuba between 1978 and 1985. I was there when biological warfare was used to wipe out the swine population, the total swine population of millions of pigs. I was there when biological warfare inflicted hemorrhagic dengue fever. But, I was also there, Mr. Speaker, to witness the generosity, sacrifice and love of the Cuban people in the form of their gifts of free education...

(App1ause)

...to tens of thousands of students from Jamaica from Guyana, Puerto Rico, Panama, Zimbabwe, South Africa, Benin, Lebanon, Palestine, Lesotho, Vietnam, Grenada, Ethiopia, Angola Mali, and the list goes on and on.

(Applause)

I was there to witness the innovations of the Cuban people as the blockade taught them to discover new pharmaceuticals and cures for diseases. I was there to witness the value of physical fitness and discipline which has made them a world power in sports. And I was there to witness the creative energy which has allowed them to make cars, sixty years old and over, still functional. I was there when they sent tens of thousands of their sons and daughters to fight the apartheid regime which had financed the war in Angola and I was even supporting mercenaries there.

Mr. Speaker, Jamaica has not only historical and political connections with Cuba but we have bloods, biological links which date back over centuries. We have a moral obligation to support the sacred right of the Cuban people in their quest to obtain justice, pursue self-determination peacefully and with dignity.

Mr. PICKERSGILL: Good point.

(Applause)

Dr. RHODD: Personally, I will always be an unwavering supporter of the Cuban people, their revolution and their ideals. You could say I have no choice.

A MEMBER: We understand why.

Dr. RHODD: I am indebted to them for not only a tertiary education, but also for the gift of one of their brightest and most beauty daughters, my wife, Barbara.

(Applause/*Sotto voce* comments)

My prayer, Mr. Speaker, is that God will touch the heart and conscience of PRESIDENT BARACK OBAMA and his colleagues in the United States Government in such a way that he will free the Cuban people of this cruel and unjust economic, commercial and financial blockade.

The words of the REVEREND DR. MARTIN LUTHER KING (JNR.) cries out from the grave: *Injustice anywhere, is a threat to justice everywhere*.

I close where I began with the daunting words of Micah Chapter 6 and Verse 8: *And what doth the Lord require of thee, but to do justly and to love mercy, and to walk humbly with thy God.*

(Applause)

The SPEAKER: Thank you, Dr. Rhodd. Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, I would like to admire the presentations that have been made so far, in this debate, and particularly, the offering of the Honourable Minister of Foreign Affairs.

Mr. Speaker, I sat in the gallery of this House in 1982 and 1983 when - I believe it would attract the memory of the said Foreign Minister and maybe other members here - when the hatred was spewed and the venom was apparent against the Cuban Revolution, against those who were struggling for the same self-determination which had been given to us. And it is a historic occasion that we, in this year of grace as we did yesterday, should be able now to see the possibility for change and the attitude of reconciliation that has taken place.

(Applause)

Mrs. NEITA-HEADLEY: Hear, hear!

Rev. THWAITES: Mr. Speaker, when the Caribbean Conference of Churches was formed several years ago, the Caribbean was so fractured by the Cold War that the Delegates from Cuba had to fly from Havana to Madrid in order to be able to then, come to Port-of-Spain in Trinidad.

(*Sotto voce* comments)

The change that has taken place is truly admirable...

Mr. PICKERSGILL: Good reminder, Ronnie, visionary.

Rev. THWAITES: ...and indicates what the prospects for reconciliation can be.

Mr. PICKERSGILL: Visionary.

(*Sotto voce* comments)

Rev. THWAITES: The stubbornness and the maliciousness, and spitefulness of the embargo is directed against the Cuban people without any guilt or merit on their part. The misinformation upon which it has been based, where there has been a constant campaign in order to vilify the social achievements of the Cuban experiment, where we ourselves in Jamaica have had poisoned information come to us, now are times of the past. And fortunately, this House is taking a position of leadership in this regard.

They are our kith and kin; there are hardly any of us who have not had the experience of relatives or friends who have been engaged in Cuba at some time in the past or at present. Never let scarred tissue afflict our conscience, Mr. Speaker. This, until it is requited as all other injustices, whether close to us or far away, are supposed to touch the nerve ends of good conscience among the Jamaican people. The Cuban people have fought against

terrorism. They have had to undertake all kinds of measures in order to protect themselves against the imminent threat of invasion.

And in addition to the support of this Legislation, I call for the review of the conviction of those five (5) Cubans who are held, I believe, unjustly in American prisons as a result of the political and cultural situation that affected and jaundiced their conviction. Jamaica stands for the application of free trial and a full understanding of the canons of justice. And it is that aspect of it that we must set out, as well as the support of the Resolution regarding the end of the embargo.

I thank you.

Mr. PICKERSGILL: Well done, Ronnie.

(Applause)

The SPEAKER: Thank you very much, Reverend Thwaites. Mr. Lawrence.

(*Sotto voce* comments)

Mr. LAWRENCE: Mr. Speaker, colleagues on both sides of the House, indeed I am honoured to participate in this debate. A few months ago, Mr. Speaker, I had the opportunity to be a part of a delegation to Cuba led by you, Mr. Speaker, in signing of a friendship agreement between the Government of Jamaica and the Cuban Government.

Mr. Speaker, how delighted I was to have engaged in such an experience of love, warmth, camaraderie, resilience, rich heritage and strong culture. Mr. Speaker, the country Cuba, believes that their citizens are their greatest assets and, as such, invests heavily in their people producing great engineers, doctors and various other kinds of professionals.

Mr. Speaker, it pains my heart from a humanitarian and economic standpoint to know that for more than 50 years now the Cuban people have undergone undue hardship. Mr. Speaker, can you imagine the potential of our neighbour had they not had such an embargo imposed on them. What a great nation they already have and there is a good possibility, Mr. Speaker, without the embargo, would rank within the more developed nations of the world.

Mr. PICKERSGILL: You are not doing bad.

Mr. LAWRENCE: Mr. Speaker, Cuba like any other sovereign nations has the right to determine its own destiny. (Applause) This desire culminated in the 1959 Revolution and since that time successive US Administrations have tried to dismantle the outcome.

According to section C of Article 11, Mr. Speaker, of the Geneva Convention of 1948 on the prevention and punishment of the crime of genocide and as an act of war according to the stipulations of the declaration regarding marine time war adopted by the 1909 London Naval Conference, the US embargo against Cuba qualifies as genocide.

Despite talks of loosening up restrictions, Mr. Speaker, Cuba still cannot freely import and export products and services to and from the United Sates. It cannot use the US dollar in its international transaction or have accounts in that currency in Third country banks if it is a national or Cuban company, nor can it have access to loans from American banks. We are affiliates in Third countries and international constitutions such as World Bank; the IMF or the Inter-American Development Bank.

Mr. Speaker, the **Torricelli and Hands Gun Act** enforced on their extraterritorial applications continue to discourage Cuban

trade with subsidiaries of US companies in countries as well as threaten and apply sanctions on businessmen who wish to invest in Cuba, at the same time as they make their maritime transport of goods between Cuba and Third countries difficult and more expensive by prohibiting vessels that have stopped in Cuban ports or transporting goods on behalf of Cuba from entering US port for six months, or preventing access by vessels with Cuban crews even though they have been sailing under the flags of Third countries.

The direct economically, Mr. Speaker, on the people of Cuba due to the application of economic, commercial and financial embargo against Cuba up to December 2009, surpassed billions of US dollars.

Mr. Speaker, let us look at some of the issues that arise as a result of the United States economic policies against Cuba. Do you know, Mr. Speaker, in terms of enterprise, the country banks, meaning a country other than Cuba or the US, are forbidden to open accounts in US dollars for Cuban juridical or natural persons to carry out financial transactions in said currency with Cuban entities or persons. Mr. Speaker, Third country businessmen are penalized for making investment or carrying out investment or carrying out business with Cuba. They will be denied visa to enter the United States and they will even be subjected to legal suit before a US Court in the event that operations with Cuba are related to properties associated with US claims, so that having been born in Cuba citizenship was acquired at a later date.

Mr. Speaker, Cuban companies cannot participate in the transportation of US visitors to and from US, or Cuban visitors to and from the United States.

Cuba puts, Mr. Speaker, its best effort to provide quality education for its population but the effects of the Embargo cause daily shortages, Mr. Speaker, and these shortages negatively impact the processing of learning, research and scientific work of the academia.

Mr. Speaker, in terms of health care sanctions impact the acquisition of medicine, reactive, spare parts of medical equipment, instrument in that they have to use intermediaries, that's the middlemen.

Mr. Speaker - what I am trying to say, Mr. Speaker, the time has come, the time has come, Mr. Speaker, that America is a country that believes in having other countries to obey and to share. And it's unfair, Mr. Speaker, that the Cuban people have to go through this. The fact is that America is not willing to lift this Embargo. Every area of Cuban life is touched by this policy. I am not saying, Mr. Speaker, that Cubans do not adversely play a part in their own affairs, but as far as one can tell, Mr. Speaker, the majority of challenges that the Cubans face are a direct result of the lack and limitation imposed by the embargo.

Mr. Speaker, with all the adversities that Cuba faces they have been sending assistance to various regions in the world, including Jamaica. (Applause) They continue to give unselfishly in a variety of fields, Mr. Speaker. Mr. Speaker, the American policy is in violation of international law. It is counter to the UN Charter on Purposes and Principles. It is a transgression on the right to peace, development and the security of a state. It is an act of aggression. It is a threat against stability. The Embargo, Mr. Speaker, is also a violation of the rights of the citizens of the United States and also violates the rights of others due to the extraterritorial aspect. Mr.

Speaker, it inflicts direct economic damage to Cuba and the region due to the economic, commercial and financial sanctions.

Mr. Speaker, as legislators, Jamaica and the Caribbean, we must be bold just as America is bold in demanding the fairness and equality from all other countries. They must practice what they preach. As Government and as Opposition, regardless of who had the better relationship in the past, the day has come when we must stand as a united front to defend our Cuban brothers and sisters.

(Applause)

Mr. Speaker, we hope and pray that this will be a reality after so many years, and we hope that this will transpire under the Administration of PRESIDENT BARACK OBAMA. This is a pressing matter which needs urgent attention. The Cuban people need to have equitable access to economic and social freedoms.

Mr. Speaker, I speak not only as a Government Member but as a representative of the Confederations of Parliamentarians of America which I know are in full agreement of the lifting of this Embargo.

I thank you very much.

(Applause)

The SPEAKER: We will have Dr. McNeill, then Mr. Paulwell, then Mr. Mullings, in that order for the moment.

Dr. McNEILL: Thank you, Mr. Speaker. I would like to lend my support to all the speakers that went before.

Mr speaker, this is now the 50th Anniversary of the Embargo back from 1960, 1962 it got a little worse after the Cuban Missile Crisis, in 1996 the Helms/Burton and the aspect of business, all of this has been discussed before. But one of the things that has not been pointed out that this is the most enduring trade embargo in modern history and it is time for this embargo to go.

(Applause)

Mr. Speaker, it is interesting to note that 70% of the Cuban population is under the age of 50. Seventy per cent (70%) of the people now residing in Cuba have known nothing but a country that has lived under an embargo. This embargo is an anachronism. It goes back to when countries used to go to war and they used to blockade and not let supplies go in. And this was what was utilized as part of the Cold War strategy. As the Leader of the Opposition pointed out it is time now for us to abolish these last vestiges of the Cold War that we were fighting before.

Mr. Speaker, I remember in the '70s that the whole world went to war against apartheid and I remember as a young person lending our support to the war against apartheid. This war against the Embargo is similar in my mind to what we had against apartheid. Every year the voices against the embargo grow stronger. In the last few years it has gotten stronger and stronger to the point where the vote in the United Nations was 187 to 3. I think we all have to continue to raise our voices in opposition to the Embargo, an embargo that his cost the Cuban people an estimated $100 Billion over the period of time, an embargo that Pope John Paul the 11 called a historic mistake; an embargo that the US General Assembly has condemned as a violation of international law.

Mr. Speaker, I also want to recognize the Cuban Ambassador who is here with us today and to say that as long as the embargo is in place, I am happy to see that here in our Parliament we raise our united voices against

it, and we look forward to the day when we can finally see the embargo in place on the Cuban Government by the US is finally lifted.

Thank you.

The SPEAKER: Thank you, Dr. McNeill. Mr. Paulwell.

Mr. PAULWELL: Thank you very much, Mr. Speaker. I again acknowledge the presence of the Cuban Ambassador.

Mr. Speaker, I had high hopes on the election of President Obama to the office of presidency and, in fact even before then I think many of us played our own little way to ensure by calling all our relatives and encouraging them, those who are citizens, to go out and support. And one of the reasons behind the high hopes is this matter of the blockade against Cuba. And so, Mr. Speaker, you can imagine how disappointed I am….

(*Sotto voce* remarks by Government Member)

Mr. PAULWELL: If the Member will just allow me. This is a more serious resolution and I am urging the Members to just allow us to complete it. Because, Mr. Speaker, as I am saying, I can imagine – you can imagine...

(Cross talk taking place)

The SPEAKER: (Gavels) Members, Members, please! A Member is on his feet. Could we stop these sorts of small committee meetings. Go ahead, Mr. Paulwell.

Mr. PAULWELL: Mr. Speaker, you can imagine how disappointed I am that after the Cuban Administration tabled on the 14th of July, 2009 a proposal for the agenda for dialogue and the initiative for bilateral cooperation to date it has received absolutely no response from the current Administration.

And there is this seeming unwillingness, Mr. Speaker, to engage the Cuban Government to resolve this blockade issue.

And during the last two years, despite some cosmetic changes that have been alluded to, there has been hardly any meaningful modification to the blockade and the subversion policy against Cuba even though we know the powers that is vested in the US Government and, in particular, the President.

Among the rules of the blockade, Mr. Speaker, is that Cuba is not allowed to acquire in the US or in any other country, any product containing a fraction of American input or technology.

I want to speak of one impact of the blockade on me as a businessperson. As a member of the private sector and earlier, Mr. Speaker, I spoke to the fact that I have introduced Cuban technology in Jamaica, the solar photovoltaic equipment that I purchased, 2000 watts to be installed to generate energy. I try to pay for these equipment and it was the most difficult part of the transaction to make the payment. You go to even our indigenous banks and they are afraid to deal with you. So this blockade is not only affecting Cuba directly, but it also has an effect on Jamaica's ability to trade with that country.

And I think Mr. Speaker; it therefore requires a little bit more than just a resolution. I think it now requires some active engagement on our part with the US Administration to spell out what this really means for our people.

I also, though, Mr. Speaker, though it's not a part of the resolutions I also want to lend my voice of support to the immediate release of the Cuban five (5) anti-terrorists who have

been held in prison for in excess of 12 years. (Applause) And because the points that I intended to raise, have all been raised earlier, I just want to say in closing that despite the blockade, the Cuban people have shown how education, good health...

A MEMBER: Resilience!

Mr. PAULWELL: ...resilience, and a determination to overcome the severe handicap can cause a country to move, even with the restrictions, to tremendous areas of progress and achievement. (Applause) And in that regard, I have to remind this Parliament of the very significant project that is taking place now where a fibre optic cable, an undersea fibre optic cable where Jamaica is going to be the centremost point and a focal point linking Caracas, Havana and Kingston. That project is now proceeding and by June of next year, that fibre will be lit so that Jamaica will be enabling the Cubans to have access to the tremendous world of technology. (Applause) And I want to commend all who have played a part in that. It's a multi-million dollar project and it is a part of the dream we have of telecommunications where Jamaica is indeed becoming the hub.

Mr. Speaker, I again, as I did last year, call for the immediate removal of this blockade.

Thank you, Mr. Speaker.

The SPEAKER: Thank you, Mr. Paulwell. Mr. Mullings.

Mr. MULLINGS: Thank you, Mr. Speaker. First let me express my own personal appreciation to the Members who have spoken before, who have quite eruditely and with depth, expounded on the Cuban experiment, its history and indeed, we speak with one voice in terms of how we ought to see the United States act in this new dispensation, the new polity, if you will, of international relations.

I'd like to assure the Cuban Ambassador, present and past, the immediate predecessor, of our own appreciation for the Cuban Government's engagement with Jamaica. Indeed, I remember when I, as Minister of Telecommunications, gave the Cuban government the commitment of Jamaica for the laying of this undersea cable that the Member from East Kingston and Port Royal spoke to a while, ago that would link Havana, Caracas and indeed, Kingston.

(Interruptions)

You see, Mr. Speaker, it is not an Embargo that is going to change the relations. It is the sheer weight of globalization, cross-border actors, in terms of money, technology. That's what is going to happen. The people themselves are going to break down the walls. And as people are more informed and are connected, we are going to see that happen. But in case we believe that this is something that is esoteric and has no impact on Jamaica and Jamaicans and citizens of Jamaica it has. In fact, I recall in 2002 when I spoke from the Opposition Benches about the Issa Group who were managing properties in Cuba and consistent with their Enemy Act, trading with the enemy and the Monroe Doctrine, they were threatened with the revocation of their visas. Unfortunately, they gave up those properties.

So, Mr. Speaker, what we are talking about is something that touches all of us. And I'm sure that the President of the United States, despite the geo-political implications, will rise

to the occasion, as a man of courage we know him to be, and to turn back this Embargo.

It is very important because when we speak of the BRIC Group, Brazil, Russia India, China, forceful economies the world, there is no difficulty in doing business with them.

Indeed, it is well known that China holds most of the bonds in the United States of America. So, is it therefore, that because of the economic might of China but yet the philosophical might of Cuba is not enough to push them over? I think not. And I believe that the President of the United States and its Congress will see the futility of this Embargo...

Mr. PICKERSGILL: Him alone can't do it.

Mr. MULLINGS: ...and will in fact catch up with the rest of the world in seeing to its demise.

Thank you, Mr. Speaker.

(Applause)

The SPEAKER: Mr. Montague.

Mr. MONTAGUE: Thank you very much, Mr. Speaker.

I too, would like to recognize the presence of the Ambassador and to lend support to the resolution.

It was unfortunate, Mr. Speaker, that one Member sought to reawaken certain memories. And while he stands on one bank of the river, we too, could have, on the other bank of the river, speak to certain atrocities.
But I am happy, Mr. Speaker, that we have reached a level of maturity that we can ignore these instances.

It is full time, Mr. Speaker, that the Embargo is lifted because Jamaica.... (Applause)

A MEMBER: Come down dressmaker, come down dressmaker.

Mr. MONTAGUE: Who is your dressmaker? Who is your dressmaker? ....Jamaica being...

A MEMBER: From a seamstress...

Mr. MONTAGUE: A seamstress... Cuba being our closest neighbour, it is normal and good sense to be on good terms with your neighbour. And therefore we ought to support our neighbour in things that are good.

And, Mr. Speaker, the people of Cuba whether they will benefit or not, I believe it is a travesty of justice to impose an Embargo upon a people in a world that is free. Allow them the freedom and they will make their own determination. But a determination should not be imposed upon people.

(Applause)

And, therefore, with that, Mr. Speaker, I too, would like to support the resolution.

(Applause)

The SPEAKER: Thank you, Mr. Montague. Mr. Hylton.

Mr. HYLTON: I'd like to thank all the speakers who have contributed to this debate in a very rich and very fulsome way. It speaks to the maturity, as has been said, of our own society. It bridges the divide that has been there, the breach that has occurred for some time, and it speaks volume to a common policy that has now emerged on Cuba.

I'm very grateful, Mr. Speaker, and I want to thank all my colleagues for their sentiments, for their words and for the heartfelt way in which they spoke to this continuing wrong, that we all must ensure is put an end to in the shortest possible time.

Mr. Speaker, I'd like to just move a small amendment to the resolution... (Interruptions)

The SPEAKER: Members, just kindly look at the Motion 35, Mr. Hylton is moving for an amendment.

Mr. HYLTON: ...a small amendment Mr. Speaker, which has been discussed and agreed between myself and the Minister, that addresses the Prayer.

I'd like to bring Members attention to the last word on the second line, *'the'*, and insert between '*the*' and '*the ongoing'*, the expression, '*expansion and intensity of*'.

The SPEAKER: Repeat that, please.

Mr. HYLTON: *The expansion and intensity of,* essentially the ongoing dialogue. And here, Mr. Speaker, we are noting that last year we called for the continuation of the dialogue.

We note from the discussions with our colleagues that that discussion has been narrowed greatly and has been very halting. And that we in this House would like to see an expansion of the discussions broadening of the scope and an intensification of the discussion to bring about the result in the Prayer that is being prayed for.

So, with that amendment Mr. Speaker, I invite you to set the motion...(Inaudible)

The SPEAKER: Thank you very much, Mr. Hylton.

Members, I now put the motion as amended. No, sorry, I put the amendment to the motion.

Motion put to the House and agreed to.

The SPEAKER: I now put the motion as amended.

Motion as amended put to the House and agreed to.

The SPEAKER: I now would like to convey to the...

Dr. BARTLETT: Mr. Speaker, I wish for my vote to be recorded that I am against the motion.

The SPEAKER: Very well.

I now would like to indicate to the Ambassador the strong support of the Parliament for this resolution and also to express to the Government and people of Cuba the assurance of our highest consideration.

Thank you very much.

(Applause)

House Leader.

Mr. HOLNESS: Mr. Speaker, last week Tuesday the Report of the Electoral Commission of Jamaica on the important issue of political party registration and financing was tabled in the House of Representatives. This Report Mr. Speaker, recommended that legislation be implemented to make registration of political parties mandatory and provide greater regulation of the financial affairs of political parties.

Although, Mr. Speaker, it was the aim of the Electoral Commission of Jamaica to have its recommendations on the financing of political campaign also form a part of this Report, the registration of political parties is a necessary precursor to the implementation of any recommendations on that issue; and as such while consultations continue with respect to campaign financing, the intention of the Electoral Commission of Jamaica is to have the necessary legislative framework in place to deal with registration and financing of political parties in the interim.

The recommendation from the ECJ, Mr. Speaker, is that political parties be registered with the Electoral Commission of Jamaica and that all candidates for parliamentary, Parish Council, KSAC or Municipal elections, unless they intend to contest the polls as Independent

candidates, be members of a political party registered with the Electoral Commission of Jamaica.

As part of the process of registration, parties will be required to provide among other things, the contact details of at least 500 in good financial standing. And that is to be interpreted to mean, Mr. Speaker, that they pay their party dues when they fall due.

A MEMBER: They will pay taxes too?

Mr. HOLNESS: Well, I don't think it is means that they are not insolvent. They will also have to provide, Mr. Speaker, contact details for the designated officers of the party, and the address where the records of the party are maintained. Within five (5) days of receipt of the application, the ECJ will publish the same application in the *Gazette* and at least one daily newspaper. This publication, Mr. Speaker, will serve as notice to the public of the entities seeking to be recognized as political parties and give persons the right to object to the registration of any such entity within 30 days of publication.

Registration will take place as a matter of course thereafter, provided no objections are received. As registration will be a necessary part of the political process, the ECJ will not be able to refuse registration of any entity as a political party, except where the proposed political party has failed to comply with the necessary formalities, the proposed political party has provided false information or a valid objection exist or the application for registration is made by the party during the period of ineligibility. This period of ineligibility, Mr. Speaker, is really the period from the day of the holding of any elections and in the case of Parliament, the day when Parliament is prorogued, to the day after the duly elected representatives take office. And in the case of Parliamentary elections this would be the first day that Parliament is convened.

As a consequence of registration, Mr. Speaker, all political parties will be required to maintain proper financial records which demonstrate a clear separation of expenditure for administration from that of campaign financing.

They will also, Mr. Speaker, be required to notify the Electoral Commission of Jamaica of all the banks in which the party's accounts are held, and the nature of such accounts and to file annual financial reports with the ECJ.

The party will also be required to have their financial records audited by an independent auditor approved by the ECJ, within three months of the close of the financial year. To ensure compliance, Mr. Speaker, fines will be levied against the political party that fails to adhere to the requirements for which the officers of the party shall be jointly and severally liable.

(*Sotto voce* comments by Members)

Mr. HOLNESS: Well, I am coming to that - the ECJ.

The second issue, Mr. Speaker, that of regulation of Party financing comes against the recognition that:

1. the primary responsibility for the financial matters of a political party rests with its members for which purposes political parties are entitled to collect dues in discharge of this responsibility and to raise income and be involved in legitimate business ventures.
2. that private individuals, companies or organizations have the right to

contribute to the financial viability of political a parties based on their agreement with the Ideologies and the personality and/or quality of the individual proposed by the party to hold public office, provided that the contribution does not exceed one-fortieth of the total income of that party in any single year.

Mr. Speaker, this is a tricky notion. The intention of it is to dilute the individual contributory effect of anyone making a contribution to the party. The idea behind it and the interpretation that was explained to me, Mr. Speaker, is that political parties would know effectively what their budget for the year is, what their projected income would be. And upon review, it would be assessed whether or not a contribution exceeded one-fortieth of the total operating budget of the party.

(*Sotto voce* comments by Mr. Pickersgill)

Mr. HOLNESS: That is a different one, that is for declaration which I am coming to later on. That is for declaration so you declare anything over and above, over One Hundred Thousand.

(*Sotto voce* comments by Members)

Mr. HOLNESS: Well then, in other words, if the hundred thousand is above one-fortieth then you couldn't receive the one hundred thousand. If it above, in other words, one-fortieth is the effective limit of the contribution; so whatever one fortieth is of the overall, it could be half a million, right. But if the contribution is above one hundred thousand, it has to be declared which is a different requirement. But let's continue.

The political parties as a vital part of our democracy perform the all important function of representing the general and specific interests of people and as such, the State has a responsibility to provide funding as means of helping to offset any deficit between available resources and the demands of representation. Provided that such funding does not exceed 40% of the total income of a political party in any year.

Again, Mr. Speaker, this one is a tricky one, and what the Electoral Commission is saying, is that...

Mr. PICKERSGILL: This cannot pass this evening.

Mr. HOLNESS: No, but we had discussed it.

But Mr. Speaker, what Electoral Commission is saying, is that whatever funding that should come from the public purse to fund political parties that it should not exceed 40% of the projected total budget of the political parties.

Therefore, the aim of the recommendations and the regulation of party financing, Mr. Speaker, is to ensure that all such sources are legitimate, and that no source especially in the case of private funding is able to disproportionately influence the decision of the party by virtue of the size of their contribution. For this reason, Commission is recommending that not only the receipts and expenditure of political parties be disclosed, but that individuals, companies and organizations which contribute more than One Hundred Thousand in cash or kind or both, to a political party independently disclose such contributions. This, disclosure, Mr. Speaker, will be made to a special committee of the Electoral Commission of Jamaica to be referred to as the Political Party Finance Disclosure Committee, and will not be made

the subject of public disclosure unless investigations reveal that a particular disclosure was false or in breach of any of the prescribed principles.

The Disclosure Committee will also be empowered to investigate complaints that political parties or their candidates have received tainted funds or have used fund, for example State funds for improper purposes and give the disclosure committee the authority to submit its findings to the Director of Public Prosecutions for further investigations where appropriate.

It is further recommended, Mr. Speaker, that statutory bodies within government be specifically forbidden. Let me repeat that Mr. Speaker, statutory bodies within government be specifically forbidden for making contributions of any kind to a political party and that the Commission be given the power to investigate any statutory body which it has reason to suspect is covertly using its resources to support any partisan political agenda at any time, and especially in the year prior to a general election.

On the issue of State funding, Mr. Speaker: the ECJ has recommended that the Disclosure Committee after consultation be responsible for determining the annual amount to be allotted for State funding of political Parties.

Now, State funding, Mr. Speaker, will only be made available to registered political parties that have applied for funding, and I think this is important Mr. Speaker, and I wish to re-emphasize this to Members in the House. State funding will only be made available to registered political parties that have applied for funding and have five or more members, or rather have five or more members in the House of Representatives, in the House. So to qualify for State funding you must have five members elected in the House, at least.

(*Sotto voce* comments by Mr. Pickersgill)

Mr. HOLNESS: No, you can't we are coming to that.

The SPEAKER: For telling stories.

Mr. PICKERSGILL: Yes.

Mr. HOLNESS: Now, if they were independent...

(*Sotto voce* comments by Members)

Mr. HOLNESS: But the Mr. Speaker, will not be available to candidates who successfully contested a general election as independent candidates, but who subsequently join to form a party.

So if you went in as an independent candidate and you had five separate independent and then they joint that would not qualify.

(*Sotto voce* comments by Mr. Pickersgill)

The SPEAKER: This sounds like something, House Leader that should go to Committee. This sounds like after your opening it should go to committee. (Applause)

Mr. PICKERSGILL: This cannot pass.

Mr. HOLNESS: Let's finish it because there are issues here that - but, State funds so received, Mr. Speaker, can only be used for the funding of administrative expenses of the Party headquarters and/or constituency operations and must be distinctly reflected in the accounts of the respective political parties. Political parties in receipt of State funds will also have additional responsibilities regarding the filing of returns to the ECJ and accountability to members of the party which include submitting annually to the ECJ, a list of officers and members of the Executive or Standing Committee of the party, a list of

Members of Parliament, Councillors, candidates, caretakers and Electoral Liaison officers, and of course notifying the ECJ of any subsequent changes thereto; submitting an annual budget, and audited financial account to its members at an annual general meeting, and treating all monies donated or contributed to the party as Trust funds, these are conditions. So, basically to receive these funds, you must, in addition to the other five (5) members or more, you must submit to the ECJ the list of your Party officers, Members of Parliament...

(*Sotto voce* comments by Mr. Pickersgill)

Mr. HOLNESS: I am just going through so that everybody understands, and if there are any changes you update the ECJ.

Mr. PICKERSGILL: What you said about an annual general meeting?

Mr. HOLNESS: And the budget must be submitted to the annual general meeting of the party.

Mr. PICKERSGILL: Including contributions?

Mr. HOLNESS: Well, your budget may not necessarily include that but you must submit an annual budget and an audited financial statement to the members of the party at the annual general meeting, at conference as we call it, at conference; which is what most parties do anyway.

(Cross talk)

Mr. PICKERSGILL: I say shut yu mouth, you are an imperialist! ...yu should be ashamed of yourself!

Mr. HOLNESS: Mr. Speaker, may I...

The SPEAKER: Mr. Pickersgill and Dr. Bartlett, please!

(*Sotto voce* comment from Mr. Pickersgill)

The SPEAKER: I know, I know, but could you stop the cross talk.

Mr. HOLNESS: It is further recommended, Mr. Speaker, that the Commission...

(Cross talk/Laughter)

Mrs. HENRY-WILSON: What's going on?

Mr. HOLNESS: It is further recommended Mr. Speaker, that the Commission reserves the right to suspend the payment of State funding to any political party in receipt of such, where the party fails to hold election of officers, as prescribed by its Constitution, present an annual budget or annual audited financial accounts to its AGM or conference, or includes any false or erroneous information in the document submitted to the Commission.

Moreover, where a political party fails to contest three (3) consecutive national elections, the Commission shall be obliged to remove that party from the register of political parties. So three - not three general elections, three consecutive - national elections.

These are, Mr. Speaker, far-reaching recommendations.

Mr. PICKERSGILL: Then suppose you only field two candidates?

Mr. HOLNESS: Well, you couldn't qualify for State funding, but you would have to register anyway.

(*Sotto voce* comment from Mr. Pickersgill)

...to qualify for State funding. But all parties must - as long as you are going to claim the title of a political party, you must register.

Now, Mr. Speaker, these are far-reaching recommendations. The nature of such recommendations is that the ECJ, the Electoral

Commission, which is made up of nominated members from both sides of the House, and independent members - appointed members, would have deliberated on this Report.

(*Sotto voce* comment)

It's not sacrosanct, but we usually treat it with a higher level of respect.

Internally, Mr. Speaker, within the two political parties, there would have been discussions before. I am not going to propose today, Mr. Speaker, that we - I am not going to propose that we seek to pass the Report today. I am going to suggest that we...

(*Sotto voce* comments)

…no, I mean, other members can speak. But I would suggest that both sides of the House retreat to their respective places and have further discussion, so that we can preserve the protocol that exists.

The SPEAKER: No. House Leader - I think the House Leader has indicated that - I don't think this is a matter on which we normally even take a vote, as you know, because of convention. But it seems to me, listening to the House Leader, that there are such intricacies in this that it - House Leader, I just wonder if it would be appropriate for a bi - a committee to just sort out the complexities, to explain to other members of Parliament...

Mr. HOLNESS: Mr. Speaker, since it is inherently a matter dealing with political parties...

The SPEAKER: You suggested.

Mr. HOLNESS: ...I think both parties should retreat to their respective places and resolve, and then we come back and if there are differences, then we go back.

Mr. MULLINGS: No, no, no, no!

The SPEAKER: No, if no - but House Leader, may I suggest that we don't continue with the debate this evening, because there is so much that needs to be examined.

(Cross talk)

Mr. BUNTING: Mr. Speaker, the - just shut yu mouth, nuh, just shut yu mouth!

The SPEAKER: Could I listen to Mr. Bunting.

Mr. BUNTING: Mr. Speaker, what we have here is a Report which is dealing with broad principles. And I think members are looking for the mechanics of how the thing will work, and I think that would really come in the draft legislation, or when a Bill is presented to the House. And I think that would be the appropriate forum to work out the details. I think we are here, we are dealing with broad principles which were agreed unanimously at the ECJ, and I think we should allow the debate on the Report, and then, in terms of moving from a Report to legislation, then I think that's where the more detailed work would have to be done.

The SPEAKER: Mr. Bunting, I would say that I understand, but I think what is happening, including myself, more of us need to read this Report and to understand it before we continue the debate. Because even the Chairman on this side - and I know a number of persons on this side, including the Speaker, we have not had the opportunity to read the Report. As the House Leader spoke I recognized that I need to read the Report. So I would say we suspend the debate and examine it so we really understand, because it affects every single one of us.

Mrs. Maxine Henry-Wilson?

Mrs. HENRY-WILSON: Mr. Speaker, I don't know that us - the two parties should have the opportunity to discuss it. But I think there needs to be - as has always happened

with these things - a convergence of views, so we don't come here and sort of have, you know, the - because that's not the spirit of the discussion. We need to have a forum where both - the views of both which parties meet.

And thirdly, that we also need to ensure that it is consistent with the Report. Because there are certain thresholds that have been established in the Report that we need to ensure that this document does not either contradict or violate, including things like appointment of scrutineers.

The SPEAKER: So that is...

Mrs. HENRY-WILSON: The other thing that you have to be careful about is that it is not seen as a ganging-up by the two parties...

The SPEAKER: Absolutely.

Mrs. HENRY-WILSON: ….against any new entrants. So…

The SPEAKER: That is why, Mrs. Maxine Henry-Wilson, I am strongly suggesting that we suspend the debate at this time, and the House Leader and the Leader of Opposition Business put heads together and work out some proper path for continuation.

Mr. MULLINGS: Mr. Speaker...

Mr. HOLNESS: Just a point of clarification, quickly, Mr. Speaker, the forum for political parties to discuss this would be the ECJ.

The SPEAKER: No. We...

Mr. HOLNESS: It's the ECJ. That is where the discussion would take place. But the political parties which we mirror inside here, we should retreat to our respective places and make sure we come with positions clearly. So that's - I would recommend, Mr. Speaker, that we suspend the debate until we can...

The SPEAKER: Continue with a more...

Mr. HOLNESS: ...we get a clear signal that both parties have resolved within themselves...

The SPEAKER: Yes, that is so.

Mr. HOLNESS: ...where the positions are.

Mr. MULLINGS: Sorry, Mr. Speaker.

The SPEAKER: Yes, Mr. Mullings.

Mr. MULLINGS: If you allow me, Mr. Speaker.

The SPEAKER: A brief intervention.

Mr. MULLINGS: I think it would be prudent if we were to take into account the registered political parties, not just something for the parties in here. Because based on what I have heard thus far from the House Leader's reading of the Report that they are purporting to suggest that if you do not have a certain number of members, or in issues as to whether - say for instance, a party is well heeled and does not need State money, does that mean that is not a political party to be registered?

The SPEAKER: Yes.

Mr. MULLINGS: And so - no, no, I would urge...

The SPEAKER: No, Mr. Mullings...

Mr. MULLINGS: ...that those political parties which are registered political parties, be allowed to participate in looking at that Report...

The SPEAKER: Yes.

Mr. MULLINGS: ...and not be restricted to parties in this House, with respect.

The SPEAKER: Now, Mr. Mullings, may I just say, too, in support of what you are saying, it seems to me that, House Leader, the Electoral Commission should really publish this Report so that interested parties outside the two political parties get an opportunity to participate, because it will affect future parties that want to contest elections.

(Cross talk)

So in that - in the circumstances, the resolution is for the suspension of the debate until a date to be announced.

Put to the House and agreed to.

Mr. HOLNESS: Mr. Speaker, the Minister of Mining and Energy will now seek to close the...

The SPEAKER: No, before he closes, though, I think one or two members had indicated that they wanted to speak. This is the Energy Bill?

Mr. HOLNESS: I think that indication may not exist at this point, Mr. Speaker. (Laughter)

The SPEAKER: Did you, Mr. Hylton, want to speak - the Energy Bill. You would like to say something. No, it is the debate on the Energy - very well, Mr. Hylton.

ENERGY BILL

Mr. HYLTON: Mr. Speaker, I am very pleased that the debate has started on this very critical issue, namely, the Policy on the - the Energy Policy. Because as has been said, the Energy Policy really is a fundamental part of our economic plan. In fact the truth is, I believe it is the most critical aspect of our economic plan, apart from our human resource development.

(The Speaker leaves the Chair at 6:16 p.m. and the Deputy Speaker presides)

In addition, I would like to go on, in addition to what has been said. Because a lot has been said, and I am very pleased that the public will enjoin the debate, and that the discussion will continue in the public space as we go along, and to try to refine the Policy.

There is one glaring omission, Madam Speaker, in the Draft Policy document tabled in the House, and it is really a strategy for ensuring energy security. The document has addressed energy security, but what is lacking there is the strategy for ensuring energy security. What do I mean, Madam Speaker? While the Draft Policy identifies the security as an objective, it has failed to state explicitly the strategy for achieving the security.

There is a specific reason the previous Administration made energy security an aspect of our foreign policy. It was in recognition of the simple fact that Jamaica presently does not possess the supplies to ensure energy security, either in the renewable - sufficient renewable, as the base load - to carry the base load, or for fossil fuel to drive the base load.

My colleague mentioned PetroCaribe, but I can also mention the establishment of our embassies in South Africa, Nigeria, and to some extent the Gulf States, and there the discussion was just really whether it would be Qatar or Quwait. As it stands, the Government has taken a decision in establishing in Quwait, which we support.

Perhaps more importantly, Madam Speaker is the absence of any reference in the Draft Policy of the Regional Energy Policy. Madam Speaker, the absence of such a Policy will undermine our energy security, one objective of the Policy, but the Policy - which is just one objective of the Policy, energy security. But the Policy should also aim to address the issue of discriminatory pricing of energy and energy products from Trinidad and Tobago, which continues to undermine Jamaica's benefit from the CSME, the Single Market and Economy. And that is a Treaty obligation that obliges us to compete in a Single Market whilst you have different and discriminatory pricing under the same regime.

It is also the case that within CARICOM, Trinidad is the only exporter of energy within CARICOM, as at this point. There are other countries that have known reserves, such as Suriname, Guyana and Suriname as a disputed area in quarantine basin, that has now - that has to be settled, and has been under settlement discussion for quite some time, but it has not yet been resolved.

The issue here is that we have in the Single Market arrangement the only energy exporter, and that energy exporter continues to have discriminatory pricing in its arrangements, while at the same time competing with Jamaica.

The issue, Madam Speaker, is that the Energy Policy must be coherent and consistent with our trade policy. It cannot be undermining of the Trade Policy, and it certainly can't be silent on original policies.

The issue is made even more urgent, and certainly more practical, from the point of view that very recently Trinidad and Tobago and Venezuela signed a Unitary Energy Agreement which allows them to exploit the gas on their borders in Trinidad and Venezuela.

That is an arrangement that this side fought very hard for, in lobbying both the Venezuelan Government, and working with the Trinidad and Tobago Government, in order to ensure our energy security. That was not done simply for Trinidad's benefit. It was done in recognition of the fact that, Trinidad, if it expands its capability and its known reserves – you will recall that the Memorandum of Agreement signed between Jamaica and Trinidad was abrogated or not fulfilled on the basis that there was not sufficiency of known energy reserve, that they did not have sufficient natural gas to supply Jamaica's very restricted and constrained request.

The expansion to Venezuela and the border, and unitary agreement provides added security. And I believe, Madam Speaker, that any energy policy in Jamaica that does not address the Issue of security of energy supplies, and ignore the regional arrangement as a critical part of that, will undermine Jamaica's fundamental interest not only in CARICOM, but I think, in Jamaica's own productive sector.

And I therefore urge that this aspect of the energy policy be addressed, that it be spoken to explicitly, and taken on board to ensure that there is a coherent and consistent Regional Energy Policy in support of and complementary to, our National Energy Policy and strategy.

Thank you, Madam Speaker.

(Mr. Holness hurries to his seat)

Mr. HOLNESS: Madam Speaker, it is not usual for the House Leader to speak from a seat other than his own.

(Laughter)

Madam Speaker, it was our intention to close the debate today, but two Members from the Opposition had signalled their interest in participating, and the Minister agreed that all persons who would want to contribute should be given the chance to do so. Therefore, Madam Speaker, we will suspend the debate for next week.

There is one final matter on the Order Paper, the Member from East Rural St. Andrew, the Chairman of the Ethics Committee has a minor housekeeping matter.

Mr. HIBBERT: Madam Speaker, 1 now move for the suspension of Standing Orders to

enable me to take the motion, notice of which I gave earlier.

The DEPUTY SPEAKER: The question is that the Standing Orders be suspended to allow the Member to take the motion, notice of which was given earlier.

Put to the House and agreed to.

(The Speaker returned to the Chair at 6:23 p. m.)

Mr. HIBBERT: Mr. Speaker, I now move that the motion be approved.

The SPEAKER: Members, the motion before you as presented by Member Hibbert.

Put to the House and agreed to.

The SPEAKER: The motion is approved.

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. I therefore, move...

Mr. HYLTON: Mr. Speaker, on a motion... on a motion for the Adjournment. This is an urgent point. On the amendment on the Cuban Resolution we spoke to the - that brief amendment of "*expansion and intensity of"* - and it really should be "*expansion and intensification of"*. So, I just wanted to just get the attention of **Hansard** before we close off.

The SPEAKER: No problem. We will consider it to be a grammatical correction.

Mr. HYLTON: Thank you.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. I therefore, move that the House do adjourn until next week Tuesday, the 26th October when our sitting resumes.

The SPEAKER: Members, the motion before the House is that this Honourable House does adjourn until Tuesday 26th October at 2.00 p.m.

Put to the House and agreed to.

The SPEAKER: This Honourable House stands adjourned.

The House accordingly adjourned at 6:25 p.m.

TUESDAY, October 26, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2:09 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Planning and Development and Defence.

AUDLEY FITZ ALBERT SHAW, (JLP), Manchester, North Eastern, Finance and the Public Service.

OLIVIA ATAVIA GRANGE, (JLP), St. Catherine, Central, Minister of Youth, Culture, Sports and Culture.

LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works.

JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy.

MINISTERS OF STATE

THE HONOURABLES:

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 2:09 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKER: Members, we would just like to welcome this afternoon to the sitting of Parliament a number of students from the University of the West Indies who are pursuing a Masters of Nursing. Welcome to the sitting of Parliament this afternoon.

House Leader?

PASSING OF BARBADIAN P.M. THOMPSON

Mr. HOLNESS: Mr. Speaker, over the weekend past we received the terrible news, though not unexpected, of the passing of the Honourable Prime Minister of Barbados, David Thompson. I think it is appropriate, Mr. Speaker, that the House pays tribute to our colleague in CARICOM. And I would now, Mr. Speaker, invite Members of the House, if so choose to make their tribute now. The Prime Minister will start.

(DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern, entered and took his seat.)

(HON. ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister, entered and took his seat.)

(HON. PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security, entered and took his seat.)

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, we woke on Saturday morning to the news that the Prime Minister of Barbados, the HONOURABLE DAVID THOMPSON had passed on.

He died at the relatively young age of 48. But despite that he is someone that has had a very long and quite distinguished career in politics. He was elected to Parliament at the age of 25 in a by-election that was made necessary after the death of the late ERROL BARROW and he had represented that constituency of Saint Johns ever since then.

(MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central, entered and took his seat.)

He was appointed to the Cabinet by the former Prime Minister, ERSKINE SANDIFORD, at the age 30 in 1991, and he succeeded Mr. Sandiford as leader of the Democratic Labour Party in 1994, when he was only 33 years of age.

David Thompson has had his successes and his triumphs. Under his leadership his party lost the elections of 1999. He stepped

down as leader in 2000 but was returned as leader of the party in 2006, after which he led a process of rejuvenation of the Democratic Labour Party to the extent that in the elections of January 2008 he led his party to a resounding victory, winning 20 of the 30 seats.

He served as Prime Minister for less than three years and it was a challenging period because he came to office at the onset of the global recession that has had its own impact on the economy of Barbados. Barbados as we know relies heavily on tourism which accounts for some 13% of its gross domestic product; and in that tourism sector they rely heavily on Europe and in particular, the United Kingdom. The United Kingdom makes up almost 40% of visitor arrivals in Barbados and with the fallout in Europe and in England in particular, the Barbarian economy has faced significant challenges, as we heard yesterday when one of the rating agencies issued its new rating on Barbados. He has had to lead the country through that storm.

(MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western, entered and took his seat.)

As a member of CARICOM he was considered by me and by all the other CARICOM Heads as a valuable member, who brought to the discussions at CARICOM at the level of Heads of Government, a sharp and incisive perspective. He had lead responsibilities for the implementation of the Caribbean Single Market and Economy; and in that role he and I collaborated very closely, he in that capacity and I in the capacity as having lead responsibility for external trade negotiations.

He is someone, Mr. Speaker, who was fiercely committed to the development of Barbados. So fiercely committed that it could be misconstrued, and I think it had been misconstrued, as less than robust commitment to regional integration. And that is not true. David Thompson was passionately committed to regional development. There were challenges that he had to face particularly in relation to migration, and to the stated objective of the Single Market to have free movement of Caribbean nationals. And as he put it on one occasion that I recall, he wanted to make sure that when other Caribbean nationals move to Barbados that Barbados is able to offer them the same standard of service and are able to enjoy the same standard of life that they have been able to provide for Barbadian nationals.

(DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central, entered and took his seat.)

David Thompson fell ill in March of this year. He was diagnosed with pancreatic cancer, perhaps the most aggressive of all cancers; and because of this he was absent from duty for extended periods, both as Prime Minister and as a Caribbean Leader; he was absent from many CARICOM meetings, including the Heads of Government Conference that was held in Montego Bay in July of this year.

We knew of his illness, Mr. Speaker, but despite the severity of that illness, we found ourselves hoping that somehow he would have overcome, that somehow he would have been able to beat this terrible disease.

(MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central, entered and took his seat.)

Recently when I visited New York for meetings of the UN General Assembly and

discovered that he was in New York undergoing treatment, I enquired of his Foreign Minister how he was doing and she replied to me that he was going home that day. And the morose tone in which she made that expression told me that we should brace ourselves for the worst.

(HON. WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture, entered and took his seat.)

The Barbarian people have lost a young, dynamic leader. He is the third Prime Minister of Barbados to die in office, the others being Errol Barrow, and Tom Adams. He represented, Mr. Speaker, so much promise, so much hope that has been cut short.

CARICOM has lost one of its best minds and one of its steadiest pair of hands; and I am sure that the House will want to join in conveying our condolences to his widow, BARBARA, and to their three daughters, to the rest of his family, to the Government and people of Barbados. We offer to all of them our profound sympathy.

(HON. RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment entered and took his seat.)

(MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition, entered and took her seat.)

(MR. ERNEST AUGUSTUS SMITH, (JLP), St. Ann, South Western, entered and took his seat.)

I also, Mr. Speaker, would want to take the opportunity to extend good wishes to the new Prime Minister, FREUNDEL STUART who must now assume that mantle and whose task it now is to lead his country and to continue the work that DAVID THOMPSON started and to carry out the mandate that was given to him by the Barbarian people.

The official funeral, Mr. Speaker, the State Funeral will be held next week Wednesday. I intend to represent Jamaica at that funeral service.

I have been advised that the Condolence Book will be opened on Thursday at the residence of the Honorary Consul for Barbados, which is located at 55 Norbrook Drive; and I am sure that Members here will wish to inscribe their names and their tribute to a Caribbean leader, who is no longer with us.

May his soul rest in peace and may God comfort his family, his friends, his associates, his Cabinet colleagues and the people of Barbados at this time.

The SPEAKER: Mrs. Portia Simpson Miller.

Mrs. SIMPSON MILLER: Mr. Speaker, I join by extending condolences to the wife of the deceased Prime Minister of Barbados and her three children. And I would also like to extend condolences on behalf of this side to the Government and people of Barbados as well.

It is sad; we never felt that for such a young man who started making his contribution as Prime Minister to his country would have passed. We had hoped that his illness, he would have recovered, that was not to be. He made a valuable contribution, not only to Barbados but certainly to the region, and we hope that God did give the family, the people of Barbados and the Government the strength to endure and to carry on during this period of grief.

On behalf of the Parliamentary Opposition, I would like to express our condolences and wish them all the best.

Thank you.

The SPEAKER: Mr. Mullings.

Mr. MULLINGS: Thank you, Mr. Speaker.

Mr. Speaker, if you will permit me and colleagues of this House to remember PRIME MINISTER DAVID THOMPSON. I remember him really as David because we studied law together. In fact, I can recall when I left your tutelage and went to Barbados, I met David in 1982.

(*Sotto voce* comments by Member)

Mr. MULLINGS: And gladly too. And at that the time, David was perceived to be the future Prime Minister of Barbados. It was a time of tremendous intellectual ferment. Indeed, I can recall the base that we had, also with former Prime Minister Kenny Anthony, who was a year ahead of us. And at that time, Mr. Speaker, the issues of the Caribbean and the place of the Caribbean in global politics was something that held sway.

Indeed, it was said that he had a striking bearing with the former Prime Minister GRANTLEY ADAMS, and indeed on campus we formed the view that he would follow in the footsteps of a GRANTLEY ADAMS. Unfortunately, Mr. Speaker, we did not envisage his untimely passing in office.

Indeed, it reminds us all that, our life here is really temporary, you must be focused on what you really want to achieve, and PRIME MINISTER THOMPSON did just that. He set out to serve, and he served his country well though briefly. Politics was in his blood and indeed, the Barbadian people were acquainted with him before he took in a very affectionate way. And one can only imagine the grief that obtains now in Barbados with his passing.

Mr. Speaker, I do recall when former Prime Minister, MICHAEL MANLEY travelled to Barbados, it was David who facilitated a reception with former Prime Minister ERROL BARROW. And indeed, on behalf of my own family and the Class of 1981, I would like to register our deep condolences to his family and to the people of Barbados and to say to them, anyone was to infer from his willingness take heart for he is in a better place.

Thank you, Mr. Speaker.

The SPEAKER: Thank you, Mr. Mullings. Dr. Phillips.

Dr. PHILLIPS: Mr. Speaker, I would like to join with Colleagues on both sides in expressing condolences, to the family and friends and to the Barbadian people on the passing of Prime Minister David Thompson. He is someone who I had had the fortunate opportunity to now and to have some discussions with over the years. I think, he struck everyone who he came into contact with as the calm, deliberate, astute, reasonable and committed person. In a sense, he didn't have what one would easily define as a politician's personality, but that should not have masked the kind of quiet determination that he brought to bear in his political career.

There is a poignant irony to his passing in that he took over the leadership of his party at a very young age. He laboured long and hard in Opposition, reconstituted his - the movement that was the Democratic Labour Party of Barbados, and yet having fashioned all his idea, had all too short a time in the office that he came to occupy as Prime Minister of Barbados.

As has been said before, he had a very

strong commitment to the idea of Caribbean regionalism; it wasn't always an idea that fitted into the mainstream currents of any particular period. But I think it would do him an injustice if anyone was to infer from his willingness to think differently and independently, that he was any less committed to the idea of the Caribbean having a common purpose and of there being a basic affinity among the Caribbean people in the various countries. But Barbados, for all that, was his passion and he brought to bear in his commitment to that passion a very sharp legal mind. He was a very successful practitioner in the profession and he - but politics and the development of Barbados was his first calling.

His passing is a blow to Barbados and indeed a blow to the Caribbean. 1 would think, Mr. Speaker, that the Clerk will do her usual letter of expression of condolences of this House, not only to the Barbarian Government, but also to the family of the late Prime Minister.

I think all of us here join in mourning the passing of a significant Caribbean figure who has walked the stage in our time.

Thank you.

The SPEAKER: Thank you very much, Dr. Phillips. House Leader.

Mr. HOLNESS: Mr. Speaker, I would like to join in the tributes. I met Prime Minister David Thompson; well he wasn't Prime Minister at the time, I met him in 1988. He was then a young Member of Parliament probably about a year or so in Parliament. I was Jamaica's Youth Representative to a Commonwealth Parliamentary Conference held in Barbados, and at the time, I vividly recall his presentation to us, and, it was for me an inspiring experience because it got my mind thinking that here is this young person, he was about 25, 26 at the time, and I developed in my mind the idea that I too could one day, at that age, become a Member of Parliament. And it's actually at that point in time when I made the decision in my life to enter politics. I recall his presentation was very eloquent but he was also very clear on government and the structure of government that was what his presentation was about.

I then met him in later life, I met him when he became Prime Minister, and I pointed out to him that he played a role, though peripherally, in my own career and he smiled. He was pleased to know this. It is a real sad day for Barbados, and the people of Barbados are now in mourning and they should know that Jamaica mourns with them.

The SPEAKER: Thank you, House Leader.

Members of Parliament as the issual practice, we will ask the Clerk of Parliament to send a letter of condolence to the Parliament and to the Government and people of Barbados.

I think many of you know my Barbados connection. I do have a very - I do know Mr. David Thompson well, and I also know the new Prime Minister who is one of the many attorneys who have suffered during my tutelage. But we will also send a letter of best wishes to the new Prime Minister, MR. FREUNDEL STUART, and the best wishes to the people and Government of Barbados. So this we will ask the Clerk of Parliament to convey at the earlier possible time.

Mr. HOLNESS: As is the practice, Mr. Speaker, may I suggest that we observe a moment's silence. I think we could extend the practice for a Head of State.

The SPEAKER: We will stand for a minute's silence for the Prime Minister of Barbados.

(A minute's silence observed by Members of Parliament)

The SPEAKER: May his soul rest in peace and light perpetual shine upon him.

STATEMENTS BY MINISTERS

HAITI - CHOLERA ALERT

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, last Thursday we were advised by the Pan-American Health Organization of laboratory confirmation of cases of cholera in the Arte Bonete province in Haiti. As of last Saturday, the Ministry of Health in Haiti reported 3,015 cases of cholera resulting in 253 deaths. I should point out Mr. Speaker, that the latest report I have which I got just half an hour ago, is that the number of cases concerned has now risen to 3,612 and the number of deaths has risen to 284. Cases have been reported in other areas such as Port-an-Prince, the West and Central departments.

PAHO has been assisting the Ministry of Health in Haiti to assess the situation and to take appropriate action in order to cauterize the outbreak and save lives.

Cholera, Mr. Speaker, is an infection of the small intestine caused by the bacterium **vibrio cholera**. The main symptoms are the sudden onset of profuse watery diarrhoea of up to one litre per hour, vomiting, abdominal pain, rapid increase in heart rate, dry skin and sometimes fever. Symptoms can vary from mild to severe, transmission, Mr. Speaker, is primarily through contaminated drinking water or contaminated food.

The severity of the diarrhoea and vomiting can lead to rapid dehydration and electrolyte imbalance and can result in death within a matter of hours, if left untreated.

Effective control measures rely on prevention, preparedness and quick response. The provision of safe water and proper sanitation is critical in reducing the risk and the impact of cholera and other waterborne diseases.

Cholera, Mr. Speaker, can be treated successfully through prompt administration of oral rehydration salts. Very severely dehydrated patients require administration of intravenous fluids and appropriate antibiotics to diminish the duration of diarrhoea, to reduce the volume of rehydration fluids required and to shorten the duration of cholera excretion. Mass administration of antibiotics is not recommended, as it has no effect on the spread of cholera and contributes to increasing antimicrobial residence.

Jamaica, Mr. Speaker, has not experienced cholera in more than 150 years. The last outbreak of cholera in Jamaica was in 1852, when 32,000 or 10% of the population at that time died from the disease. In 1991 and 1992, Jamaica was placed on high alert due to an outbreak of cholera in Peru. At that time, the Ministry of Health prepared the Cholera Prevention Plan, trained health workers and placed emphasis on surveillance mechanisms and public education.

Given our proximity to Haiti and the interaction of people from both countries, the Government has activated its National Emergency response mechanism, with the Ministry of Health as the lead agency. Last Friday, the Ministry of Health activated its national Emergency Operations Centre,

reviewed the Cholera Prevention Plan of 1991 and devised an Action Plan. Islandwide surveillance and monitoring activities have been scaled up as a prevention and preparedness measure in keeping with the Prevention Plan. **There are currently no reported cases of cholera in Jamaica**. And I want to repeat that Mr. Speaker. **There are, as I speak, no reported cases of cholera in Jamaica.**

Over the last few days, the Ministry of Health has been collaborating with other critical agencies to coordinate the country's response and preparedness measures. Yesterday, I convened a meeting with all relevant public sector entities to review ongoing precautionary measures and coordinate the next steps. The emphasis at this time is on heightened surveillance and public education.

All health facilities have been placed on alert. At the national level, training of senior staff is underway on the clinical identification, treatment and management of cholera and printed materials have already been dispatched to health facilities islandwide. Similar training of Community Health workers will be conducted by the end of this week.

Oral rehydration fluids are available at health facilities and adequate levels of stock are being maintained. Additional stock is on order for intravenous fluids to ensure that our health facilities are fully supplied.

Laboratory testing will be done locally at various locations in the country, and support is in place through the Caribbean Epidemiology Centre, which is also supplying additional reagents for testing.

Approximately 80% of cholera cases can be successfully treated by the use of oral re-hydration salts and fluids. The public must be alerted to the heightened need at this time to observe good hygiene practices:

- Regular washing of hands, especially before preparing and ingesting food and after toilet functions;
- applying a few drops of bleach to water used for domestic purposes;
- boiling water for drinking or drinking purified bottled water;
- ensuring that food is cooked thoroughly before eating;
- avoiding contact with water that may be contaminated.

At the first sign of symptom such as diarrhoea or vomiting, it is important to drink lots of clean, safe water, in order to prevent dehydration. Coconut water, Mr. Speaker, is highly recommended. Persons experiencing any such symptom, diarrhoea or vomiting, should seek medical attention immediately. Public hospitals and clinics are on alert to treat all such cases with urgency. The chances of recovery are significantly higher if cases are detected at an early stage.

Precautionary screening measures and inspections are being implemented at all our borders using public health officials in collaboration with immigration officials and in keeping with international standards. Airport surveillance for arriving passengers has been intensified and adequate medical personnel will be stationed at our airports to detect and respond to potential or apparent cases of infection. Vessels arriving in Jamaica which may have called at ports in Haiti will be boarded by quarantine officers and thoroughly checked before being allowed to berth.

Additional quarantine staff is being deployed to ensure speedy processing.

The Port Authority of Jamaica is holding discussions with cruise lines whose ships include Haiti Labadee in their itinerary on the appropriate measures being employed to prevent any transmission of this dreaded disease. Coast Guard patrols have been increased to ramp up surveillance of small craft which ply between Jamaica and Haiti. Close monitoring by the Police and Military is also being undertaken at specific beaches used by small craft travelling from Haiti. Heightened surveillance is also being undertaken by JDF personnel who are stationed at the Pedro Cays where fisherfolk interact from time to time with persons from Haiti.

A public education campaign has commenced in earnest with public service announcements to sensitize the public on the preventive and precautionary measures that must be taken at this time. Cholera specific public education messages and features will start being aired tomorrow and targeted public education activities will start early next week.

The Government, Mr. Speaker, is naturally concerned to ensure that this necessary state of alert does not negatively impact tourist arrivals. I therefore wish to restate that *there are no reported cases of cholera in Jamaica* and the measures we are taking are designed to ensure that Jamaica continues to be free of cholera.

The Jamaica Civil Aviation Authority is taking steps to secure the assistance of the International Civil Aviation Organization to conduct inspections of our airports to reassure our tourism partners of our proactiveness and of our surveillance practices. The Jamaica Tourist Board is in constant touch with our marketing personnel, tour operators, travel agents and other key operatives to keep them informed of the steps we are taking to ensure that Jamaica remains a safe and healthy destination.

Mr. Speaker, the steps that must be taken to keep Jamaica cholera free involve concerted action notate by the Government but also by every citizen of Jamaica. We must all ensure that we practise good hygiene, wash our hands with soap regularly, drink only boiled water or bottled water or coconut water, cook our food thoroughly and avoid as far as possible, contact watts water that may be contaminated.

I want to urge, Mr. Speaker that special care should be taken to ensure that our children do not play in dirty or stagnant water or swim in rivers, since cholera is essentially a waterborne disease. And I am asking the Minister of Education to ensure that our students in our schools are properly instructed, properly informed as to the practices that they need to observe because they are particularly vulnerable, but equally important too, Mr. Speaker, our children in schools, in instances like these are our best means of transmitting information to families and to household. And I am going to ask the Minister of Education to ensure that all schools are instructed to convey the information and the hygiene tips that must I observed to our students.

And importantly, Mr. Speaker, I have said it before but I need to say it again. Anyone that experiences the first sign, the first symptom of diarrhoea, vomiting, unusual abdominal pain, we urge them to seek medical attention immediately. The medical facilities of the Public Service are available and are

geared to respond to them urgently.

Finally, Mr. Speaker, while we must do everything possible to keep Jamaica free from cholera, we cannot ignore the plight of the Haitian people who now face a new crisis even as they struggle to recover from the effects of the January earthquake. I have instructed the Ministry of Health to assemble a team of medical personnel to be available, if the Haitian Government so requires, and to be ready to go to Haiti to assist in the control and treatment of this disease.

I thank you, Mr. Speaker.

(Applause)

The SPEAKER: Dr. Ferguson.

Dr. FERGUSON: Yes, Mr. Speaker, I would want to congratulate the Government in relation to this early response and the fact that they have initiated the discussions with the stakeholders. However, Mr. Speaker, we are, in Jamaica, accustomed to these initiatives and also presentation. What is important now is the response, the requisite funding to allow us to take the necessary steps that the Prime Minister has spoken about. It is a fact that the last time we had a cholera outbreak was in, I think 1852, and to that extent, even as we put the emphasis on prevention, preparedness and response, unless we have, and the agencies that are involved in the process have the requisite funding, nothing that the Prime Minister has said today, except as it relates to the appeal to our citizens in terms of prevention, will make that major difference in the prevention of cholera.

So, the Opposition, we are saying to the Government, Prime Minister, we hear you clearly, the Minister of Finance is present, but we want to ensure that the Ministry of Health, the other agencies, Local Government and , also the Solid Waste Authority, those agencies that will work together to ensure that the necessary preparation is in place, that they be given adequate funding, the absence of that we know, Mr. Speaker, that we could have problems.

The SPEAKER: What are you....

Dr. FERGUSON: Ten per cent of our population back in 1852, a significant number, over 30,000 persons died, we are now saying, Mr. Speaker, for us to be effective, it cannot just be talk, it must be backed up with the requisite financing to allow the work to take place.

(Applause by Opposition Members)

The SPEAKER: Dr. Fenton, is a question being put, or you are just asking if resources are there for the public education programme?

Dr. FERGUSON: I am therefore asking, Mr. Speaker, the Prime Minister to ensure that the requisite funding for the public education programme, the heightened surveillance activity, and whatever might be needed, to ensure the prevention and the management of the present situation.

The SPEAKER: Very well. Thank you, Dr. Ferguson.

Mr. KELLIER: Mr. Speaker, I wonder if the Prime Minister could address whether or not he has asked the - or directed the NWC to commence some very urgent and specific work, in respect to the testing of the quality of the water, and its systems, particularly in the areas where the flooding has been more than the usual, where the houses, in some instances were flooded, where lots of graves were flooded out in cemeteries, and this kind of thing, and that water has now become part of the underground system that is to be pumped. We want to know whether or not you have

given specific instructions to them to heighten their vigilance, in respect of the testing, the regularity of the testing that they do, outside of what they normally do on a routine basis. I think this scenario would indicate to us that there is need for heightened testing to be done. And I would like to know whether or not you have given instructions for them to respond accordingly.

The PRIME MINISTER: Mr. Speaker, the answer to the last question is, yes. We have in fact done more than that. The testing is going to be done not only by the Water Commission, but also by the Water Resources Authority. But the Water Commission has also been directed to monitor very closely and to take appropriate action on those sewage systems that were impacted by the flood rains, and which may have resulted in less than properly appropriately treated effluent being emitted into the waterways, surface and underground.

The concern that we have - and to answer the question that the Member for Eastern St. Thomas raised, yes, funds are in place to deal with the measures that I outlined, the surveillance, securing the necessary re-hydration says, securing the necessary antibiotics to be able to respond to any eventuality. And we have in fact put in place arrangements where, if there is a call on these supplies, they can be replenished very, very quickly, because what is required is readily available.

Where we have concerns, Mr. Speaker, has to do with the fact that in several areas that were inundated, pit latrines have in some instances been washed out, in some instances the flooding has been so great that water from pit latrines, and surface water have now become one body of water, which is why the precautionary measures, in terms of avoiding contaminated water, in terms of making sure we boil water before we use it for domestic purposes, becomes so critical.

I have asked the relevant agencies, ODPEM, Ministry of Labour and Social Security, Ministry of Health, the Water Commission, to pay special attention to areas like Chigwell, Forest, like New River in St. Elizabeth, like New Market in St. Elizabeth, as well, the Pedro River area in St. Ann, areas that are still under abnormal levels of water, to pay special attention there. The Ministry of Health is going to be ramping up in those areas particularly, its community outreach, its public education programme.

But finally - and I have said it so often in the statement that I made - the best medicine, the best antidote against Cholera infection is personal hygiene. The care that we take washing our hands, making sure that our food is cooked properly - now is not a time for people to take the chance of eating raw food, even if it tastes nice when it's raw, food must be properly prepared. We must avoid contaminated water. There is a discipline that we are going to have to impose on ourselves now to ensure that we, in a sense, inoculate ourselves as far as possible from any possible contamination that could result.

The SPEAKER: Dr. Phillips

Dr. PHILLIPS: Prime Minister, as has been said by the Opposition Spokesman on Health, I think everyone in the country can unite around the task trying to ensure that we do not face this danger and that in fact we are able to any onset of Cholera.

There is one area, Prime Minister, in talking about the prevention efforts, that I

would urge - I would ask whether any special attention is being focused on. As you know, in many of our urban areas, particularly the more densely populated and the poor communities, you have what I might call informal sewage disposal arrangements, and many citizens don't have access as they should, to appropriate facilities. And while in many communities there have been over the years provision of public facilities, toilets, etc., in some of the areas, as far as l know, there is not an established programme of maintenance and care for many of these. Indeed, the public health officials in parts of my own constituency have been in touch, and have been urging that where these facilities are in disrepair, that something be done to immediately address it, you know, because a number of the things are just nonfunctioning and would then add to the kind of disposal in our gullies and the like.

I certainly while being willing myself, our problem is the resources, and of course the technical expertise. And I don't know if in the preparations that you have been making, there is any measure that would allow for some immediate programme of work to upgrade or to repair some of these facilities, is in place, and if so, how can one access it? Thank you.

The PRIME MINISTER: The answer to that, Mr. Speaker, is no. We haven't made any special provision. We have a Supplementary Estimate, which hopefully will be in Parliament by next week, and we will have to determine what resources, within those numbers, can be made available.

But let us also recognize that any such programme takes time. We have to seal off ourselves now, now, now, now, and therefore, the emphasis really is on prevention and public education, and taking appropriate measures, even while we try to tackle those areas where the possibility of contaminated water which would become a ready receptive vehicle for transmitting the disease, if it were to occur here. So we are looking at our sewage systems, and we are focusing special attention on those areas that are so flooded that the integrity of underground sewage disposal has now been completely breached. So that is where the primary emphasis is at this time. And we will have to monitor the situation.

I was a little encouraged up to this morning when the reports that we were getting out of Haiti indicated that the numbers were declining, the number of reported cases. There were six (6) deaths that up to that time were reported for yesterday. It's only since I got to Gordon House today I was told that no, it is actually twenty-five deaths in the last 24 hours, and that the number of reported cases has jumped by some six hundred. So we need to take action that can be taken quickly, even while we look at some of the more formidable challenges that have to be faced.

(MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western, entered and took his seat.)

The SPEAKER: Yes, Dr. Phillips.

Dr. PHILLIPS: If I might just comment.

Prime Minister, I don't know the extent of that problem, but I suspect it is relatively low cost. And maybe if the Minister and yourself, just simply using the resources of the maintenance - the health sector maintenance, those engineers, it's really a matter of, you know, replacing toilet facilities in the public places, in the densely populated urban areas. First to do a simple survey, and maybe working with Parish Councils or so, just to

effect some emergencies, if possible. But I think it could go a far way without great cost of preventing should, God forbid, anything bad occur, the spread. I just urge that consideration.

The PRIME MINISTER: Certainly, I would ask the Minister of Health to explore the possibility. But, bear in mind, I am not at all seeking to reflect the suggestion. I know that in my own constituency we just completed a programme through JSIF, of providing sanitary facilities. And the cost for a unit which would - a standard unit would normally be for - two of everything, so two showers, two toilets, two basins, and that cost was running between Five and Six Hundred Thousand Dollars.

Dr. PHILLIPS: To repair or to build?

The PRIME MINISTER: To build, to build. And what you will find in many of these communities, which is what I - the problem I have in the older section of West Kingston, the Denham Town, Mid Town sections - that you have to go in and build, because what they have is not something that can be repaired, you have to put in new structures all together. But I would ask the Minister of Health to get his public health people to examine that issue and to speak with me to see whether it is something that we could try to ramp up as quickly as possible.

The SPEAKER: Mr. Thwaites.

Rev. THWAITES: Mr. Speaker, so important is this issue; I would just like to indicate that in the Parade Gardens region of Central Kingston, the IDB has recently funded a programme of sanitary convenience introduction. And the work was done by the residents, in many instances, in both South Side and Tel Aviv, and the cost per unit was much less than that quoted by the Prime Minister in his experience.

And also, of importance, the IDB has indicated - albeit verbally - an interest in expanding that kind of programme, which I commend to his attention and advocacy. And maybe he would - the Government would consider this important - these important health measures within the context of the broader issue - it needn't slow it down - of selective urban renewal. Because there are funds available to many of the contributors of the Housing Trust to do this kind of upgrade, so necessary in the inner city, if only there were organized and accelerated effort to ensure that the titles for the lands were available to the occupants of the lands, and that they were given perfectly plausible concessions in respect of their Housing Trust contributions.

The point I am making, Mr. Speaker, is to commend to the Prime Minister, that the resources are available from domestic savings within the inner-city to do much of what it is that we need to do as a prophylaxis to epidemics, like Cholera, and to generally uplift the standard of living.

The SPEAKER: Mr. Hylton.

Mr. HYLTON: Thank you, Mr. Speaker.

Mr. Speaker, even as the Prime Minister has outlined the approach to be taken by the Government, I would like to bring to both the attention of the Prime Minister and the Minister, that there are other areas of vulnerability, particularly in the inner city in the Corporate Area. I speak of the particular conditions affecting Seaview Gardens and Riverton – the Riverton area and New Haven, where these are drained by gullies, and the condition of these gullies is in a deplorable

state. And they have been for quite some time. And notwithstanding the representations made, they remain in that condition.

And on top of the dengue fever - the dengue alert, we have now, this situation which I fear could simply exacerbate the challenge faced in those areas. And I make an appeal once again that these areas and these gullies be addressed because the waters are trapped and they create a pre-existing condition for which this finds fertile ground. So, I just want to make this appeal again for another area of vulnerability in the inner city.

The SPEAKER: Very well. The Prime Minister has made note of the last two comments.

ANNOUNCEMENTS

The ACTING CLERK: Laid on the Table of the House today are copies of the following:

- **Ministry Paper Number 84**:
  Cabinet Agenda Issues for October 11, 2010.
- **Ministry Paper Number 85**:
  Population on Housing Census, 2011;
- Fair Trading Commission
  Annual Report for the Financial Year 2006/2007; and,
- The Bureau of Standards,
  Jamaica 37th Annual Report for the Financial Year 2007/2008.

NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: Minister Spencer.

Mr. SPENCER: Mr. Speaker, I beg to give notice that at the next meeting of the House, I will move to introduce and have read a first time, a Bill shortly entitled: "The National Health Fund (Amendment) Act, 2010."

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, you will recall that we had requested time for the Minister of Finance to respond to the Member from South St. Andrew. The Minister of Finance is now prepared to answer the question.

The SPEAKER: Wonderful. Dr. Omar Davies, Question Number 9.

BOJ - GOVERNOR'S CONTRACT

Dr. DAVIES: Yes, Mr. Speaker. Would the Minister answer the questions raised by me, Number 9, on the Question Paper.

The SPEAKER: Minister Shaw.

The SHAW: Thank you, Mr. Speaker.

Question: Has the contract for the Bank of Jamaica Governor been concluded and signed?

Answer: No.

Question: If the answer to Part 1 is in the affirmative, will the Minister provide details about the contract, including such items as starting date, duration salary, provision of housing, *et cetera*.

If the answer to Part 1 is in the negative, will the Minister indicate the main features of the interim arrangement governing the governor's employment and the reasons for the delay in completing

negotiations as well as the projected date for finalizing the contract?

Answer: The Bank of Jamaica has put in place suitable arrangements to compensate the Governor for the services performed.

Advances made to the Governor and the provision of other benefits in kind are directed by the basic provisions of the compensation package verbally agreed on by the Minister and Mr. Wynter, prior to his demitting his employment with CARTAC in Barbados, and accepting the offer to serve as Governor of the Bank of Jamaica.

The interim arrangements comprise of the making of monthly advances on salary payable. These monthly advances are based on the level of compensation paid to the former Governor, reduced by provisions for statutory deductions on both the cash and non-cash elements of the likely emoluments - and you are to note that non-cash cements relates to the provision of accommodation - the provision of residential accommodation; reimbursement for, or payment of expenses associated with the relocation of Governor Wynter and his family from Barbados to Jamaica.

Time, Mr. Speaker, has been taken to ensure that the terms of the contract are appropriate to the post of Governor, while being consistent with Government's overall Public Sector wage policies. And I will educate, Mr. Speaker, that this has necessitated a different approach to developing the contract, because although the Bank of Jamaica Act gives the Minister the power to determine the contract with the Governor, it was out of an abundance of caution that we decided, out of best practices and work with the Cabinet Office, to come up with a format that is consistent with the overall public sector. I should also indicate that the signing of that contract is imminent; should be done within a matter of days.

The SPEAKER: Thank you very much, Minister Shaw. Dr. Davies.

Dr. DAVIES: Thank you, Mr. Speaker.

Mr. Speaker, I understand the objectives, but - which would have created some delay. But, Mr. Speaker, for the position of the Governor of the Central Bank, I believe that we are coming closer to a year that you have this interim arrangement. That's untidy. I don't think there can be any other word to describe that.

Now, the answer - I want to ask a specific question in terms of accommodation. It is implied from the Minister's response that the - in terms of salary, *et cetera*, there won't be any difference with that of the contract of the previous Governor. And it speaks now of the provision of residential accommodation. Is this accommodation purchased by the - owned by the Bank of Jamaica? If it is, can we have some more details, in terms of the purchase

price for the accommodation? If it is not owned by the Bank of Jamaica is it rented? And if it is rented, what is the rental cost, as well as, have there been any additional sums utilized for bringing the rented accommodation up to the standards of the Bank of Jamaica; if so, how much?

Mr. SHAW: Mr. Speaker, let me indicate, first of all, that it is the intention of the Government, unlike the previous contract which was, you will recall, a source of considerable controversy, because part of the issue related to that contract was that the payment of what was called a rental by the Government, or by the Bank of Jamaica, and a rental that was based on the valuation of the property; and that led to a situation where the cost of rental and maintenance was in fact so high that it competed with the actual base salary of the then Governor. So, it became an issue of controversy, which also led to the resignation of one member of the Board. It is against this background that the Government has made the decision that in concord with earlier Governors of the Bank, we must return to the policy of providing an official residence for the Governor of the Bank of Jamaica.

In that regard, we intend to construct a new dwelling, an official residence, on the lands that are owned by the Bank of Jamaica in the Norbrook Estate area. It's owned by the bank already. It's a question now of building an official residence that will be owned by the Bank of Jamaica, and Governors will come and Governors will go, the official residence will remain there for the use of the Governor.

The interim arrangements until that is done, Mr. Speaker, is that a house has been rented that is suitable for the position of the Governor of the Bank of Jamaica and his family, and I will undertake to get the precise... exact details of that in terms of the cost, to the former Minister.

The SPEAKER: Dr. Davies.

Dr. DAVIES: I want a little bit more than the cost of the rental cost. I would like to know whether the Bank of Jamaica has undertaken any improvements - whatever the expenditure. Because in the final analysis, Mr. Speaker, a Governor was replaced on the grounds of the cost of accommodation and we need to see...

A MEMBER: Rubbish!

Mr. CHARLES: Why we stay so?

A MEMBER: What is happening?

Dr. DAVIES: We would like to have the data, the facts, as to what the costs are at this stage.

(Applause)

MEMBERS: Hear, hear!

Dr. DAVIES: This was an issue... when the statement was made it created controversy. The controversy was raised and it was specifically stated that it related to the cost of accommodation. Therefore, we would like to have the full data in this regard.

(*Sotto voce* comments)

Mr. ROBERTSON: Small mind.

Mr. SHAW: Mr. Speaker, let me indicate that my instructions were, that until the new official residence of the Governor of the Bank of Jamaica is built on lands owned by the Bank of Jamaica that suitable accommodation should be rented. I am not aware, Mr. Speaker, of any commitment made by the Bank of Jamaica to refurbish a facility that is rented. The instruction is to rent one that is suitable, which is to say it is ready for rental. And therefore, I will get the appropriate information to the former Minister.

Let me just say one last thing, because he mentioned the question of untidiness, in relation to the development of the contract. I must indicate, Mr. Speaker, not a perfect world. When the new Governor came on board, we had some matters that were urgent, that required our mutual attention virtually on a 24-hour basis - round the clock. And this started will the Jamaica Debt Exchange. We had a number of serious issues that we had to work on, and even then, I wanted - I insisted that the contract should conform to a system that would be consistent for all future contracts that we would have, because the previous contract that we had was not a template. It was not a template on which we could use for either the present one or future contracts, Mr. Speaker.

And just in passing, not to stir up anything, but the previous contract - the last contact that was signed by the previous Governor of the Bank of Jamaica it was signed after a ten-month delay in developing that contract.

Mr. BUCHANAN: So, what you pay when you said that?

A MEMBER: Shut up country man.

Dr. DAVIES: What is the point?

The SPEAKER: Mr. Pickersgill... Mr. Pickersgill...

Mr. CHARLES: Cock mouth kill cock.

(*Sotto voce* comments/Laughter)

Mr. PICKERSGILL: I beg to give notice that at the expiration of 21 days, I will ask the Minister of Transport and Works the following questions:

Question 1: Has the Minister of Transport and Works undertaken a comprehensive survey of the damage done to roads, drains, gullies, and other major structures as a consequence of Tropical Storm Nicole and other severe weather events that occurred afterwards?

Question 2: Has an estimate of the cost of repaid been done? If so, what is the estimate?

Question 3: Has any of this work been contracted out?

Question 4**:** If the answer to Part 3 is in the affirmative, will the Minister please inform us what method has been used to hire these contractors?

Question 5: If the answer to Part 3 is in the affirmative, will the Minister please provide me with names of the contractors as well as the amounts of these contracts?

The SPEAKER: Very well. Thank you very much Mr. Pickersglll.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Thank you, Mr. Speaker.

At Public Business today, we will have the continuation of the Sectoral Debate where the Minister of State in the Office of the Prime Minister with responsibility for Local Government will be making his presentation. And afterwards, Mr. Speaker, we will have the continuation of the Energy Ministry Paper debate, where we have three speakers who will be speaking on that. Then the Minister of Finance, Mr. Speaker, has four matters that he will take - three matters that he will take.

The SPEAKER: Why you don't take these short matters first for the Minister of Finance? Where is he?

Mr. BUCHANAN: Good proposal.

Miss HANNA: You stepping up there, Mr. Speaker.

Mr. HOLNESS: (Laughter) One of them may not be so short. (Laughter) One of them may not be short, Mr. Speaker. So, we will proceed…

The SPEAKER: We will take the Minister of State and maybe the Minister of Finance afterwards.

Mr. HOLNESS: We will start, Mr. Speaker…

The SPEAKER: With the Minister of State…

Mr. HOLNESS: ...with the Minister of State in the Office of the Prime Minister.

The SPEAKER: Minister Bobby Montague? (Applause)

Mr. MONTAGUE: Permission, Mr. Speaker, to speak from a seat other than mine.

The SPEAKER: Permission granted.

Dr. DAVIES: Don't read it.

A MEMBER: yup nah read today yuh nuh.

Mr. MONTAGUE: Thank you very much, Mr. Speaker.

Mr. Speaker, let me first of all thank you for the permission granted. My presentation will be in two parts. I will speak to my constituency highlights and then I will speak to my portfolio responsibilities.

Mr. Speaker, firstly, I would like to acknowledge my Maker and Father who has sustained me over these many years. I would also like to thank my lead Minister, the Prime Minister in the Office of the Prime Minister for affording me the responsibility of carrying this portfolio.

I would like to thank the Director General, both the former, MR. DEVON ROWE and the current Director General, MAJOR REESE, for their advice throughout these past months. To the members of staff and Directors at the Department of Local Government, to the various Board Chairmen and Board Members of the agencies affiliated with the Department of Local Government, my heartfelt thanks. But, Mr. Speaker, I believe I need to thank for their support the best class of Mayors Jamaica has ever seen, and their Councillors as well. (Applause)

To my constituents in the greatest constituency in Jamaica, Western St. Mary, a heartfelt thanks. To my friends and family, especially the matriarch of the family, AUNT JOYCE, who is here with me. And I know she is here at great sacrifice. To my constant companion, ANN-MARIE who is with me here today...

MEMBERS: What!

Mr. MONTAGUE: Yes...I want to thank her...

A MEMBER: Ann Marie?

Mr. MONTAGUE: Not your own. And to all my friends who are present, Mr. Speaker, I want to thank them.

Mr. Speaker, Western St. Mary has been a constituency that has been neglected over the years. And we have attempted a programme of infrastructural initiative to lift the level of infrastructure in the constituency. We have repaired a bridge in the Heartlands community that collapsed and caused great distress upon the farmers in that area. Another bridge on the border with my colleague Member of

Parliament from St. Ann that caused great inconvenience to the children going to the Newstead All-Age was also repaired.

Some two kilometers of four-inch main, Mr. Speaker, were redone in the Hamilton Mountain community to alleviate the water problems in those communities. We have constructed two community centres, one in Decoy and one in Three Hills. And we are ninety per cent complete on two taxi and bus parks, one in Gayle and one in Oracabessa.

But Mr. Speaker, I believe my greatest achievement as a Member of Parliament, was made in the field of education, because we have seen to the registration of all basic schools in the constituency and they meet the requirements of the Early Childhood Commission. (Applause)

We have seen the opening of the International University's Campus in Gayle, St. Mary. We have seen the construction of five new classrooms in Retreat, at the Primary and Junior High, and a brand new classroom block at the Gayle Basic School. But, Mr. Speaker, under education, our literacy programme, the UNESCO-endorsed Cuban programme, *Yo Si Puedo*, or, *Yes, I Can*, is making a mark in my constituency.

When l became Member of Parliament, Mr. Speaker, the PIOJ informed that we had a rate of illiteracy of some thirty-four per cent and behave attempted to correct that situation, Mr. Speaker. I asked the former Member of Parliament for Western St. Mary, Mrs. Hyacinth Knight to lead that charge. And Mrs. Knight is here with us today. (Applause) And she is leading the charge with regard to education.

Mr. Speaker, with the *Yo Si Puedo* programme, we have graduated some 140 persons who could not read and write. But today they now can read and write. (Applause)

The greater achievement under that programme, Mr. Speaker, was a young man, a young man at 79 years old who never missed a class, who told me one afternoon that when he does not have the taxi fare he would walk the three miles to class because he had a dream. And his dream, Mr. Speaker, was that he wanted to read his Bible before he went on to meet his Maker. I am happy that Mr. McIntosh today, can read his Bible, because at the graduation ceremony, he was the Valedictorian and he read his speech. (Applause) I want to thank Microsoft, RBTT and Digicel, who have agreed to sponsor this programme.

Mr. Speaker, with regard to health, we have seen the construction of a brand new Health Centre in Jeffrey Town, sponsored by the Digicel Foundation and the CHASE Fund. Repairs by the Ministry of Health to the health centres in Retreat and Gayle, and through my own effort, we have seen the donation of some Six Million Dollars worth of medical supplies to the health sector in Western St. Mary. (Applause)

I really want to put on record our thanks and appreciation to Minister Spencer, because we are working jointly with him, all the MPs in St. Mary, Mr. Peralto, Dr. Guy and myself in returning the operation theatre at the Port Maria hospital as a St. Mary project. We would like to put on record our appreciation to the Minister of Water and Housing for his contribution in having constructed a brand new water supply system in the Wellington/Hunts Town communities; (Applause) the repaints the Kings Spring up in

Derry, and relaying some pipelines in Over River in Wood Park.

But, Mr. Speaker, I would wish to assure my constituents, especially the former Councillor of the Oracabessa division, Councillor Ralph Sutherland, who served as a Member of the People's National Party for 17 years as a Councillor in Oracabessa and has never had the pleasure of having a shower in his bathroom. (Laughter)

Mr. Speaker, the Minister of Water and Housing has assured me that he has reserved under the Jamaica Water Project some $250 Million to construct a brand new water supply for Mason Hall. So finally, former Councillor Sutherland can have a shower in his bathroom. Under Labour Party Government we will give him water.

A MEMBER: So that he can shower.

Mr. MONTAGUE: Mr. Speaker, the housing development in Eden Park that I inherited, all the infrastructure work is now complete. We are completing the Emancipation Lands Project in Three Hills. And we have out to tendering the infrastructure work on the housing project in Boscobel. As a matter of fact, Mr. Speaker, the Operation PRIDE scheme in Boscobel, we were fortunate that a developer came forward with a proposal in which he wanted to complete the Operation PRIDE programme in Boscobel in exchange for some housing lots that were there. Mr. Speaker, that project went to the NCC. It was referred to Cabinet and I am happy to report that Cabinet has given its approval. And therefore, the residents in the Boscobel View Development will soon see the conclusion of that housing development.

I want to thank the Minister of Energy for his assistance in providing electricity to the people in Flint Street in Oxford, Cobb and Pan Hill and Ecuador in Mango Valley. Mr. Speaker, to many of us, the provision of electricity in our communities is no big thing. But for the residents in these communities, Mr. Speaker, once we turned on the lights, I know that you illegal them singing, Thank God Almighty, l can now see the light. (Applause)

Mr. Speaker, I would wish to thank Minister of Agriculture for completing the Rio Nuevo fishing beach and for working along with us, Mr. Speaker... (Inaudible comments) Because you set up on me....working with us, Mr. Speaker, to introduce a lychee growing project to assist single mothers with this exotic crop. We intend to introduce a bee-keeping programme as well, Mr. Speaker. And, Mr. Speaker, we are partnering with the Sports Development Foundation and BMX, US Cycling Association, to build in Jamaica, the first BMX cycle track at Eden Park in Western St. Mary. We are also in the final stages of completing a mini stadium in Oracabessa on lands donated by the UDC.

Mr. Speaker, how could I conclude without thanking my colleague Minister, Mike Henry, for his support in helping us to improve Jamaica's newest international point of entry, the Boscobel Airport... (Applause)... where some Three Hundred Million Dollars is being spent to extend the runway and to build a new terminal facility so that we can have the Member from South St. Andrew no longer having to fly into Palisadoes when he wants to come into Jamaica but he can now enter at Boscobel and park his Leer? (Applause)

Mr. Speaker, we are faced with challenges in St. Mary, especially our roads. But thanks

to the Jamaica Infrastructure Development Programme, in St. Mary we will be properly dealing will the situation of bad roads. Mr. Speaker, many persons have asked... (Inaudible comments by Mr. Buchanan) ...and many persons including... (Cross talk)

A MEMBER: You get all road last year. (Cross talk)

Mr. MONTAGUE: Mr. Speaker, I am asking for your protection.

A MEMBER: From the bushman.

Other MEMBER: The loud bushman!

Mr. MONTAGUE: Mr. Speaker, I seek your protection.

Mr. Speaker, in St. Mary, you know when you came to St. Mary before 2007, because at any border to St. Mary, whether it's Tom's River, Guys Hill, Woodside, White River, any border to St. Mary, you'd hit a pot hole and you'd know you're in St. Mary. But under this programme, when we're finished you will understand... (Inaudible comments) ..... that you will... You may hit a bump but not a pothole.

A MEMBER: Pot hole free!

(Cross talk)

Other MEMBER: You remember that.

Mr. MONTAGUE: Mr. Speaker, we have two types of roads in St. Mary, good roads and bad roads. And the good Lord knows that in St. Mary we are infested with more bad roads than good roads. But under the Jamaica Infrastructure Development Programme, we will be addressing our bad roads. (Applause)

We face many challenges in Western St. Mary, Mr. Speaker. But by God's help and with the guidance of our Prime Minister, the Honourable Bruce Golding, we know we can and will overcome many of these challenges.

Mr. Speaker; the Department of Local Government has within its sphere of responsibility a number of agencies. Notably amongst our agencies is the Jamaica Fire Brigade. This agency, Mr. Speaker, is manned And staffed by some of the best and bravest sons and daughters of Jamaica. (Applause)

MEMBERS: Hear, hear!

Mr. MONTAGUE: And I wish to thank the Chairman and the Board Members who are here, as well as the Commissioner of Fire, Mr. Williams and his team, for staying the course, facing the challenges and continuing to invest their time and energy into this beautiful country known as Jamaica. Thank you very much, Commissioner Williams.

Mr. Speaker, we were able to deploy eight (8) specialized ladder trucks into the service, trucks that were parked for a mighty long time and could not be utilized. We were able to increase the amount of lifesaving equipment, **jaws of life**. And I would like to also place on record yesterday we got from JSIF, Jamaica Social Investment Fund, some $20 Million worth of lifesaving equipment for the Jamaica Fire Brigade. (Applause) I would like to thank the Jamaican community overseas for their contribution to the Fire Brigade for donation of a fire truck from the community out of Hartford and a truck that is now in Clarendon from the community in England.

Mr. Speaker, we will continue to work with the Tourism Enhancement Fund for the acquisition of fire boats. And in the meantime, Mr. Speaker, the firemen and women have operated homework centres in the various stations to help our young persons. They have earned themselves some $10 Million in fees, Mr. Speaker. And we are now in Fire Safety Week and the Department of Local Government was pleased to hand to the

Commissioner a gift of some $9.5 Million to complete the renovation of the tire station in Santa Cruz in St. Elizabeth and May Pen in Clarendon. (Applause)

I would like to place on record my heartfelt thanks to MR. BILL SHAGOURY of Clarendon (Applause) for leading the charge in renovating the fire station in May Pen. As a matter of fact, Mr. Speaker, he is so committed to that project that his small allowance that he uses to come to Board meetings, he saves it and he gets other business persons in and around Clarendon to invest with him and they have almost completed the renovation of the May Pen Fire Station. (Applause)

Mr. Speaker, we have partnered with HEART/NTA to certify our men and women in the fire service in skilled areas because we want to expand the offering. We are working hard, Mr. Speaker, in completing and developing the training facility for the men and women of the Jamaica Fire Brigade. I wish to place on record my thanks and commendation for the union members, the union delegates, the union officers, for the advice and recommendations over the year and, Mr. Speaker, we take on board and have regular meetings with the unions so that we can iron out many of our problems.

Mr. Speaker, the National Solid Waste Management Authority in the past was known as an agency riddled with scandal. Today, Mr. Speaker, we have a Report from the Office of the Contractor General giving that agency a 97% mark in compliance to procurement guidelines. (Applause)

Mr. CHARLES: All of you composed it.

Mr. MONTAGUE: Mr. Speaker, I wish to thank MRS. JOAN GORDON-WEBLEY, the, best looking Executive Director in the Caribbean at any agency. (Applause) Mrs. Gordon does not only look good but she performs even better.

(Applause)

With some 22 new units, tighter management, Mr. Speaker, we repaired - and I know the former Minister is somewhere there - we repaired the hydrant compactor that was parked for four years at a cost of $7 Million and it is saving the country some $70 Million in rented fees - the Minister from North West Manchester.

(Applause)

Mr. Speaker, the hydrant equipment is used to compact the waste on the landfill so that it squeezes out the methane and reduces the chances of fire in the community. And I know the Member from Western St. Andrew can appreciate it as well as the Member from Southwest St. Andrew can appreciate the contribution of the hydrant compactor.

Mr. Speaker, since the repair of that bit of equipment we have seen shorter time in dealing with our fires - with that bit of equipment, with cooperation from the police and the army and the community around. We have seen, Mr. Speaker, in 2007, June, we had a fire at Riverton, it lasted for six weeks. In 2008, we had another fire, it lasted for three weeks. In 2009, we had a fire lasted for three days and in July of this year we had a fire, it lasted for two hours. It is because of tighter management and better equipment.

(Applause)

We have collaborated, Mr. Speaker, with HEART Trust/NTA to certify some 50 landscapers, that I know the Member from North Trelawny, sees them working very hard in his constituency from time to time and they

work very hard also in Central Westmoreland in beautifying the communities there.

Mr. Speaker, we have acquired four (4) transfer stations and we are working with the Ministry of Water and Housing to get from them two tractor heads so that we can haul the transfer stations. And I know the good people of St. Thomas will be very happy to know that the illegal landfill site other community will be closed soon because we will be using a transfer station at that facility.

(Sotto voce remarks by Opposition Member)

Mr. MONTAGUE: I now that the Member from Eastern Westmoreland is beyond himself and beside himself with glee because he knows that a transfer station will be sited in the parish of his birth. And some of the problems that he has faced in terms of solid waste management will soon come to an end. (Applause)

And I want to thank the Member from Eastern Westmoreland for his idea and thought, Mr. Speaker. And he said to me that what I have helped him to achieve the former Member of Parliament, Eastern Westmoreland, couldn't do for him.

(Applause)

Mr. Speaker, the Board of Supervision is one of those agencies that a lot of people don't hear about. But the work of the Board of Supervision reaches the most vulnerable and critical sector in society, the elderly, Mr. Speaker, and the destitute and the dispossessed. And I know the Member from South West St. Andrew understands what I am talking about. Because the Board of Supervision, Mr. Speaker, deals with the registered poor, deals with the indoor poor, those residents in our infirmary and the outdoor poor, those that live at home.

Mr. Speaker, we have conducted a series of training programmes because what we wanted to do was to lift the skill level of the workers who work in the infirmary. And we have collaborated with HEART Trust and the Ministry of Health in certifying some of our employees as Psychiatric Nursing Aides and to give them basic medical training so that they can respond in an emergency and they can deal with and treat with the problems of the aged.

Mr. Speaker, as a matter of fact at the Vineyard Town Golden Age Home we have achieved a 93% rate of training and certification of our Ward Assistants under that programme. (Applause)

Mr. BUCHANAN: I want to know what he is thanking me for. I want to know what he is talking about.

(*Sotto voce* remarks by Mr. Robertson)

Mr. MONTAGUE: Mr. Speaker, at the Golden Age Home the Government provides $817 per day to take care of each resident. It is the collaboration with our private sector partners and civil society, to a total of some $15 Million that has helped to keep that facility going, as is the case with other infirmaries right across the length and breadth of Jamaica. And we owe our Youth clubs, our Citizens associations, our Churches, our hotels, our restaurants and individuals, a debt of gratitude in filling the void and helping us in that regard. (Applause)

Mr. Speaker, we have done homework at the St. Thomas Infirmary in completing a ward that was damaged in the former hurricane. We have broken ground to a brand new facility in Hanover, a new prototype of how we are going to deal with the aged in

smaller community homes rather than institutions.

Mr. Speaker, I want to thank the CHASE Fund for their commitment to this sector of society. The elderly, Mr. Speaker, where many of them do not have the purchasing power so that many private, corporate sponsors are not interested in that sector of society. And I want to thank the CHASE Fund for the work they are doing with us with the Board of Supervision in dealing with and treating with some of the problems of the elderly.

Mr. Speaker, we have collaborated with the Ministry of National Security in having to accept some elderly persons who are deported to Jamaica and have no friends or family and nowhere to go and, rather than let them stay on the streets, we have opened the doors of our infirmaries to accept them.

Mr. Speaker, we have a disaster plan in place certified by ODPEM in dealing with how do you evacuate and how do you deal with emergencies, and ODPEM has helped us to facilitate that training and we are very grateful to them.

But one of our greatest achievements, Mr. Speaker, is that we have embarked on a programme jointly with Food and Agricultural Organization, FAO, to provide basic food items produced by the residents for use by the residents. We have started in St. Thomas with a poultry project and vegetable garden and we are moving to St. Elizabeth, Manchester and St. Mary, Portland and Westmoreland in rolling out this project, Mr. Speaker. And since we have the project in St. Thomas has earned itself over $1 Million in providing eggs and vegetable to the kitchen at the St. Thomas Infirmary.

Mr. CHARLES: Very good. Very good.

Mr. MONTAGUE: Mr. Speaker, the Local Government Reform Programme is a very active programme and most of the recommendations from the National Advisory Council have been put into effect. What is basically left, Mr. Speaker, is the legislative agenda and Cabinet has already given instructions to the Chief Parliamentary Draftsman to complete the three pieces of legislation recommended: the Local Government Act the Local Government Finance Act and the Human Resource Management Act.

These strategic laws, Mr. Speaker, once they come to Parliament will see us removing from our books some 14 pieces of legislation that affect the Local Government system. It will also remove the anomalies that are inherent in the system and will smooth out the operations of our Local Government authority.

Mr. Speaker, for example, a Parish Council will get a letter from the Services Commission to tell them that they are directed to accept mister so and so as the superintendent as of the first of a particular month. The Council has no idea who this person is, they did not help to select this person, they did not interview this person, yet this person occupies a critical position in the Council and can affect the operations of the Council. And, Mr. Speaker, the National Advisory Council recommended that the Councils should have a say in who they swim with or who they sink it. And the Local Government Human Resources Management Act will address that situation and empower the Councils to have an input up to a certain level, Mr. Speaker, and the Services

Commission will continue oversight responsibility at the very senior level.

Mr. CHARLES: Hear, hear!

Mr. MONTAGUE: Mr. Speaker, we continue to collaborate with the Ministry of Justice to incorporate the Municipal Court in our system. The entrenchment of Local Government, Mr. Speaker, in our Constitution is a platform policy that we are working very hard at. We have completed the draft amendment to the Constitution. It has been circulated to the various Councils and had signed off from all major stakeholders and we await the constitutional reform agenda, Mr. Speaker, to have it included and entrenched in our Constitution finally, a system of governance that we have operated for some 500 years, to finally have it entrenched in our Constitution.

The SPEAKER: (Gavels) The Minister's time for speaking has expired. House Leader. But Members, please...

(Cross talks)

The SPEAKER: ...Mr. Charles and Mr. Buchanan.

Yes, House Leader?

Mr. HOLNESS: Mr. Speaker, I would like to move that the Member's time for speaking be extended by 30 minutes in order to allow him to complete his presentation.

The SPEAKER: The motion before the House is that the Member's time for speaking be extended for a further 30 minutes to allow him to complete his presentation.

Put to the House and agreed to.

Mr. MONTAGUE: Mr. Speaker, let me thank you and my colleagues, especially my colleague from South St. Andrew, for his generosity.

Mr. Speaker, one of the issues that is currently in the news is the matter of the development approvals process. This Government came into office committed to tightening up the process, Mr. Speaker, as a matter of fact, set ourselves a timeline of 90 days in which to have this done.

I am pleased to report, Mr. Speaker, that of the 3,332 building applications received in the system, up to June this year, some 3,102 applications were approved within the today timeframe. (Applause) Some 89 cases were closed and 16 applications refused. We are operating, Mr. Speaker, at a 90% level of turnaround and we are still not satisfied with that performance. We still need to move to 100%.

The Amanda web-based tracking system, Mr. Speaker, has gone a far way in assisting us. The Member from Central Kingston can track his application at anytime, from anywhere, even when he is in Parliament. This web-based tracking system, Mr. Speaker, has revolutionized how we deal with and treat with the applications within the system.

Mr. Speaker, we have completed work on the Building Code and the Building Act is with the Parliamentary Draftsman for it to come to Parliament so that we can complete that programme of work. And l wish to commend, Mr. Speaker, the Ministers before me who worked on this project, notably the Member from South West St. Andrew, former Prime Minister and former Minister of Local Government and as well as the Member from North West Manchester, who also helped to shepherd this process.

Dr. DAVIES: All right, yu curry favouring now.

The SPEAKER: Mr. Montague.

Mr. MONTAGUE: Mr. Speaker, we

have to give credit where credit is due.

Mr. CHARLES: And discredit.

Mr. MONTAGUE: And I hope that - well let me leave that, Mr. Speaker.

Mr. Speaker, we work for full autonomy within our Parish Council system. We are returning some of the items that were centralized and some items that the Member from Central Manchester would understand.

A MEMBER: Yes.

Dr. DAVIES: Like what?

Mr. MONTAGUE: The calculation of pension...

A MEMBER: Yes.

Mr. MONTAGUE: ...for example, we are returning to Council - the disposal of assets within certain guidelines are being returned to Council.

A MEMBER: No sweetheart deal.

Mr. MONTAGUE: Loan approvals, leave approvals, permission to travel overseas and the payment of social amenities, notably street lights and social water are being returned to the Councils. (Applause)

Mr. Speaker, the removal of grass from the roadside concerns the Member from Central Manchester. I say to him three letters, CDF. (Applause) Mr. Speaker, an item that the Member from South East St. Catherine has a lot of passion for, and I'm happy that he's here and l can inform him, that the passion that he speaks always about Councils going and getting their subventions directly from the Ministry of Finance, is almost here. Four (4) Councils were chosen as a pilot: St. James, St. Thomas, Trelawny, Manchester to participate in this pilot and they will, come next financial year, Mr. Speaker, be getting their subvention directly from the Ministry of Finance. (Applause)

Dr. DAVIES: So you won't have no work then.

Mr. MONTAGUE: They will be able and they will have the privilege and the pleasure of operating within these strict guidelines and they don't have to call me again when they're short, they will call the Minister of Finance. (Applause)

(Inaudible comments by Mr. M. Peart)

Mr. MONTAGUE: Manchester? Manchester, I know that is the one you're interested in.

(Inaudible comment by Mr. M. Peart)

Mr. MONTAGUE: Trelawny, St. Thomas, St. James.

Mr. Speaker, we have been able over the last year to bring all the accounts up to date in the local authorities. The 15 authorities now have audited statement that are current. We have introduced a financial management accounting system in five of our authorities and, Mr. Speaker, we will continue this process to enhance accountability and transparency.

The Municipal Police, Mr. Speaker, was introduced into the system and they have enhanced the revenue collection order in our towns and, Mr. Speaker, we continue to improve upon that initiative; and we ask that the Members of Parliament help us to continue the progress that these municipal police oilers are making.

A MEMBER: Don't stop the progress.

Mr. MONTAGUE: Mr. Speaker, our Parish Development Committees were an excellent idea and we position ourselves for growth, we build upon the initiatives of the past. We have met with all the Parish Development Committee Chairmen. And, Mr. Speaker, we have formed a national Parish

Committee Association and it is through that vehicle we provide assistance, especially secretarial and administrative assistance, tied to proper records of accountability and transparency, that we are enhancing the work of the Parish Development Committees. We have also signed the MOU with the Social Development Commission to work with the PDCs in developing their 20-year plan.

Mr. Speaker, we embarked on a process of having parish visioning symposia. We had one in each municipality. We had over 7,000 persons attending islandwide; and in Clarendon we had the largest turnout of just over 1,000 participants.

A MEMBER: Hear, hear!

Mr. MONTAGUE: And in Manchester, because they already had a development plan, we had a special session of invitees only and we had just over 200 persons attending. The purpose, Mr. Speaker, was to hear from the citizens themselves, to how they wish to see development in their parish.

Mr. Speaker, at the sessions we had some 380 queries from citizens who had burning issues. And I am pleased to inform this House, Mr. Speaker, that of the 380 queries that were received, we were able to satisfactorily deal with all 380 queries. (Applause) Because, Mr. Speaker, if we cannot get the small things right then we cannot get the larger things right.

Mr. Speaker, we have undertaken an organizational review of the local authorities. It is being done by Price Waterhouse Coopers. Because we need to look at what hails the system so that we can apply the proper corrective measures. We have introduced a municipal services management reporting system...

A MEMBER: Yu look good, man!

Mr. MONTAGUE: Thank you.

...that will measure and analyze and compare the performance of the various local authorities. We have completed the review of the Portmore Municipal Council, an experiment, Mr. Speaker, that was timely and that has served the citizens of Portmore well. And the review will point to the various means and ways of effectiveness and how we can improve the efficiency of that experiment and how we can roll that out.

But, Mr. Speaker, many municipal buildings in many parishes are in a state of disrepair. As a matter of fact in St. Thomas they occupy rented premises; in Portmore they occupy rented premises. l am pleased to inform this House, that during this financial year we are embarking upon a programme of constructing in Portmore and St. Thomas, a new municipal building of some 5,600 square foot each.

(Applause)

We are building a new meeting room for the Council in St. Elizabeth and we are building a new accommodation for the Accounts Department in Westmoreland and a new facility for the Roads and Works Department in St. Mary, Mr. Speaker, to provide proper housing for the operations of the Municipal Authority is the least we can do for the amount of work that is done on behalf of the communities in the various parishes.

We could however not, Mr. Speaker, do all that we are doing without our international partners. The CLGF, the Commonwealth Local Government Forum and the Commonwealth Secretariat has continued to work with us under the good practice scheme. We wish to thank CIDA, the

Canadian International Development Agency, Mr. Speaker, for their assistance in helping us with our regional policy and cooperation framework.

Mr. Speaker, Jamaica continues to lead the region in Local Government and local governance. We continue to hold the Secretariat for the Commonwealth Forum of Local Government Ministers. And l wish at this stage, Mr. Speaker, to put on record, Mr. Speaker, my thanks and appreciation to MR. CLIVE EDWARDS, who head the Reform Unit and to MR. KEITH MILLER, Consultant and yeoman in the Local Government system over the years. MR. MILLER he is with us and MR. EDWARDS is at a workshop in St. Ann. (Applause)

I wish to thank the CARICOM Secretariat and Secretary General for the assistance he has given; UNDP for the safer community project and the EU for the collaboration on the Banana Rehab project. And I know with the Ministry of Agriculture we are going to be partnering with the sugar project.

Mr. BUCHANAN: I thought you were cutting back.

Mr. MONTAGUE: it's on recycled paper.

Mr. CHARLES: Yu just jealous because him so handsome.

Mr. MONTAGUE: Mr. Speaker, we have undertaken a number of projects within the local authorities. The Jamaica Infrastructure Development Project, Mr. Speaker, we collaborated with the Ministry of Transport and Works and the National Works Agency, to have within the parochial network, Mr. Speaker, Jamaica's largest single investment in that network.

I want to thank Minister Henry and his team for acceding to our request for increased funding. Having negotiated $15 Million out of the first year's allocation of $60 Million, Minister Henry agreed to increase that initial amount by some US$4 Million to $19 Million into the Parish Council network in year one, and this is a five-year programme, Mr. Speaker. So we have developed in the various Parish Councils, a list of roads to be repaired, and a number of persons, Mr. Speaker, for reasons known only to them.

A MEMBER: Political.

Mr. MONTAGUE: But my mother, when she was alive, would have said, 'dem just pure and simply bad mind'. (Applause)

A MEMBER: All right!

Mr. MONTAGUE: Have tried to discredit this program. And I challenge every one of them, Mr. Speaker, to look at the list of roads chosen and tell me which road they would like us to take off because we have included a road that is not worthy of being fixed. I want to challenge them, Mr. Speaker.

(*Sotto voce* comments by Members)

The SPEAKER: Mr. Buchanan, mind I have to send you back to your seat you know.

(*Sotto voce* comments by Members)

The SPEAKER: Members, please, Members! Continue Mr. Montague.

Mr. MONTAGUE: Mr. Speaker, the Member...

The SPEAKER: Mr. Hutchinson, okay.

Mr. MONTAGUE: Mr. Speaker, with the National Solid Waste Management Authority we have partnered, Mr. Speaker, with a Jamaican engineer who has used the oil that we collect from hotels and restaurants to make biodiesel and we have turned around... (Microphone trips out) ...to use in our trucks, Mr. Speaker.

We have since July realized a 20%

savings with the use of the biodiesel and we have found out that we end up with less maintenance cost because it has lower sulphur content than the normal diesel available.

(Applause)

Mr. Speaker, we have collaborated with the same engineer, and he has developed and localized a technology of using pure and simple household water, Mr. Speaker, to run vehicles. He installs a hydrogen reactor in the trucks and it splits the water into its two basic components, hydrogen and oxygen. The Member from Eastern Westmoreland is not paying attention. The hydrogen is injected under pressure into the fuel system and the oxygen is injected into the air filter to give a cleaner burn, culminating, Mr. Speaker, in a cleaner burn and a better performing vehicle at lower cost. And, Mr. Speaker, we are making strides in this area in reducing our operating cost to the country. (Applause)

Mr. Speaker, we have collaborated will the Ministry of Mining and Energy and we have conducted a study at the operations of our infirmaries and we have discovered that 22% of the operating cost of our infirmaries is related to energy. And starting with the Trelawny Infirmary, we are installing a combination solar wind alternate energy system that we hope to reduce the operating cost of this infirmary, Mr. Speaker. And the tender is out to acquire that system as we speak, and based on this experiment we will be able to rollout this technology into other infirmaries.

We have collaborated with the European Union Banana Support Programme that works in some six (6) parishes, banana producing parishes St. James, St. Thomas, Portland, St. Mary, Clarendon and St Catherine and we have spent some 1.93 million Euros on various projects in these parishes, Mr. Speaker. So much so was our performance that the EU recommended us to collaborate with the Ministry of Agriculture to lend critical assistance in spending the approved funds under the sugar programme. And I thank the Minister of Agriculture for his foresight in agreeing to work hand in hand with us and has gone even further than the amount of money we have asked him for.

(*Sotto voce* comments by Members)

Mr. MONTAGUE: Mr. Speaker, the UNDP, we applied for some funding to develop safer communities. Every Member here knows a woman, and the topic of that project was "safer communities for our women"; how to make our communities safer for our women. Mr. Speaker, we worked with the various communities has been very successful and we intend to expand that further.

We collaborated with CIDA, Mr. Speaker, for some CA$750,000, to underwrite disaster risk reduction efforts in some 28 communities in eight (8) parishes.

Mr. Speaker, I am pleased to announce today that in collaborating with the St. Catherine Parish Council and ODPEM and the Water Resources Authority we have now installed flood-gates on to Bog Walk Gorge. (Applause)

A MEMBER: Very good, very good!

Mr. MONTAGUE: This is a project that will be done in two phases, Mr. Speaker, the installation of the gates which is now completed is Phase 1, and on Phase 2 we will be putting up early warning signs and lights and sign boards to warn the public that the gates are closed.

Mr. Speaker, under street lighting the councils are urged to audit and monitor the malfunctioning of skeet lights. We are collaborating with the PCJ and the World Bank in doing a US$2 Million programme of changing out the HPS bulbs to LED bulbs across the country. This, Mr. Speaker, will in turn give us a better accountability facility and process management it will also save us on energy cost as the life of the LED bulbs is about ten times that of the HPS bulbs. (Applause)

Mr. Speaker, we are working on a web-based street lighting database system where we will be coding...

(*Sotto voce* comments by Miss Hanna)

Mr. MONTAGUE: No, on the posts. If you go now and look at each light posts you will see a number on a yellow and black tag and we will be incorporating that as we roll out the system so that we will know precisely where a street light is and what type of street light is there. Because what we have found, Mr. Speaker, is that when the contractors go out to repair a light they may go with equipment to repair a 100-watt or a 15-watt and when they reach the site, they will find a 200-watt bulb and it wastes time. So that now we will be able - there is a GPS address for every light post on which there is a light fixture.

(*Sotto voce* comments by Members)

Mr. MONTAGUE: They don't understand that kind of technology. No, you are going to introduce a chip not me.

Mr. Speaker, it is property taxes that pay for street lights, and our target this year is to collect $3.5 Billion in property taxes. Last year we collected $2.4 Billion. We intend to increase the collections, Mr. Speaker, not by raising property taxes, because that is a punishment upon those who pay, but by widening the net and increasing compliance.

We are collaborating, Mr. Speaker, with the National Land Agency on their project that they have just rolled out known as the IMAP which is an interactive map that gives you information on all parcels of land in Jamaica. And we are now able, Mr. Speaker, to click on any parcel of land and identify the name of the last registered owner, the Volume and Folio Number and whether they have paid their taxes or not and what level of arrears is there on that parcel of land.

We will be able then, Mr. Speaker, to target specific properties for the collection of taxes. We will be able to encourage and engage specific communities who make certain demands that property taxes are to pay for but yet they themselves don't pay their taxes.

We intend also, Mr. Speaker, we intend this year to begin in partnership with the National Land Agency, a programme to provide a civic address for at least 80% of the parcels of land in Jamaica. And we will be tying that civic address, Mr. Speaker, with the valuation number of the property so that, we will know exactly whose property we send a the tax notice to. As today, Mr. Speaker, if we attempt to send a the tax notice to anybody up in North West St Ann, for example in Mount Moriah, we will write to Ms Blake - South West - we will write to Miss Blake at Mount Moriah district Boroughbridge Post Office, but we do not specifically know exactly where Miss Blake lives, but I can tell you, Mr. Spaker, that the Member from South West St. Andrew lives at 6 Upper Norwood Close, is not there, is not there? Right, I know.

(*Sotto voce* comments by Member)

Mr. MONTAGUE: You don't want nobody to know? But Mr. Speaker, in providing....

(*Sotto voce* comments by Members)

Mr. MONTAGUE: No, it is not there, no, you need to ask the Member from - who is doing that project; he can tell you where that address is.

Mr. Speaker, in doing this project, in doing this project...

(*Sotto voce* comments by Members)

Mr. MONTAGUE: In doing this project, Mr. Speaker, in assigning a civic address, we will be able to track our property tax notices because right now, Mr. Speaker, the notice will arrive and that person will either not collect it or discard it because it is not specific to an address, and we are making it address specific.

Mr. Speaker, in April of this year, the Honourable Prime Minister appointed me to chair the Management Committee of the LAMP 2 Project a project Mr. Speaker that I know you have a lot of interest in. The Land Administration and Management Programme, Mr. Speaker, was started by the previous administration and in the five years of its operations they were able to turn out some 1,000 registered titles.

Mr. Speaker, under the LAMP 2 Programme, we have collaborated with the Korean Cadastral Survey Company that has brought new technology to this country, formed a very tight partnership with the government and we are working in St. Elizabeth, the parish that has the largest amount of unregistered lands in Jamaica, and we intend over a 24-month period to produce not 1,000 in five years, but 12,000 titles in 24 months.

(Applause)

A MEMBER: Build by Labour.

Mr. MONTAGUE: Mr. Speaker, the Prime Minister has recently signed off on the three north eastern parishes and has designated them LAMP areas. Portland, St. Mary, my beloved parish and St. Ann, the neighbouring parish. As soon as we have completed, and move forward further with St. Elizabeth, we will be rolling out into these three parishes. As a matter of fact, we are about to begin the sensitization process as in November, November 9, I think the team will be rolling into St. Ann to brief the Parish Council. And they are seeking office space currently from the St. Mary Parish Council and I know that my Mayor of Port Maria will not hesitate or have any hesitation in providing office space for the Land Administration and Management Programme for St Mary.

(Applause)

A MEMBER: Rent free?

Mr. MONTAGUE: Mr. Speaker, this programme sees to the reduction in property taxes when you are preparing a title, removing stamp duties and transfer duties and helps with the surveying and therefore, to the landowner, there is a significant reduction in cost in producing a title.

Mr. Speaker, we have collaborated with the - with six (6) financial agencies and institutions which have come forward and who have prepared specialized products, financial products to help landowners who may be having a difficulty in accessing this service, because we have found that although the bottom figure is only $30,000 that it would

cost a person for a title, compared to 300,000 if you approach it from the private side, there are still persons out there that face a difficulty in finding the $30,000. And in working with the financial institutions notably among them is the National Housing trust which has reserved some $100 Million to put forward into this project, so that their contributors who do not have titles can access titles for their properties.

And, Mr. Speaker, there is a category of Jamaicans that my father would call 'rich but poor Jamaicans', rich because they have land, but poor because they can't utilize the inherent value in that land.

Mr. Speaker, a project that was started by the Department of Local Government that is dear to the hearts of everybody in this House is the **Amanda Alert System**. This system, Mr. Speaker, was designed to put into the public sphere in a forceful manner, the issue of our missing children. We have seen over the year, Mr. Speaker, a recovery rate of our missing children moving from 10% to some 55%, but that, Mr. Speaker, is still not good enough.

The SPEAKER: The Member's time for speaking has expired.

Mr. MONTAGUE: Is only 15 minutes I gone...

Dr. DAVIES: No, no, no, you have to read fast.

(Laughter)

Mr. MONTAGUE: ...out of the….

Mr. E. SMITH: He's not reading.

Government MEMBER: Talking!

Mr. HOLNESS: Mr. Speaker, I move for the suspension of Standing Orders to allow the Member 15 minutes to complete his presentation.

The SPEAKER: The motion before the House is for the suspension of Standing Orders to allow the member a further 15 minutes to complete his presentation.

Put to the House and need to.

The SPEAKER: Minister Montague.

Mr. MONTAGUE: Thank you, Mr. Speaker and Members of this Honourable House.

Mr. Speaker, some 328 children were reported missing since the start of this year. But yet Mr. Speaker, there is still 122 children that are still on record as being missing and three have died. We are intensifying our effort in getting information out into the communities. The Department of Local Government yesterday, handed over to the police four (4) Combination Scanners and Fax Machine Photocopiers to be used in the four (4) police areas across the island to reproduce the pictures of our missing children, so that they can be posted in public spaces and public places.

(App1ause)

We have also collaborated and handed over to the police and to the JUTC some bits of equipment that will reproduce faster photographs that can be posted in our JUTC buses, so that the public can be made aware of this issue that is confronting us as a nation.

But, Mr. Speaker, the two best ways of reaching out into our communities is to utilize the political network. And we are working with the Electoral office, because every candidate that runs an election appoints agents in the various communities, and we would like to utilize that network, so that in each community you have an - each candidate has an Indoor Agent and they will become points of contact that if they see a strange child or

strange happenings in their community, they will be asked to call the police or call the base. And if the police has a report of a child in a community, the reverse will happen, we can call these persons as points of contact and help to relieve this.

Mr. Speaker, any family, any family that has a missing child, you can understand the trauma that that family goes through, and we have collaborated with the various Minister's fraternal in the various parishes, so that counselling can be had for the family.

We ask, Mr. Speaker, for persons and Members of this Honourable House to take out their cellphones, Mr. Speaker, and text the word "HELP" and register on the Ananda Alert System so they can get updates. If you have a Digicel phone, we want you to text 444-2432. That's 444-2432. If you have a LIME phone, it's 444-4230. Let me repeat them, Mr. Speaker, for Digicel, it's triple 4, 444-2432. And for LIME customers, it's 444-4230, and register, Mr. Speaker, onto the Ananda Alert System, so that we all can become the eyes and ears of this system and help to recover a missing child. (Applause)

Mr. Speaker, we have reconvened the National Advisory Council, so that they can evaluate the progress of the recommendations in their own report. We have started reform committees in every parish and they are chaired by the mayors and we want to thank ALGA and the Mayors.

Mr. Speaker, we have collaborated with the Ministry of Justice and we will be introducing into this House shortly a Bill to empower Councillors during their term of office with the authority and powers of a Justice of the Peace.

We, Mr. Speaker, continue to work towards enhancing the Local Government system. We have come a far way and we have accomplished much, but we have much further to go, Mr. Speaker. We have challenges to face but we are not daunted, because we face an uncertain future knowing that united we stand, and so united we will march to a better day, better service, more autonomy and authority and ultimately, better service for our citizens and our communities. With the understanding that we are positioned for sustainable growth at the community level, Local Government Mr. Speaker is on the move and we can safely say, 'twas grace that brought me safe thus far, and it will be grace that will lead us home.

Thank you, Mr. Speaker, for this opportunity.

(Applause)(Standing Ovation by Government Members)

The SPEAKER: Thank you, Mr. Montague. We'll now - Mr. Shaw, I think we are going to take you now.

Dr. DAVIES: Bobby, where is the last part of your speech, it's not in the book? You cut it. (Laughter)

(Laughter by Mr. Montague)

Mr. SHAW: Mr. Speaker, I'd like to - I'd like first of all to indicate that there are four (4) issues that I have to deal with this evening.

The SPEAKER: You are going to deal with them one at a time?

Mr. SHAW: Yes.

The SPEAKER: Okay.

PAYMENTS CLEARING AND SETTLEMENT ACT

Mr. SHAW: The Bill, the Payments Clearing and Settlement Act, I will deal with first, Mr. Speaker. I will then deal with the

Government Guarantee of a loan of US$20 Million to the Students Loan Bureau. I will deal with the Credit Reporting Regulations that have now being tabled, and I will deal with the Road Maintenance Fund imposition of Special Consumption Tax on Petroleum Products Order of 2010.

The SPEAKER: So we go first to the Payment, Clearing and Settlement Act?

Mr. SHAW: That's right.

A Bill entitled "The Payment Clearing and Settlement Act, 2010", was laid on the table of this Honourable House. The Bill seeks to bring about reforms to Jamaica's payment system by introducing internationally accepted standards and practices, to ensure its safety and efficiency.

By way of introduction, I highlight the fact that the Bank of Jamaica has been engaged, Mr. Speaker, already in a payment system modernization project since 2005. The Bank has received support of the National Payments Council, which is comprised of representatives of the Ministry of Finance and the Public Service, the Financial Services Commission, the Jamaica Stock Exchange and other participants in the financial system.

The need for the Payment System Reform Project arose out of an assessment by the IMF World Bank team of the National Payment System in Jamaica in the context of a Financial Sector Assessment Programme (FSAP) based on international standards and best practices.

The assessment found that some key infrastructure weaknesses require prompt attention and that there was a need for the implementation of a Real Time Gross Settlement system (RIGS), of a Central Securities Depository for fixed income securities, especially given the large volume of government paper and to have an appropriate legal framework to accommodate these.

I am pleased to report to the Honourable House, Mr. Speaker, that two of the three recommendations have already been implemented. In fact JAMCLEAR/RTGS was commissioned into service on the 27th of February 2009, and JAMCLEAR/CSD which is the Central Securities Depository. On the 15th of May, 2009, both systems have been operating smoothly since their implementation

With the introduction of JAMCLEAR/RTGS, the financial system is now served by a new electronic Real Time Gross Settlement System that allows commercial banks, primary dealers and other financial institutions to transfer funds between themselves for their own account or on behalf of clients in Real Time on a safe and secure basis.

With the introduction of JAMCLEAR's Central Securities Depository, all new issues of BOJ and GOJ securities are now being issued in electronic form in the depository.

Of significance is the fact that more than 90% of the Jamaica Debt Exchange issues has been dematerialized in JAMCLEAR/CSD. You will recall we brought the Bill for the dematerialization to Parliament. It is anticipated that JAMCLEAR/CSD will bring increased efficiency to the processes for issuing, managing and redeeming fixed income securities. It is also anticipated that the strict rules, procedures and guidelines that have been built into the operations of the system will not only promote its safety and efficiency, but also bolster public confidence.

And, Mr. Speaker, I should indicate to you that in the Debt Exchange, all of the bonds, instruments that were brought in that were paper, pieces of paper that were brought in, certificates, in the issue of the new bonds these have been issued in electronic form, Mr. Speaker.

The House is also advised JAMCLEAR/RTGS and JAMCLEAR/CSD bring Jamaica's financial system infrastructure now in line with international best practices for safety, for efficiency and reliability. Together, these systems will afford rapid settlement, payment finality and irrevocability. Of great importance as well, is the fact that all securities transactions will be settled on a delivery *versus* payment basis, effectively reducing risks to negligible levels. Payments and transfers will be effected in real time on a transaction by transaction basis throughout the business day.

JAMCLEAR/ RTGS and JAMCLEAR/CSD now form the backbone of the local payments clearing and settlement infrastructure, Mr. Speaker.

In recognition of the need to control the risk inherent in payment systems, the Committee on Payment and Settlement Systems of the Banks for international settlements in 2001, promulgated a set of 10 core principles for systemically important payment system.

The core principles provisions are part of a set of key standards and principles that the International Community considers essential to strengthen and maintain financial stability. As such, these core principles are used by the joint IMF/World Bank Financial Sector Assessment Programme to assess the safety and soundness of a country's payment system. The emphasis of the Committee on Payments and Settlement System is on payment systems which are systemically important. A system is systemically important, Mr. Speaker, if the failure of one participant in the system has the potential to trigger or transmit disruptions throughout the system, as a whole.

The very first core principle stipulates that the system should have a well-founded legal basis under all relevant jurisdictions. In accordance with this principle, several countries have taken steps to enact legislation to provide a sound, legal framework for the operation of their payment systems, Mr. Speaker.

In jurisdictions which have implemented legislation for payment systems reforms, the basic elements necessary for ensuring that their reform systems have a well-founded legal basis, are reflected in provisions along the following lines. Provisions for - and this is in terms of legislation:

- provisions for the establishment of a system of regulatory oversight;
- provisions for the applicable settlement rules to have binding, legal effect;
- provisions for a guarantee of finality of settlement of transactions;
- provisions for the legal recognition of arrangements for the netting of payment obligations; and.
- provisions for the protection of transactions mom insolvency laws.

Deficiencies in the legal framework of Jamaica's payment system were identified in an assessment undertaken in 2002, under the Western Hemisphere Payments and Securities Clearance Initiative, a joint initiative of the

World Bank and the Centre for Latin American Monetary Studies, and it was consequently recommended that the legal issues be addressed as a matter of priority.

In a financial sector assessment programme evaluation of Jamaica's financial system, carried out in 2005 - to which l referred earlier - the team pointed out that gaps in the current legal framework exposed the system to significant risk, and recommended the adoption of an appropriate legal framework as a matter for priority attention.

Against this background, Mr. Speaker, of the deficiencies identified, the Bank of Jamaica embarked on a project to identify and make recommendations as to an appropriate legal framework for the regulation and operation of Jamaica's payment system, in order for it to accord with international standards.

In December, 2005, Cabinet, acting on the Bank's proposals, gave its approval for the drafting of the legislation. So, Mr. Speaker, you see that this has been some time in gestation.

The Bill before this Honourable House, which incorporates those proposals, therefore, is intended to establish the desired appropriate legal framework for Jamaica's Payments Clearing and Settlement Systems. So, Mr. Speaker, the system is pretty much in place, but the legal framework and parameters within which it is to operate, is what we have before us today, that is contained in the Bill, The Payment Clearing and Settlement Act of 2010, Mr. Speaker, which was tabled in the House on the 14th of September of this year.

Mr. Speaker, I now move that the - no, that's at the end of the debate.

(Laughter)

The SPEAKER: Dr. Davies.

Dr. DAVIES: Mr. Speaker, as the Minister indicated, this work has been long in gestation and there is nothing controversial. What we didn't know was how the system has worked since its introduction. And, therefore, the Opposition supports this motion which was moved prematurely - (Laughter) - but which he can now....

The SPEAKER: Thank you very much, Dr. Davies. Minister Shaw.

Mr. SHAW: Thank you, Mr. Speaker, and just to - and I thank the Honourable Member. And just to indicate that there are a few minor amendments...

The SPEAKER: No, no. Could you move for the....

Mr. SHAW: ...that I have.

The SPEAKER: No. Could you move for the...

Mr. SHAW: I am just indicating that I'll move them at Committee Stage.

The SPEAKER: Okay.

Mr. SHAW: I therefore beg to move that the Bill be read a second time.

The SPEAKER: Members, the question before the House is that the Bill be read a second time.

Put to the House and agreed to.

Bill entitled:

"AN ACT to Make provision for the protection of systematically important clearing and settlement systems from disruptions that may lead to risks to the stability of financial systems, cause loss of confidence in the public payment regime in general, and for connected matters" –

read a second time.

The SPEAKER: The House will now

resolve itself into a Committee of the whole House to consider the Bill clause by clause.

COMMITTEE STAGE

The CHAIRMAN: Mr. Shaw, you want to do the corrections or when we go by the clause?

Mr. SHAW: Mr. Chairman, I have four (4) amendments in Clauses 2, 4, 7 and 17.

The CHAIRMAN: Why don't we do it when we get to each clause.

Mr. SHAW: All right.

The CHAIRMAN: So, Members...

Dr. DAVIES: Mr. Chairman, could 1...

The CHAIRMAN: Sorry, Dr. Davies.

Dr. DAVIES: I am not aware of what the changes would be, so could he just indicate and then come back to them?

The CHAIRMAN: Well, let's look at the - let us hear the changes, then, and then we go on. In Number 2...

Mr. SHAW: Yes, because maybe you might want to treat with it differently after we deal with the clauses.

In Clause 2, Mr. Chairman, in the definition of "systemic risk" that's in quote, delete the words "the inability of a participant" and substitute therefor the words "a participant's inability".

The CHAIRMAN: That sounds more grammatical, stylistic. All right, okay.

Mr. SHAW: In Clause 4, subsection (1)...

The CHAIRMAN: Clause 4, subsection (1)?

Mr. SHAW: Yes. It's editorial.

The CHAIRMAN: Editorial, okay.

Mr. SHAW: Delete the words "under this Act"

The CHAIRMAN: Okay. And now 6, you said?

Mr. SHAW: Clause 7.

The CHAIRMAN: Clause 7.

Mr. SHAW: In Clause 7, delete paragraph (a) subsection (iii), and substitute therefor the following, a new subsection (iii):

> "Not causing or contributing to systemic risk".

The CHAIRMAN: That's the fourth one? That's it?

Mr. SHAW: And in Clause 17, subsection (1), delete the words:

> "In respect of the designated system of the Clearing House".

The CHAIRMAN: Very well. Thank you, Minister Shaw. We'll go from each clause. I put Clause 1.

Clause 1 put to the Committee and agreed to.

The amendments in Clause 2 put to the Committee and agreed to.

Clause 2 as amended put to the Committee and agreed to.

Clause 3 put to the Committee and agreed to.

The CHAIRMAN: This is editorial changes.

Clause 4 as edited put to the Committee and agreed to.

Dr. DAVIES: Can the Minister indicate the rationale for that change in paragraph 7(a)(iii)?

The CHAIRMAN: No, when we get there.

Dr. DAVIES: Oh, we are not there.

The CHAIRMAN: Clause 4 as edited put to the Committee and agreed to.

Clause 5 and 6 put to the Committee and agreed to.

The CHAIRMAN: I put Clause 7. Yes, could you explain to...

Dr. DAVIES: Yes. What is being done there?

The CHAIRMAN: It's really, Dr. Davies, he is removing "materially" so it's "not causing or contributing to systemic risk..." instead of "not materially causing or contributing to increased risk to the financial system".

Dr. DAVIES: Is it that - is it - this is more precise? What's the rationale?

Mr. SHAW: Yes, Yes, I think it's a…

The CHAIRMAN: I think it's more style.

Mr. SHAW: Yeah.

Dr. DAVIES: These are what the lawyers prefer?

Mr. SHAW: Yes. The CPC recommended it, he is the one who sent it.

The CHAIRMAN: Yes. It's a recommendation in terms of - I think it's more style than...

Dr. DAVIES: All right.

The CHAIRMAN: The amendments to Clause 7 put to the Committee and agreed to.

Clause 7 as amended put to the Committee and agreed to.

Clause 8 put to the Committee and agreed to.

Dr. DAVIES: Why don't you go right from 9 to 16?

The CHAIRMAN: No, we are going through it.

Clauses 9, 10, 11, 12, 13, 14, 15, 16, put to the Committee and agreed to.

I put the amendment to use 17.

Dr. DAVIES: No, can I ask...

The CHAIRMAN: Sorry. Okay.

Dr. DAVIES: ...will there be consultation between the trade and the Central Bank, this fee, this annual fee? I know with the FSC and the institutions it's been a cause of - from time to time - debate, to use a euphemistic phrase. Are we assured that there is consultation? This not meant - supposed to be a profit making - it's to cover the cost.

Mr. SHAW: Yes, yes. My budget would not normally - we encourage the consultation, but that's not normally imposed in the law itself, the requirement for consultation. But this is something that - it is the practice. And, Mr. Chairman, it's a conventional issue that we do not encourage any profit making out of this, but really a cost-recovery initiative.

The CHAIRMAN: More administrative.

Mr. SHAW: Yes.

The CHAIRMAN:

The amendment to Clause 17 put to the Committee and agreed to.

Clause 17 as amended put to the Committee and agreed to.

Clauses 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, put to the Committee and agreed to.

The Title and Enacting Clause put to the Committee and agreed to.

The CHAIRMAN: The question is that I do report the Bill...

Mr. KELLER: Mr. Chairman...

The CHAIRMAN: Sorry, Mr. Kellier.

Mr. KELLIER: It's a simple problem. I would just like for clarification if you could recommit section 14. Just a simple point, but l just want a clarification.

The CHAIRMAN: The motion before the House is for the recommittal of Cause 14.

Put to the Committee and agreed to.

Mr. KELLER: I think I have seen it before, but I need some understanding of it. When we say, "Notwithstanding any other provision of law", are we saying that subsection (1) and sections (a), (b) and (c), that notwithstanding what is in any other law,

these now supersede those other laws that would be anywhere else in the system? And if that be the case, would we not need to repeal those if they are no longer applicable. If the other laws that we are saying here, notwithstanding any other provision of 1aw...

The CHAIRMAN: Just for these purposes, Mr. Kellier, my understanding is, in respect to sections - subsections 14 (l)(a)(b) and (c), they are subject to any other existing law at the moment. In other words, notwithstanding any of the provision of law, then these will apply. So, you are looking... in a sense, these may override.

(*Sotto voce* comments by Members)

The CHAIRMAN: Right. So, these in a sense...

(*Sotto voce* comments by Members)

The CHAIRMAN: In a sense, yes.

Mr. SHAW: We are just checking with the CPC on this.

The CHAIRMAN: Let me just get it correctly from the CPC.

(Cross talk)

Dr. DAVIES: What is your position on this?

Mr. MONTAGUE: You don't have a legal view on it.

The CHAIRMAN: The instructions I have is that these provisions will prevail, but for the limited purposes of this Act.

Mr. KELLIER: So, why didn't we re-word it differently instead of saying, *notwithstanding any other provision in law?* Why didn't we word it to satisfy what you just said? You a lawyer, you know, so tell we how it go.

Mr. HOLNESS: That is what Mr. Speaker has just said.

The CHAIRMAN: Yes, Mr. Hylton, I understand it.

Mr. HYLTON: I think first of all... (Inaudible) ...normal wording and it would amend the pre-existing provision, the new legislation. So, it is just an amendment for the narrow purpose. But this is the normal way of doing it.

The CHAIRMAN: That is correct. In other words, it's a... Mr. Kellier, it is a technical legal jargon, you now, that...

(*Sotto voce* comments by Members)

The CHAIRMAN: I think the...

(*Sotto voce* comments by Members)

The CHAIRMAN: No, no, no! And as the legal draftsman makes the point, these provisions will prevail, but for the limited purposes of this Act which is the correct interpretation.

(*Sotto voce* comments by Members)

The CHAIRMAN: Right, very well.

So, the question is that I do report the Bill as having passed Committee Stage with three (3) amendments.

Put to the Committee and agreed to.

The SPEAKER: I do report the Bill as having passed Committee State with three (3) amendments.

Mr. SHAW: Mr. Speaker, I beg to move for third reading of the Bill.

The SPEAKER: The question is that the Bill be read a third time.

Put to the House and agreed to.

Bill entitled:

"AN ACT to Make provision for the protection of systematically important clearing and settlement systems from disruptions that may lead to risks to the stability of financial systems, cause loss of

confidence in the public payment regime in general, and for connected matters,"
read a third time and passed.

The SPEAKER: Very well, Bill read and passed. Minister Shaw. (Applause)

STUDENTS' LOAN BUREAU/GOVERNMENT GUARANTEE

Mr. SHAW: Thank you, Mr. Speaker.

The next matter that is before the Honourable House is the Government Guarantee of a loan of US$20 Million to the Students' Loan Bureau to provide affordable and adequate financing to students from poor and vulnerable households, to complete tertiary level programmes in approved institutions in Jamaica and the Caribbean.

Mr. Speaker, the Students' Loan Bureau is a self-financing public body, and its main function is to disburse loans covering 100 per cent of tuition to Jamaican nationals to facilitate and enable their socio economic mobility through tertiary education and training.

The number of applications has increased from approximately 6,000 *per annum* to over 8,000 in 2009. And in fiscal year 2010, the number of applicants has increased to 8,653, of whom 7,063 were approved for loans from the Student Loan Bureau. Based on the growing demand and the Government's inability to increase the level of support to tertiary level education institutions, the Students' Loan Bureau has sought to replenish the pool of funds available through the access of this US$20 Million loan from the Caribbean Development Bank.

In the interest of meeting the demand and to facilitate disbursement, the CDB has agreed to make available retroactive financing in the amount of US$4 Million or 20 per cent of the loan amount, in respect of sub loans approved by the Students' Loan Bureau between the 18th May 2009, and May 17, 2010. This is in keeping with the bank's policy on retroactive financing.

The salient terms of the Loan Agreement are as follows: Fifty-two equally, or approximate equal and consecutive quarterly installments commencing five (5) years after the date of the loan agreement. In terms of interest payments it is payable quarterly at a rate of 2.5 per cent *per annum* on the portion sourced from the bank from Special Fund Resources, and 4.8 per cent *per annum* on the portion sourced from the Bank's ordinary capital resources. There is a commitment charge of 0.25 per cent *per annum* on the amount of the un-withdrawn portion, and will begin accruing from this sixtieth day after the date of the loan agreement.

In accordance with the terms of the agreement, sub-loans to students are to be approved only in respect of attendance at tertiary institutions that are approved by the University Council of Jamaica and should be a maximum of the equivalent of US$45,000 except in the case of programmes of study in law and medicine where the maximum sub-loan shall be the equivalent of US$55,000. Also, the eligibility of sub-borrowers shall be determined on the basis of the means test approved by the borrower from time to time. And the borrower, of course, being the Student's Loan Bureau.

Mr. Speaker, let me just indicate that even with this amount from the CDB, it is not an adequate capitalization of the Students' Loan Bureau. And we fully recognize that. And l have therefore given the Students' Loan

Bureau the authority to have discussions with the PetroCaribe Fund with a view to seeking some low cost funding from that window as well, because the objective is to have it properly capitalized and to ensure that we can assist as many students as possible, and that are eligible for the assistance.

This loan, Mr. Speaker, including the retroactive portion of it will go a far way in enhancing the capitalization of the Students Loan Bureau. I therefore, move for the adoption of this, and the approval of this guarantee.

The SPEAKER: Dr. Davies.

Dr. DAVIES: Thank you very much, Mr. Speaker.

Mr. Speaker, let me begin by indicating that the Opposition welcomes this loan. However, if you look on the Order of Business, in summarizing what this loan is about and what the Minister will move, it speaks about the - facilitate the provision of affordable and adequate financing to students from poor and vulnerable households to complete tertiary level programmes. The truth is that's an over statement. The reality is that both the - there are several problems which - and I am raising this because a growing percentage despite the problems in the education system - a growing percentage of persons aspiring to undertake tertiary training are from lower income households. And I will speak to some of the challenges which face them.

First of all, there is the interest rate. And the Minister hadn't indicated, but I do not believe that the additional US$20 Million capitalization, despite the favourable interest rate, will allow the reduction in interest rate which is required. And I say, *required* because if you look at the payments, or the repayments required of students at graduation - and this is assuming they get a job, it constitutes such a huge percentage of their salaries. And, I am speaking at different levels - professionals. So, there is a real problem.

But there is also a real problem in terms of getting guarantors.

Mr. SHAW: In terms of getting what?

Dr. DAVIES: Guarantors - people to guarantee that repayment. There are certain restrictions, in terms of age, even for guarantors, which preclude persons who may be willing. So, there are significant problems faced there.

But, Mr. Speaker, this is not a time to debate the reduction in the subsidy given at the tertiary level because the Government has articulated this as policy. I take one faculty, not because of its prestige, but because of its importance to the society, the medical faculty. The full economic cost of doing medicine now is $2.5 Million a year - $2.5 Million a year. And only a small percentage of the slots being opened - and this is not something against the University of the West Indies - is at the 20 per cent, or 20 per cent fee with the Government subsidizing 80 per cent.

And recently, at the funeral of our former colleague, Dr: Neil McGill - and Dr. McGill was part of a special group. As I think I mentioned before, there were seven Glenmuir students who were in his graduating class. And what came across - the Glenmuir choir performed brilliantly at the funeral.

(Applause)

And I - one of the Members of the choir came to me afterwards and I asked him what he planned to do. He said, well, he had been admitted to medical school, but he had not

received one of the 20 per cent - 80 per cent subsidies. He had received - there is a 60 per cent subsidy and he is required to pay - his fees will be $1 Million a year.

Now, let's get beyond the guarantors; let's get to the issue - let's assume that I could convince the Speaker and another set to guarantee him, the problem is at the end of his term he will owe over $10 Million because the interest is capitalized.

And what we are facing is a situation where effectively, we will be removing some of the opportunities which were available, certainly to my generation, we will be removing them from the children of low income. I am raising these points, not because we can solve it with the US$20 Million from the CDB, but because they are very real issues of saying to youngsters from low income, stay in school, do well and the future is yours. The real problem is that for many, it makes more sense to seek to get into an American university or somewhere, rather than seek to be trained. And this is not a statement against the University of the West Indies. It applies in several faculties. But I use that as an important example; because it is a very real example which now is not only affecting us but is going to, in a sense, frame the potential, the hope, the aspirations of a whole generation.

So, I say to the Minister, even as we support this guarantee, there is an urgent need for a significant additional sum to be available to the SLB at explicitly concessionary rates. I am not talking about giving away money; those who borrow and don't repay we go after them; but we are going to face a social crisis, in terms of slamming the door to persons who we have encouraged to do well in high school, to do well, to matriculate. But the situation, in terms of the possibilities of such students being able to afford tertiary education, is being reduced rather than being expanded.

So even as this Opposition supports this, it is only a small start. And what we would like - and l would suggest that the Ministry of Education and the Ministry of Finance come back to this Parliament with a clear statement as to what we will do to greatly enhance the funds available to the SLB and the conditions under which we will be able to say to the children from low-income households, do well in school because your chances of moving to tertiary training are increased rather than diminished. The present situation is that we are slamming the door in the face of many of these students.

Thank you. (Applause)

Rev. THWAITES: Madam Speaker, the Constituency Development Fund is under some assault these days. And many of those who are leading the charge are divorced from the reality of which the Member for South St. Andrew spoke and which face all of us.

I, too, face the situation of three of the most promising students who have survived the asperities of the inner-city and have qualified for medical studies, being completely unable to secure a guarantor to even approach the Students' Loan Bureau, even properly capitalized, come to their Member of Parliament with expectant faces because they have nowhere else to go, and each with an invoice of over Two Million Dollars. And this is not exceptional, because there are so many others who are, as the Member said, qualifying themselves. And Madam Speaker, this is one of the most important steps that we can take, not to cut the quick of ambition, not to curtail the flow of

qualified persons who are willing to commit themselves to service in Jamaica after their period of higher education.

I would draw your attention to Private Member's Motion Number 20 on Page 10 of the Order Paper, under my name, and to recommend, with great respect to the House Leader and Minister of Finance, because it calls for, or it asks for a debate on the adequacy of affordability of loan financing for students in the Jamaican tertiary education system. This is over eighteen months old in the request for this.

As you now, we have a difficulty of doing anything but the limited amount of business Government brings here. But this issue requires the consideration of the entire country... It does. (Applause) This is that which, particularly the rural societies of the parish you hail from, Madam Speaker, of Manchester or Clarendon, this was the fundamental of the Jamaican peasantry emerging from slavery and apprenticeship. This was that for which they put up it, the sacrifice and indignity of classicism and racism and disenablement from landed property, in order that their children might pass a local exam or get into a teachers' college... (Applause) ....and find some prospect of a better life. And it is a tribute for those who would cast glances askance on the enterprise of independence that whatever we have not done perfectly, at least we have expanded exponentially, indeed, the opportunities for tertiary education. And if the difficulties of the time calls us to make that effort a miscarriage rather than a productive reproduction, thence would stand harshly in our minds and for our future. We need a full discussion on this, as well as we need the sporadic injections of the type that the Minister of Finance happily poses for us to approve this afternoon.

Madam Speaker, l wonder. What about the availability of local capital? This country is brimming with unexpected capital, searching for a home. Rates and spreads are important. One is not talking about altruism here. One is talking about realism. How can any business, how can any enterprise such as the National Insurance Fund hope to thrive and prosper if we do not have qualified graduates that are coming? What is the purpose of the amounts that we would spend on education if we will not have qualified teachers of a caliber that is required to advance the outcomes of education? If we have to establish priorities - and I claim that we do - there are some things that government has traditionally done that we can no longer afford to do, however much we would like to continue them, however much it might suit a particular favour or allow us to make a great presentation or to appear famous.

The important thing to do is to ensure that everyone has the kind of opportunity. That is the patrimony of the Members of this House. Each one of us, bar few, if any, has had the opportunity of tertiary education. And therefore, we can't fail in this endeavour. I am urging a fulsome treatment of this, even as we are grateful for the limited amount, albeit generous but limited amount that the Minister speaks of. And I'm asking particularly that we don't outlook for overseas resources.

Tertiary education in Jamaica cannot prosper on the continued but temporary generosity of the Venezuelan people. (Applause) We have to look at some of the money that has been expended elsewhere. Can't be funded either, Madam Speaker, by the

Constituency Development Fund.

I don't know how much you spent on education intake last quarter. I know that it has been a serious endeavour. Indeed, it is the major priority of the expenditure in Central Kingston. And I'm asking that we really take this one seriously. We devote a session and more to this issue. And we call those who are responsible for the accretion of local capital and ask them what is their best wisdom in this regard. And immediately we look at the conditions of borrowing at the Students' Loan Fund, as the Member for South St. Andrew has raised, because the guarantee system - you need some security - but the guarantee system cannot work as it stands. It excludes too many. (Applause) The terms of repayment can't be the same.

But, Madam Speaker, the Members of the incoming Congress of the United States last year, many of them in their forties and fifties were just finishing, if they had finished, paying their student loans. We need to be competitive we say. Therefore, we need to have even more equitable systems of borrowing in that regard.
(Applause)

No one is claiming that it's an easy task Ma'am. But indeed, when I muse on some of the trivia that we spend time on in this House, and some of the feckless bantering that we engage in, while Jah kingdom gone to waste outside, and our students can't get the adequate resources so that they can come to be that which we all aspire for them to be, I ask us to take this one extremely seriously, to give much more time and effort to it as we approve this motion this afternoon. (Applause)

Mr. HOLNESS: Madam Speaker, it is a very difficult task to follow the impassioned plea of the Member from Central Kingston. It would be sufficient to say I concur. (Applause) But, Madam Speaker, there are a few things to be pointed out.

The debate on reforming tertiary financing started almost ten years ago with the former Minister of Finance. It has not advanced much past then. The challenge we face, Madam Speaker, are many, many challenges. The first is that regardless of what we think of the education system, more students are qualifying for tertiary level education on a yearly basis. And we looked at the statistics and we saw that for the past three to four years, we were seeing significant increases in the number of students who could potentially qualify for tertiary level education, specifically, university level education. That is driving a demand for spaces at the University of the West Indies and the other universities.

Secondly, Madam Speaker, the universities themselves are expanding, and they are increasing their openings. The present dilemma, in which we find ourselves with the medical students and with the law students, is a result of the University of the West Indies expanding their intake into medical training and the law school, building a faculty locally. This was never planned for by the Government's budget. And the universities quite independently, and rightfully so, responding to the demands of the country, expanded their offering.

It so happens now, Madam Speaker, that the Government has to look on the needs of these students who, formerly, were not accepted and did not have a space, but now they do. And so the Government can't very well say that we didn't plan for them, we didn't budget for them. We have to find ways. The

CDF, many Members in here would be using their CDF funds to meet those fees. But clearly, that's not sufficient.

So, Madam Speaker, with this new infusion of funds into the Students' Loan Bureau, there may be a ray of hope for those students who were not so lucky to be accepted on the fully subsidized programme.

The other thing that we have to note, Madam Speaker, is that the society is also demanding a higher level of worker. Secondary education is not sufficient to articulate within the twenty-first century society. So, as a country, we will have to ensure that more persons get access to higher training, higher level education. So when you put those three things together, it is clear that the current way in which we finance tertiary education, is inadequate and insufficient. This present infusion is a drop in the bucket, Minister, of what is needed to truly solve the problem.

My vision - and it remains a vision until we can hammer it out into apology - is that the Students' Loan Bureau should so adequately financed that you could, or should be able to remove the means test, the guarantor, and that the loan should be income-contingent, that is, when you start working that's when you start paying. That you should treat it as a mortgage, as was mentioned by the Member from Central Kingston.

In other jurisdictions the repayment term on your student loan is treated much in the same way as a mortgage on a house. So it's for the useful life of not just the house, but in this case the useful life of the person who received the education. So, we need to reform our financing of tertiary education such that we can make the payments less onerous than they are now, and encourage more persons to access the loan whilst removing the barriers and obstacles. But at the same time, Madam Speaker, at the same time, we need to ensure that you can't escape your obligations to the student loan. (Applause)

A MEMBER: Hear, hear!

Mr. HOLNESS: My view, Madam Speaker, is that the loan should be freely available and when you start working it is deducted at source. In other words, it should be treated as if it were a statutory deduction. But once you benefit from the student loan it is deducted from your pay at the point when you start working. So that, I believe, would be the direction in which government policy has to go.

I had discussions with the Prime Minister earlier this year and with the Minister of Finance and with the universities, regarding what we would have to do. And as soon as... Well, the Minister of Finance can say... But next year we possibly would have to go back to seek further funding to increase the capital base of the student loan. Because I can guarantee you, Madam Speaker, that next year you will be seeing an increase in the number of applicants. But we will also be seeing an increase in the amount that each applicant is expecting to borrow.

So, Madam Speaker, we are cognizant of the difficulties. We realize that change is necessary, and the urgency of the change. And I want to assure the nation and the Members that the Minister of Finance and myself are working to develop a policy that will be rolled out shortly to address the issue.

Thank you, Madam Speaker.

Mr. SHAW: Thank you, Madam Speaker, and I thank the Honourable Members for their

contributions. The truth is that this is a difficult one, a difficult one, and we have to do something about it.

I have asked the new Board that was recently installed to take a comprehensive look, taking into account the projections for growth in the portfolio of loans over the next five to ten years, and to make specific recommendations to the government as to how we have to deal with it.

I think we are going to have to find the resources and that is why, Madam Speaker, I indicated earlier that we have made a decision that resources that are not forever, like the PetroCaribe Fund, must be looked at to see how they can be used in areas that create sustainability; and there is no area that can create greater sustainability than enhancing the education of our people, there is no area. (Applause) And we have gotten some fiscal room in terms of PetroCaribe because they were in the past too focused on supporting loss-making entities. Air Jamaica was one example. Hundreds of millions of dollars are owed to PetroCaribe by the legacy of Air Jamaica and we have to be servicing that. The Sugar Company of Jamaica as well. At least those are two loss-making entities that are now out of the way, so it gives the poor PetroCaribe Fund a little breathing room that we can look to accessing for programmes like these. So we looked at that Madam Speaker.

There is also another initiative that had been promulgated by the former Minister and I have also asked the Board to look at that as well and to reopen discussions with the Bankers Association of Jamaica to see – in accordance with the agreement of the Bank of Jamaica itself, to see how some of the funds that are set aside are in terms of the reserves that are held at the Bank of Jamaica and for which the bankers get a certain level of interest, which is a pretty modest level, to see how a small increment could be put on that in terms of lending some to the Students' Loan Bureau at a little higher rate, so it gives the commercial banks a little higher rate than what the BOJ offers them and it gives the Students' Loan Bureau a lower rate. Because the objective, as the former Minister mentioned, the cost of the money to the students is something that also has to be dealt with. So of immediate interest, therefore, we are looking at PetroCaribe and we are looking at reserves at the Bank of Jamaica for which precedence exists targeted at the Students' Loan Bureau. Because I want to see a larger pool of money available to accommodate a larger number of applicants, to provide larger increments of support because of the inability of the Subsidy Programme for the overall university and, in additions to see a downward trajectory in the interest rates as well because that will also conform to the overall policies of reduction in interest rates.

So, Madam Speaker, there is no controversy at all. There is consensus on both sides of this House on the need because it is difficult. It is difficult. I want to tell the Member from Central Kingston that I have the same preoccupation watts my own proceeds of the CDF. Last year the expenditure on education was over $10 Million, over $10 Million. Half of the CDF allocation went to education in North East Manchester, Madam Speaker, and that reflects my own concerns at the importance of giving the support at that level.

So I am very happy at the presentations that we have made and I want to give the

Honourable House the assurance that we are working to expand the scope and the quality of the students' loan provisions. So with that, Madam Speaker, I beg to move for the approval of this Guarantee.

The DEPUTY SPEAKER: Thank you, Minister. I just want to add for my own self that I thank everybody for their presentations and that indeed there is consensus. But may I remind us that the longest journey starts with the first step. And I think as a Government we are taking the first step. There is consensus on both sides and we are going to move in the direction that we all agree as Members. So having said that, Members, the resolution is being put before the House that we approve the Resolution as brought by the Minister of Finance.

Put to the House and agreed to.

CREDIT REPORTING REGULATIONS

Mr. SHAW: Thank you, Madam Speaker. The next matter has to do – you will recall, Madam Speaker, that some months ago we passed in this Honourable House the Credit Reporting Act of 2010. We have now developed and have brought to the House for its approval the Credit Reporting Regulations, 2010, because without the regulations it is really holding up the promulgation of the credit reporting system. And it is generally agreed that the credit reporting system is a very important part of the new framework that is necessary to allow for more flexibility in the whole issue of granting loans. Financial institutions of all types their work can be enhanced and their ability to make loans and to make decisions are embraced with the promulgation of the credit reporting legislation.

So, Madam Speaker, the Credit Reporting Regulations that have been tabled, it provides the basic information concerning - Regulation 1 deals with the details on the application form and Regulation 3 specifies the initial and annual licence fees for a company that is granted a licence. Regulation 4 describes the capital requirements that the applicant has to meet to be granted a licence and there are insurance requirement on Regulation 5, which each applicant is required to maintain liability insurance coverage within limits specified by the supervising authority. Other regulations give the format of the Auditors Report that has to be provided by the licensee and state the allowances that witnesses are summoned to attend an investigation by the supervising authority under Section 27(2) of the Act are entitled to be paid.

So I bring this to the House, Madam Speaker, so that we can have the affirmative approval of the House and that we can move now towards the implementation of the Credit Reporting Act and now we have the Regulations to guide that process.

Rev. THWAITES: Madam Speaker, I am hoping the Minister will consider this. Members are given some indication before the sitting what will be taken each Tuesday or whenever we meet. I wasn't told that this was going to be taken. Yes, it was tabled some time ago. But these regulations speak to the Bill and they are of some importance. And I for one would wish the opportunity to prepare myself to either affirm or to question what is there. And I haven't availed myself because I didn't know they were going to be taken. I am hoping that two things will happen. One, that the Minister will allow time for this and secondly, that in the future we have a fulsome

agenda as to what is being taken, fully itemized radiance so that we can know what to prepare for.

Mr. SHAW: Don't you normally have the Agenda. Madam Speaker, as I understand it the Agenda, certainly in relation to the House Leader on this side, I have the Agenda that comes to me at least a day before.

Mr. HOLNESS: Let me address it, Minister, please, if you will allow me.

Mr. SHAW: You asked me to address, so let me finish. Let me just finish. So l saw the Agenda and it had it on it. I just simply want to say - we want to remind the House, Madam Speaker, that once a matter has been tabled it is the duty of every Member to make themselves familiar with what is on the Agenda. It now becomes a matter now of when it will be taken. But once it is tabled we have an obligation to acquaint ourselves. Notwithstanding that I am prepared to suspend the debate on this until next week. But just to indicate that time is of the essence for us to have the promulgation of the Credit Reporting Legislation.

Mr. CHARLES: But the Opposition Spokesman on Finance not objecting. Are you objecting?

Dr. DAVIES: To the extension?

The DEPUTY SPEAKER: Are we therefore going to suspend the discussions as it relates to the Credit Reporting…

Mr. SHAW: Yes.

The DEPUTY SPEAKER: Okay.

Mr. SHAW: Thank you, Madam Speaker.

The DEPUTY SPEAKER: …until next week. So we are asking all Members, since it has been tabled, to familiarize themselves with it and those of us who are not here to tell our fellow Members.

ROAD MAINTENANCE FUND – SCT/PETROLEUM PRODUCTS

Mr. SHAW: Madam Speaker, let me turn now to the final item that I had indicated, has to do with the Resolution, the Order for the Road Maintenance Fund, the imposition of a special consumption tax on Petroleum Products Order, 2010.

I simply wanted to indicate, Madam Speaker, that this is something that we should have done earlier and the House is invited to take note of the revised position being proposed for the contribution of the additional special consumption tax of $8.75 per litre that was imposed on petrol on the 27th of April 2009.

Section 8 of the Ministry Paper No. 26 on the revenue measures, which was tabled in Parliament on Thursday, April 23, 2009, spoke to the increase in the Special Consumption Tax on petrol. It stated that: "Given the current cost of maintaining the road network it was proposed that an additional $8.75 per litre be imposed on the special consumption tax component of tax on petrol".

The 2009/2010 Budget Debate presentation spoke to an Enhanced Road Maintenance Fund which would be utilized to rehabilitate and repair roads which were in a deplorable condition over many years, due to the lack of a proper road maintenance programme.

It was stated, Madam Speaker, that 20% of the increase on the fuel tax would be contributed to the fund in year one moving to 35% in the following year and in year three to 50% of the total tax. These annual increases were outlined in the procedure for collection

and disbursement of the special consumption tax on fuel dated November 17, 2009.

The Road Maintenance Fund Act stipulates that the Minister responsible for Finance may specify an order, subject to the affirmative resolution of the House of Representatives, such amount that should go to the fund. In this case the Order was not drafted as it was not specified in Ministry Paper No. 26 as mentioned earlier. Instructions were subsequently issued to the tax administration authorities to prepare the requisite Ministerial Order pursuant to the Road Maintenance Fund Act for presentation to the House of Representatives to regularize the process. This is being tabled, Madam Speaker, and is the issue that I am taking today.

Subsequent to the tabling of Ministry Paper Number 26 in Parliament and my budget presentation, the effects of the global economic crisis intensified. The Government took the decision then, to seek assistance from the International Monetary Fund and other multilateral agencies, to mitigate the impact of the crisis.

Jamaica entered into a 27 months Standby Arrangement with the IMF earlier this year. A main pillar of the Agreement, Madam Speaker, was the need for significant fiscal adjustments. As part of the adjustment programme, Cabinet agreed by way of Decision 39/09 dated December 17, 2009, to maintain the 20% contribution to the RMF through the medium term, reflecting the sector's contribution to the fiscal adjustment programme.

At the end however, I want to indicate, Madam Speaker that notwithstanding that commitment, at the end of the fiscal year, this fiscal year, the Government intends to review and to decide on the way forward. As, ie, whether the rate will be retained over the medium term or adjustments will have to be made.

The reason I say this is we are aware of the Jamaica Development Infrastructure Programme, Madam Speaker, which we have indicated we will begin to service those loan obligations from the Road Maintenance Fund, and so the issue is that we will have to make sure that there is an adequacy of funds in there.

Now it's either that we are going to have to increase the allocations in accordance with the original projection that we had made, or we'll have to make accommodation in some other way. Because we have to ensure, certainly, starting in the next fiscal year when the roll out of the programme begins to take on, you know, the more mature, that we have to be ensured that the Road Maintenance Fund is in a position to finance the operations adequately. And so at that time, for as the presentation of our budget for the fiscal year 2011/012, the Government will present to Parliament whatever amendments that are agreed on by cabinet, taking into account the need for this enhancement of the fund.

Dr. DAVIES: Thank you very much Madam Speaker.

Madam Speaker, let me begin with an administrative matter. The first is that, as the Minister has indicated, this resolution should have been brought some time ago. In fact, it is as a result of a special audit which l requested of the Auditor General on the operations of the IMF, that that department, the Auditor General pointed out that there had been no affirmative resolution in keeping with the IMF Act, to

support that which the Minister had articulated in his speeches.

And just a suggestion in terms of how we should proceed. It would seem to me that the Parliamentary Counsel or the Clerk of the Parliament should be in contact with sector ministries wherever such a resolution is needed, and to seek to ensure that this was brought to the House on a timely basis. I indicated - it's just not tidy for this to happen. But that's just a suggestion as to how we should move forward.

However, Madam Speaker, there are some serious concerns about the way in which Parliament has been treated in terms of the special allocation and increase in the gas tax announced by the Minister. You'd be aware, Madam Speaker, that I've had difficulty in eliciting information about the operations of the Road Maintenance Fund. I didn't like having to seek the assistance of the Auditor General, but luckily because of this special report produced, that several matters have been brought to our attention.

The fact is that the Minister, in announcing the increases, specifically spoke to the allocation of 20% of the additional taxes to be allocated to the Road Maintenance Fund in year one, which was 2009/2010. This was a statement made in November 2009, 35% in year two, which is 2010/2011 this fiscal year, and 50% in year three, which is 2011/2012. And I must confess that I felt offended as a Member of Parliament, and I think I speak on behalf of the Members of the Committee, that we were told, only told, in the Public Accounts Committee by the Financial Secretary, that a decision had been taken a month after the Minister announced the allocation and the phasing of the allocation, a decision had been taken by Cabinet to retain the 20% not just for the first year, but for the second year and we were learning of this from the Financial Secretary.

The IMF knew, the Cabinet knew, I do not know about ordinary Members of the - non-Cabinet Members of the governing side, I didn't get the feeling that PAC representatives from the government side knew. But certainly, we did not know that a formal decision had been taken to retain the 20%, not just for year one, but to quote the Financial Secretary, for the medium term. There were attempts made to get him to specify precisely what was the medium term. The Minister has indicated as per resolution, that it will be assessed. This Order will remain in force until the end of the fiscal year, but he has given no commitment as to when the changes would be made.

Madam Speaker, I am not for one moment suggesting that issues don't arise which should bring about changes, but it cannot be right, and it's an insult to Parliament that we are asked to vote on an allocation specially aimed - there's an increase in - to use the obvious phrase - explosive area of taxation. But it was justified and I indicated that I could not in principle oppose that allocation because it's a desirable allocation to both temper the use of imported fuel, but also to ensure that this - a significant percentage of the additional tax be allocated to the maintenance of the road network.

This was discussed - presented by the Minister and approved by Parliament in November. A decision was taken in December, but Parliament - well this is the first formal statement to full Parliament, it was only through a committee of Parliament that we became aware of a formal decision to

revoke that which had been approved by Parliament a month earlier and we didn't know. We cannot proceed that way, Madam Speaker. It is unacceptable and we cannot proceed in this way. I know the Minister to be an honourable man, but what does that tell us if he now presents us with another projection that could be changed next month and how long before we're going to be told what this new change is about? So my first issue relates to the manner in which that decision was made and changed, and Parliament only heard of it in Committee, this cannot be acceptable.

This document, Madam Speaker, and I urge the Minister - because the Ministry of Finance is charged with not only the collection of this additional tax, but also to ensure that the percentage which is allocated for the Road Maintenance Fund reaches the Road Maintenance Fund.

A MEMBER: Right.

Dr. DAVIES: And let me draw your attention, Madam Speaker, you are a member of the PAC so I know you have a copy of this document. I'm quoting from this document which is a special audit report - I'm told I'm suppose to do that - of the Road Maintenance Fund by the Auditor General. And the Auditor General said:

> "…Speak to the fact that there was a payment of $761.6 Million directly to the NWA by the Ministry of Transport and Works. It's a breach of the Appropriation Act 2009, which indicated that the funds were allocated to the RMF as grants and contributions and should be used by the Fund to carry out infrastructure improvement across the island.
>
> In addition, the instructions to the RMF to use the SCT funds to pay the outstanding debts of the NWA, not only contravene the wishes of Parliament but breach section 3 of the RMF Act which states that: "The Board shall be responsible for the control and management of the funds."

The Board of the RMF, so it starts by saying that the funds sent from the Ministry, the Ministry of Transport cannot divert the funds from the RMF to NWA. And regardless of what the NWA's problems are, the NWA cannot use those funds to clear its outstanding debts. It says:

> "In light of the foregoing, the Ministry of Finance and the Public Service should reprimand the culpable officers at the Ministry of Transport and Works for the unauthorized use of the SCT funds and instruct the Ministry to ensure full compliance with the RMF and other related Act."

This is from the Auditor General's Office, in that what we are saying here is that not only were there changes which we didn't know about, but when the reduced amount was transferred, it was sent from the Ministry of Transport and Works to the NWA and used for purposes not approved by the Act - the RMF Act. Madam Speaker, it's imperative that the Minister respond to that to give the assurance that when the Ministry of Finance disburses funds - these are not arbitrary funds, these are refunds approved by Parliament for a specific purpose...

A MEMBER: Yes

Dr. DAVIES: ...they cannot be used in that regard.

I didn't ask what were these outstanding bills there are a lot of interesting rumours...

Mr. BUCHANAN: By-election, by-election.

Dr. DAVIES: Right, but I'm just indicating...

Dr. BARTLETT: (Inaudible)

Dr. DAVIES: What you call it, cheng cheng, a soh it go?

MEMBERS: Creng, creng?

Dr. DAVIES: Creng, creng that's your level, hold to that, you hold to that, that's you.

Now, Madam Speaker...

A MEMBER: A big money that.

Mr. PICKERSGILL: Cling, cling and creng creng, cling to that.

Dr. DAVIES: Madam Speaker, there are other issues which arise. Again, I'm just simply going by this document...

Mr. KELLIER: Based on those flows.

Mr. PICKERSGILL: Portland by-election.

Dr. DAVIES: ...there is - everybody knows about the - we call it the Chinese Loan - it's a loan from the Ex-Im Bank of China and this is to the RMF. There are two documents outstanding, which have been promised to the PAC. One is the Loan Agreement between the Ex-Im Bank of China and the RMF and the second is an agreement between China Harbour - that is the firm - and the NWA. The PAC requested that these two documents be presented for examination.

(The Speaker returns to his seat at 5:54 p.m.)

Now why are we interested in these documents? One is that we wanna know what's there. But more important, Madam Speaker, more important - and I don't know whether when the Financial Secretary appeared before us, he did not seem to have been acquainted with this document. The fact is that a 20% of the special tax being collected, this does not provide the RMF, which is the borrower of the Chinese loan from the Chinese Ex-Im Bank, they are not in a position to service this debt. I'm not speaking as an individual here, I am quoting. And not only am l quoting, the Board of the RMF and the Executive Director are on record, of the RMF, as indicating that they will not be in a position to service this loan ...

Dr. DAVIES: ...based on the reduced flows, which contravene that which was approved by Parliament.

Mr. KELLER: Yes, yes.

Dr. DAVIES: Mr. Speaker, I was about to... I miss your duty and so....

(*Sotto voce* comments by Dr. Bartlett)

Dr. DAVIES: Creng, creng, keep quiet. Is Creng, creng him name? Creng, creng!

Mr. PICKERSGILL: Where you get that language from? Bwoy, is it because you deal with so many animals? Is animal talk, creng, creng!

Dr. DAVIES: Mr. Speaker, first of all, we have made this request for these two documents, all of us, all of us here, all of us need to be able to see them. But more so, as the RMF board and the Executive Director of the RMF are on record as certified by the Auditor General as saying, we cannot service that loan, at the 20% rather than it should be 35% and going to 50% of the special collection.

Now when - the Minister may say to us that this is guaranteed by the Ministry of Finance, but it doesn't make sense, mass horse, massa grass, it doesn't make sense for you to keep the money from the RMF but then say

we will pay it if you are short. It is….

(*Sotto voce* comments by Dr. Bartlett)

Dr DAVIES: I live in the constituency which he represents, and I am just saying what sin have I committed. But then, I repent I repent.

(*Sotto voce* comments by Dr. Bartlett)

Mr. PICKERSGILL: No, no, but you never vote for him, you could not have voted for him.

Dr. DAVIES: I repent. Anyhow...

Mr. PICKERSGILL: Boy Trevor Munroe let we down to rahtid, Trevor should a get a beating. I don't doubt you, I don't doubt you. Him nah write Prime Minister Speech now. Him a write Prime Minister speech, now him nah vote fi yuh.

Dr. DAVIES: Mr. Speaker, I would - we would wish for the Minister of Finance to indicate the reasoning whereby we have had an office of the State of the Jamaica or a company or whatever the RMF is, undertake a borrowing on behalf of the country to carry out a specific purpose. But we have not put that institution in a situation where it can service this loan. But at the same time, the Ministry of Finance has said we will guarantee - the Ministry of Finance which has taken back the money committed to the RMF, has said we will guarantee that loan. It doesn't add up. And so we need, therefore, for the Minister to explain the rationale for proceeding in that way.

So, Mr. Speaker, there are several issues. The first is, what motivated the change? How much were we missing in terms of the revenue projections which caused the Cabinet to take that decision? The least we can ask of you is to tell us what caused you to make those changes a month after solemnly committing to the House a certain allocation one.

Secondly how much has been diverted from the RMF, how much, what is the difference between the 20% and the 35%, how much has been diverted from the RMF?

Mr. Minister, specifically, we need to go beyond the issue of reviewing the percentage of the allocation. We want to know what is the proposal for fiscal year 2011/2012 and how can we ensure that that which you formally, solemnly commit will be carried through.

And the final point is that we the Parliamentarians would wish to have the copies of both documents. One is the Loan Agreement between the RMF and Ex-Im Bank of China. And secondly the agreement between the firm China Harbour and the NWA. These were promised to the PAC but have not yet being delivered to the PAC. This is a matter which has been mired in too much controversy. Minister, take the opportunity to lift it from this controversy and give us reason to have faith in the words which you give to us here.

(Applause)

The SPEAKER: Minister Shaw.

Mr. SHAW: Thank you very much Mr. Speaker, and let me thank the Member for his presentation.

Let me say this, Mr. Speaker. First of all, it has never been the desire or the plan of this Government to be anything less than transparent in the conduct of the Jamaica Development Infrastructure Programme, or the programme of the taxation for which a portion would go to the Road Maintenance Fund. And I want to remind the Honourable House that we have committed ourselves to a fiscal responsibility framework which demands absolute transparency; and so that, it would be

inconsistent for us to make this declaration of fiscal responsibility and to pass laws, and with more to be passed, and then to wilfully and knowingly go and seek to undermine that process.

So, Mr. Speaker, the first thing I want to say to you and to the Member and this entire House, that the oversight in bringing to the attention of Parliament the question of the postponement of the movement from the formula bf 20% to 35%, to 50% that is something that I take full responsibility for, Mr. Speaker. I am not going to blame it on anybody whether it is any department of any - either of my ministry and other ministry or CPC or anywhere else, I am going to accept full responsibility for it. Because having entered into the Agreement with the IMF, which was very early in this year, then it would have been natural for me, having spoken and introduced the programme in the previous fiscal year, or the previous April, by the April of this year when we presented the budget within the context of the IMF Agreement, then that was the appropriate time that the postponement of this formula should have been announced.

So Mr. Speaker, I want to express my regret at not having done that at that time. It should have been done at the time of the budget announcement because it was at the time of the budget announcement that we would then be going into Year Two of the Road Maintenance Plan, and without that announcement there would be the expectation that we would naturally have been moving from 20% to 35%. So that oversight in not communicating the decision of the Cabinet within the context of the Letter of Intent with the IMF is regretted, Mr. Speaker, and I want to take that upfront to the Honourable Members.

Let me also indicate, Mr. Speaker, that we are absolutely committed also to preserving the sanctity of the Road Maintenance Fund, within the curtilage of the law that governs the RMF. This sanctity even more so, must be preserved in the context, Mr. Speaker, that the Jamaica Development Infrastructure Programme, and the loan that has been arranged to the RMF will have to be financed out of the proceeds of the fuel tax going toward the RMF. It is a fact as the former Minister has said, that the Government Guarantee is in place, and as he knows, it would not be the first time that a Government Guarantee is provided for which they have had to - we have had to seek recourse to the Government, it would not be the first time. But, I want to make it clear, Mr. Speaker, that it is not something that we would want to wilfully go and say well, we are going to guarantee it, but this is really the plan to finance it, but then midstream you undermine the plan to finance it.

The truth, Mr. Speaker, is that based on the progress of the finalization of the JDIP, we were not even exactly sure as to the implementation date. As it has turned out, what should have been implemented, the process should have started earlier, much earlier in year. As it turns out now, it is just - it is only just not about to be started. And so I want to give the Honourable House the assurance that in discussions with the Ministry of Transport and Works this morning, I have been given the assurance by them, that for the remainder of this fiscal year, there is no clear and present danger or threat to the RMF in terms of their ability in dealing with their

obligations whether under the JDIP or under any other programme.

However, as the former Minister has indicated, and I want to remind him that I said when I made the opening presentation, that at - in terms of the next fiscal year 2011/2012, I intend to come to Parliament in the budget presentation and I will make a fulsome presentation as to precisely the formula that we will use i.e. we will revert to the 35% and the 50%. This is now for Cabinet for relook at the issues surrounding that, and if we don't do that, then we are going to have to ensure that we have adequate replacement of resources to ensure that the RMF is not compromised in any way in its ability to deal with its obligation. And I give the Honourable House this firm undertaking.

In relation, Mr. Speaker, to the requests that the Member has made for information concerning the Ex-Im Bank of China Agreement with the Road Maintenance Fund and the Agreement between China Harbour and the National Works Agency, he gives the - he tells us that he has been given the assurance at Public Accounts Committee that this information would be provided, and I will have discussions with the Honourable Minister and to see that he gets that information.

Let me say finally, let me say, Mr. Speaker that, when it comes to the JDIP, I think that all of us, regardless of what might have appeared to have were controversy, I think that there is consensus on both sides of this House that we cannot afford to put the Jamaica Development Infrastructure Programme into any controversy and into any problems at this stage... (Applause) ...because, we want to make that very clear, because, Mr. Speaker, if we thought we had problems with road repairs before tropical depression No. 16, later Tropical Storm Nicole, now we are fully in the middle of the circle and the crisis of that particular storm, and so we need the DIP now more the ever.

I want to give you all, the entire House the assurance that as Minister of Finance whatever remaining gaps in terms of transparency and fully understanding how we go forward will be cleared up between now and the time of the presentation of the new budget.

Thank you very much.

(Applause)

(Mr. Hylton stood up to speak)

The SPEAKER: No - it can only be a question the debate is closed.

Government MEMBER: You are late.

The SPEAKER: The debate is closed. He closed the debate.

(Inaudible comment by Mr. Hylton)

The SPEAKER: Well, unfortunately, you are a bit late, Mr. Hylton. No, no, no, the debate is closed. The debate is closed.

(*Sotto voce* comments by Members)

The SPEAKER: Okay, if its clarification, not a problem but the debate is basically closed.

The resolution before you, Members of the House, is on the Order Paper No. 7.

Put to the House and agreed to.

The SPEAKER: (Gave1s) Resolution passed. House Leader:

DEATH OF GREGORY ISAACS

Mr. HOLNESS: Mr. Speaker, Members may want to acknowledge the passing of one of Jamaica's great reggae icons, Mr. Gregory Isaacs, if Members so choose to acknowledge, I believe on the Motion for Adjournment that could be done.

The SPEAKER: Are you moving for the motion?

Mr. HOLNESS: Yes.

The SPEAKER: No, well move for the motion for Adjournment and then we can...

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. I therefore move that the House do adjourn until the 2nd of November when we will resume our business.

The SPEAKER: Dr. Davies.

PASSING OF GREGORY ISAACS

Dr. DAVIES: Yes, thank you, Mr. Speaker.

The passing of Gregory Isaacs, although not unexpected, is tragic for music, not just Jamaican music but worldwide.

Gregory, not an imposing stage performer but produced some of the greatest hits, a whole long line. He was a great lyricist, there were beautiful melodies, never had the need to descend to some of the levels, or the levels which characterize too many of our recent releases. He assembled an amazing backing band called "Roots Radics", which provided the music for "*Night Nurse"*, "*Mr. Brown*", *"Tune In* " a whole range of those great songs.

It's also well known that there was a problem in terms of drug use - substance abuse I am told is the correct word, but this didn't detract from his exceptional talent, and his passing is something as I said that we all regret. There is a whole series of these great artistes who have passed, and I believe that somehow the society must begin to recognize the extent to which these artistes are not just known in Jamaica, but have contributed to establishing Jamaica's name worldwide.

We on this side regret his passing and would wish to join with other Members of Parliament in conveying sincere condolences to his family.

Thank you.

(Applause)

The SPEAKER: Thank you, Dr. Davies. House Leader.

Mr. HOLNESS: Mr. Speaker, the singer is a great icon of the music and what I admire most is that there are none of his songs that you could not play on air that you would play off air.

Mr. PICKERSGILL: That is if you don't understand the lyrics. (Laughter)

Mr. HOLNESS: His lyrics were clean and his lyrics conveyed deep meaning, particularly deep meaning of the Jamaican culture. I have grown to appreciate two of his songs, "*Rumours dem Spreading*"

(Laughter by all)

Of course, Mr. Speaker, the other one is "*Hop Off a Me Fender"*.

(Laughter by all)

And of course, we can't forget the Anthem almost, "*Night Nurse* ". He will be missed on the Jamaican musical landscape and it marks really, Mr. Speaker, the transitioning of the music from one generation to the next. I hope that the generation coming will take note of the life and music, because there were errors, in his life that should serve as example of what to avoid for the generation coming. With that Mr. Speaker, I would like to record my...

The SPEAKER: Thank you. Miss Hanna.

Miss HANNA: Thank you, Mr. Speaker.

I don't think any of us if we went to a party or a concert or a dance, the minute you heard a number of songs that came from

Gregory lsaacs, whether it was "*Night Nurse*", tell her to just come and make it quick, attend to the sick and all those kinds of lyrics that came. He really was the Cool Ruler and he found a way to bring lovers rock to reggae that when you were in a session, once Gregory came on there was a syncopated rhythm to the way that people moved together, very different to what was happening before Gregory came on. The way he presented himself at a concert, the way he walked onto a stage, the way he presented how he put forward his music. Those of us who perhaps came after some of us, (Miss Hanna touched Dr. Davies and smiled) even though we were not at the time when he created some of those great lyrics, come to appreciate what he had to offer.

"*Number One*" is one of my favourite songs and when you recall how it is that you trace the history of Jamaican music. I think one of the concerns that I have as one of the younger Members of Parliament is that we have lost many of our cultural icons over the last year and not only in theatre and in poetry but also in music, and we really have to find a way to pay tribute to them in a manner that our young people find a sense of balance in their culture and understand exactly where we are coming from. Cultural sites are necessary, the way we present music, so that people recognize that it really is not only Beenie Man Vybz Kartel and Mavado, but these are a series of other persons who have come and set and blazed a trail.

And l believe that the Gregories of this world, the Cox and Dodds of this world and others, who have really come before, really should be paid the kind of homage, we really should put down the kinds of museums and cultural heritage sites that people can go and recognize the life and their work. It is really not enough to only mourn their passing. (Applause)

It is not only enough to mourn their passing, even though that is necessary at the passing of these persons, but we have to find a way, Mr. Speaker, to ensure that their legacy lives on. And so, those persons who are coming up, whether it's from the basic school, primary school or secondary school level can appreciate what makes them truly culturally diverse as a Jamaican, and why it is that other places in the world respect us so much in terms of our music and culture.

I mourn the passing of the '**Cool Ruler**'. He was not only cool, but he was a sweet, sweet lyricist. And I thank him for creating that kind of genre within the music and I really pray that others will take it up and run wid it.

Thank you, Mr. Speaker.

The SPEAKER: Thank you, Miss Lisa Hanna.

What we'll do, Members of the House, we'll ask the Clerk to send the usual notes of condolences to widow and family, okay.

The motion before the House is that this Honourable House do adjourn until Tuesday, November the 2nd at 2.00 p.m.

Put to the House and agreed to.

The SPEAKER: (Gavels) This Honourable House stands adjourned.

The House was adjourned at approximately 6.20 p.m.

THURSDAY, November 2, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.23 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Trade.

AUDLEY FITZ ALBERT SHAW, (JLP), Manchester, North Eastern, Finance and the Public Service.

DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing.

PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security.

LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

MINISTERS OF STATE

THE HONOURABLES:

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

OTHER MEMBERS

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

MR. IAN DAVE HAYLES, (PNP), Hanover,

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern.

MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 2.23 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKERS: Members, this afternoon we would like to welcome a number of students and teachers. Firstly, students and teachers from the Old Harbour High School, welcome. (Applause) Students and lecturers from the Sam Sharpe Teachers College, welcome; (Applause) and students from the Caribbean Institute of Media and Communications, CARIMAC. (Applause) Welcome to the sitting this afternoon students, teachers and lecturers.

(HON. DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture, entered and took his seat.)

Please just check to make sure your cellphone is on silent, vibrate or off so that you don't disturb the sitting from the Gallery. But please enjoy the sitting this afternoon.

ANNOUNCEMENTS

The Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 86**
  Cabinet Agenda issues for October 19, 2010
- **Ministry Paper No. 87**
  and Reports on Jamaica's Survey of Living Conditions for the years 2008 and 2009.
  (One on CD and the other one in hard copy.)
- The Independent Commission of Investigations (Emoluments of Commissioner) Resolution, 2010 under
  The Independent Commission of Investigations Act.

(Hon. James Rudolph Edward Robertson, (JLP), St. Thomas, Western, Minister of Mining and Energy, entered and took his seat.)

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North, entered and took his seat.)

PETITIONS

PETITION FOR PRIVATE BILL

TO: The Honourable House of
Representatives of Jamaica
Gordon House
81 Duke Street,
Kingston

THE HUMBLE PETITION OF REVEREND MONSIGNOR GREGORY ROY RAMKISSOON, Executive Director, HIS GRACE THE MOST REVEREND EDGERTON CLARKE, and REVEREND GARVIN AUGUSTINE, Chief Formation Director, showeth that:

1. Your Petitioners desire to present to this Honourable House of Parliament a Private Bill entitled "AN ACT for the Incorporation of The Mustard Seed Missionaries and the Vesting of Property in the Body so Incorporated"
2. The object of this Bill is to allow The Mustard Seed Missionaries to function autonomously particularly with respect to holding and dealing with property.
3. A copy of the proposed Bill has been deposited with the office of the Clerk of this Parliament with the original of this Petition.
4. Notice of this Bill has been given by three successive publications thereof in its entirety in the *Jamaica Gazette* dated the 19th day of August 2010, the 26th day of August, 2010 and the 2nd day of September, 2010, respectively, copies of which said *Gazettes* have been affixed to the original of this Petition deposited in the Office of the Clerk of this Parliament.
5. Your Petitioners have also published a Notice containing a Statement of the Object and Reasons for the Bill in the "*Daily Gleaner*" newspaper of the 12th day of august, 2010. A true copy of the tear sheet of the said "*Daily Gleaner*" newspaper has also been affixed to the original of this Petition.
6. Your Petitioners to the best of their knowledge, information and belief have complied with the parliamentary requirements as set out in the Standing Order of this Honourable House of Representatives (Standing Order No. 85 - Private Bills).

Wherefore in the premises Your Petitioners do hereby PRAY for leave to introduce into this Honourable House the Bill referred to and mentioned in paragraph 1 above, namely, a Bill entitled "AN ACT for the Incorporation of The Mustard Seed Missionaries and the Vesting of Property in the Body so Incorporated" and that leave be given to them to proceed therein.

Signed: Reverend Monsignor
Gregory Roy Ramkissoon
Executive Director

Signed: His Grace The Most Reverend
Edgerton Clarke, DD
Spiritual Director

Signed: Reverend Garvin Augustine
Chief Formation Director

The SPEAKER: Members, please, we have before you a number of petitions. Please be careful. Listen to them because you will

have to respond to my question shortly.

(MR. NOEL GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western, entered and took his seat.)

(MR. DERRICK CHARLES SMITH, CD, (JLP), St. Andrew, North Western, entered and took his seat.)

TO: The Honourable House of Representatives
Gordon House
Duke Skeet
Kingston

THE HUMBLE PETITION OF GLADSTONE FAIRWEATHER OVERSEER AND EVELYN FAIRWEATHER, PASTOR SHOWETH:

1. That your Petitioners desire to present to this Honourable House a Private Bill entitled "AN ACT for the Incorporation of the Lord's Chapel of Jamaica and the Vesting of Property in the Body so Incorporated"
2. That the object of this Bill is to constitute the holders of certain offices in the religious Order of the Lord's Chapel of Jamaica with perpetual succession and with power to hold and deal with property and to sue and be sued in its Corporate name.
3. That a copy of the Proposed Bill has been deposited in the offices of the Clerk of this Parliament with the Original of this Petition.
4. That notice of this Bill has been given by three (3) successive publications thereof in its entirety in the "*Jamaica Gazette*" dated the 11th day of June, 1998 and the 18th day of June 1998 and the 25th day of June, 1998, respectively, copies of which said *Gazettes* have been affixed to the original of this Petition deposited in the Office of the Clerk of this Parliament.
5. That your Petitioners have also published a Notice containing a Statement of the objects and reason for the Bill in the "*Daily Gleaner*" on the 2nd day of May, 1998, a copy of the said "*Daily Gleaner*" has been affixed to the original Petition deposited in the offices of the Clerk to this Parliament.
6. That your Petitioners to the best of their knowledge and belief have complied with the Parliamentary requirements as set out in the Standing Orders of this Honourable House of Representatives (Standing Order No. 85 - Private Bills).

Wherefore in the premises your Petitioners do hereby pray for leave to introduce into this Honourable House the Bill mentioned and referred to in paragraph 1 above, namely, a Bill entitled "AN ACT for the Incorporation of the Lord's Chapel of Jamaica and the Vesting of Property in the Body so Incorporated" and that leave be given to them to proceed thereon.

Signed: Gladstone Fairweather and Evelyn Fairweather, Petitioners

The SPEAKER: Reverend Thwaites, you initially had a question?

Rev. THWAITES: Mr. Speaker, is it intended that these Petitions be available to Members other than by the reading?

The SPEAKER: You could get copies. They are available with the Clerk.

Rev. THWAITES: Thank you, Mr. Speaker.

In the 'Announcements', sir, reference was made to...

The SPEAKER: No, let us deal with this one first.

Rev. THWAITES: Well I would like a copy or to be told if it's on the website.

The SPEAKER: Which is this one, sir?

Rev. THWAITES: The Petitions, both of which were just read.

The SPEAKER: Rev. Thwaites, we'll get copies of them to you.

Rev. THWAITES: Very well, sir.

The SPEAKER: But they are also on the website but we'll get copies of them to you shortly.

Rev. THWAITES: Very well.

And the, second item of 'Announcements' we haven't been circulated with or told where it is available.

The SPEAKER: Which is that second item, the...

Rev. THWAITES: To do with a Report of a Commission of Enquiry.

The SPEAKER: On emoluments. It was announced.

Rev. THWAITES: It was announced and I just want to know where it is.

The SPEAKER: Rev. Thwaites, copies will be available shortly.

Members, before you are the petitions which were read at some length by the Clerk of Parliament. Is this the wish of the House - Well firstly, in relation to the Mustard Seed, is it the wish of this Honourable House for the Petitioners to proceed?

MEMBERS: Aye.

The SPEAKER: The Petitioners may do so. Yes, Mr....

Mr. WARMINGTON: Mr. Speaker, you ask for us to proceed. We haven't seen copies of the document itself so how can we proceed?

The SPEAKER: Listen, when we said Petitions the Clerk stood up and read fully, two Petitions. Would you like her to do so again?

Mr. WARMINGTON: I need a copy.

Mr. HOLNESS: Mr. Speaker, just so that the Members are satisfied in what they are agreeing to, would you in your authority as Speaker of the House agree that we redo this Petition next week to give Members enough time to consider carefully before they make the agreement.

The SPEAKER: No, no, Members, please! Remember when we say proceed it means that once these Bills are approved in the House it goes to a committee for further consideration. Do you understand?

Mr. HOLNESS: The Members, I am sure, Mr. Speaker, understand, but I am reading from the hesitant response of "aye" that we are not getting that, Mr. Speaker. So I believe that more information and probably more time would assist the process.

The SPEAKER: May I make an alternative suggestion House Leader. We are going to copy these petitions, circulate it within the House and we will recommit it later in the afternoon so we can proceed; because they actually go to a committee for further consideration.

Mr. JACKSON: And come back here.

The SPEAKER: And then come back here.

Mr. WARMINGTON: Mr. Speaker, are you saying that you'll circulate it later on and we deal with it today?

The SPEAKER: Yes.

Mr. WARMINGTON: No, Mr. Speaker, no, no, hear me. What we are saying here that

we are going to rubber stamp something to go forward.

The SPEAKER: No, no, no! Not at all.

Mr. WARMINGTON: Give us a chance to read through. I need to read through the document before we talk about proceeding. That's what I am saying. Give us a chance to read through it. Take it back next week as the House Leader asks.

The SPEAKER: But, Mr. Warmington, I know that you can read quickly. So when it is put to you it will be copied for the Members. Within half an hour you will get it. We will recommit the item 'Petitions,' because the procedure is, that once we approve the procedure in the House it goes to a committee for further consideration and then it comes back to the House for passing. So it's not a question of rubber stamping. What we are trying to do is to get it to the Committee. So we are going to move on and we will circulate the Petitions to all Members shortly.

NOTICES OF MOTIONS GIVEN ORALLY

Mr. HOLNESS: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move: **The Independent Commission of Investigations Act, The Independent of Investigations (Emoluments of Commissioner) Resolution, 2010...**

The SPEAKER: Are copies available? This is the problem, House Leader.

Mr. HOLNESS: Copies should be available, Mr. Speaker.

The SPEAKER: Apparently a number of Members have not received the copies as yet.

Mr. HOLNESS: This will go on the Order Paper.

The SPEAKER: It will be circulated very shortly.

Mr. HOLNESS: Even so, Mr. Speaker, my reading this into the record places it on the Order Paper.

The SPEAKER: Very well. Continue, House Leader.

INDEPENDENT COMMISSION OF INVESTIGATIONS ACT – EMOLUMENTS, ETC.

Mr. HOLNESS:

Whereas under paragraph 6(1) of the First Schedule of the Independent Commission of Investigations Act, the emoluments and terms and conditions of service of the Commissioner of the Independent Commission of Investigations may be prescribed by a resolution of the House of Representatives;

And whereas it is desirable that such emoluments be prescribed:

Now Therefore be it Resolved by the House of Representatives as follows:

1. The Resolution may be cited as the Independent Commission of Investigations (Emoluments of Commissioner) Resolution, 2010.
2. The Independent Commission of Investigations (Emoluments of Commissioner) Resolution, 2010 which was laid on the Table of the House on the 2nd day of November, 2010 is hereby affirmed.
3. The rates of salary and other emoluments payable to the Commissioner of the Independent Commission of Investigations shall be

specified in the Schedule, Schedule paragraph 2.

And, Madam Clerk is it appropriate for us to read out the emoluments?

Salary: $5,718,914 *per annum*
Housing allowance: $2,000,000 *per annum*
Entertainment allowance: $85,817 *per annum*
Library allowance: $204,326 *per annum*
Leave Passage Allowance: $400,000.00 *per annum.*
Security Allowance: $21,000.00 *per annum*
Motor Vehicle Allowance: $796,500 *per annum* payable in accordance with the terms and conditions applicable for such payments. And all dollar values are Jamaican dollars.

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: Dr. Davies. Sorry, yes, Reverend Thwaites.

Rev. THWAITES: Did the House Leader say when he intends to take that colonial sounding Resolution that he just put.

The SPEAKER: I don't think he intends today.

Mr. HOLNESS: Not today?

The SPEAKER: Not today, but it will be on the Order Paper.

Rev. THWAITES: And it will be circulated?

The SPEAKER: No, it will be circulated if not this evening it certainly will be on the Order Paper for the next sitting of Parliament.

Rev. THWAITES: And perhaps when it comes, he would care to explain that home leave passage. What is this 1940 or 2010?

Mr. HOLNESS: The matter falls under the Office of the Prime Minister and I will pass on your concern to him for it to be addressed when we take this matter next week.

The SPEAKER: Okay, Dr. Davies.

Dr. DAVIES: Thank you, Mr. Speaker, at the expiration of 21 days I wish to have answers to these questions to Minister Shaw. There are two sets, sir, which were submitted at 10.00 a.m. this morning.

The SPEAKER: No, no? I got them at 10 minutes to Two.

Dr. DAVIES: I can't do anything about the internal operations of the…

The SPEAKER: Anyway, they were approved. It's for the Minister of Finance.

Question 1: Will the Minister provide to Members of the loan agreement between the Road Maintenance Fund (RMF) and the EX-IM Bank of China?

Question 2: Will the Minister provide to members, copies of the agreement between the National Works Agency (NWA) and the Chinese construction firm "China Harbour"?

BOJ GOVERNOR – SIGNING OF CONTRACT

The Minister will recall that on Tuesday October 26, he indicated that the contract of the Governor of the Bank of Jamaica would soon be completed and signed.

Question 1: Will the Minister indicate whether the signing has taken place?

Question 2: If the answer to the Question 1 is in the affirmative, will the Minister provide a copy of this contract?

Question 3: If the answer is in the negative, will the Minister provide a copy of this contract?

Question 3: Will the Minister indicate the total sum expended in refurbishing the house and installing the security equipment?

Question 4: Will the Minister indicate the projected monthly recurrent costs, in addition to rental, to maintain the residence for the Governor?

The SPEAKER: Sorry, I'm sorry. Yes.

PRESENTATION OF BILLS WITHOUT LEAVE OF THE HOUSE FIRST OBTAINED

Mr. SPENCER: Mr. speaker, I beg to move to introduce and have read a first time a Bill shortly entitled, "The National Health Fund (Amendment) Act, 2010."

Bill shortly entitled:

"The National Health Fund (Amendment) Act, 2010"

read a first time.

Mr. SPENCER: Mr. Speaker, I beg to give notice of second reading of the Bill.

PUBLIC BUSINESS

Mr. HOLNESS: Mr. Speaker, at Public Business today we will begin with the Minister of Finance who last week postponed taking the matter of the Credit Reporting Act. He will therefore be the first item in Public Business. We will then close the debate on the Energy Policy and the Minister is here to see that through. We will then take and close the Electoral Commission Report on Party Registration and Financing and we will, after that, take a Private Member's Motion - the Member from St. Catherine - dealing with crime in Jamaica.

The SPEAKER: Before that, Mr. Holness, the Leader of the Opposition has brought to my attention a matter of some concern. The issue of the possible impact of - Can you have further discussion and let us...

Mr. HOLNESS: Mr. Speaker, the Leader of the Opposition mentioned it to me as well. It was always our intention. We are awaiting the Minister of Information to join us in Parliament to give us an update when he is here, Mr. Speaker.

The SPEAKER: I think it is a matter of great concern and the Leader of the Opposition, quite rightly, we would certainly want to hear what preparation has been - you know - the Parliament should be informed and therefore...

Mr. HOLNESS: Mr. Speaker, I'm happy to note he is indeed dealing with the matter as we speak, so on his arrival we will...

Dr. DAVIES: What about Montague? Montague, can't do it?

Mr. HOLNESS: On his arrival, we will suspend business and have an update and have a request.

The SPEAKER: And do a full update?

Mr. HOLNESS: Yes.

The SPEAKER: Thank you, Leader of the Opposition. Okay, the Credit - we're going first then with – (Cross talks)

The SPEAKER: Mr. Fagan, are you going first?

(Cross talks)

The SPEAKER: Sorry, yes Reverend Thwaites.

(*Sotto voce* comments by Members)

Rev. THWAITES: I'm referring to the Credit Reporting Act 2010.

The SPEAKER: Oh, you're going first then Reverend Thwaites? Very well. Reverend Thwaites.

Rev. THWAITES: And the regulations can be kindly postponed taking this week so that I could have opportunity - Members could have an opportunity to peruse them more carefully. And I would like to indicate that 1, for one, am generally in favour of these regulations and anxious that the substantive legislation take effect as quickly as possible and therefore if any of the - I intend to support them when the vote comes. But I should ask if the Minister will take into account some of the concerns that are set out here and in due course consider any alterations that may be necessary.

Mr. Speaker, the first concern I have is in gelatin to Regulation No. 3, to do with Licensing Fees and I'd like the Minister's assurance as to whether the prescribed licence fee for Credit Bureaus is, in fact, intended to be commensurate with the cost of administering the Act. It seems to me it's an important principle that especially in transactions that have a commercial bearing that the Consolidated Fund should not be put to its pains; and that, therefore the Regulation should provide for an equation between the operating costs of the supervising agency and the Appeal Tribunal and their budget and the income from the Credit Bureaus. That's query number one.

The second relates to Regulation No. 5, the requirements for insurance. And I would like the Minister to kindly take into consideration the indefiniteness of the provision of liability insurance coverage.

What is it intended to cover? And who would be the claimants entitled to claim under this insurance? It's a good ideas but it really takes the consumer not very far as No. 5 is presently drafted.

My third query has to do with proposed Regulation 6 and the management of the Credit Files of yourself and myself and others, Mr. Speaker. And I wish to suggest to the Minister that the technology exists for encryption of the records as a security measure, which is conspicuously absent from these draft regulations but which would add exponentially to the security of personal records.

The other concern that I have, Mr. Speaker, has to do with expunging of records. Both records that are in error and records which have expired, because Section 12 of the substantive Act speaks of Credit Information which falls under the Limitations Act, or other legislation and therefore cannot be passed on in a legitimate way; and yet the regulations do not, as I read them, provide for the expunging of those records and is deficient in that regard.

May it please you.

The SPEAKER: Thank You, Reverend Thwaites. Mr. Shaw.

Mr. SHAW: Thank you very much, Mr. Speaker. And before I answer the Member, l would just like to crave your indulgence and the indulgence of the Honourable House

simply, Mr. Speaker, to take note of the fact that something historic happened in Barbados on Friday. I happened to be in Barbados, myself and we have seen in Barbados the election for the first time in the 40-year history of the Caribbean Development Bank, the election of a Jamaican, DR. WARREN SMITH to serve as the 5th President of the Caribbean Development Bank as of April next year. (Applause)

I want to indicate, Mr. Speaker, that I'm particularly grateful to what was a joint initiative of the Opposition Spokesman of Finance and myself in this effort because the Opposition Spokesman on Finance supported this election by forwarding, which I carried with me to Barbados - a letter which reminded the CDB Members - all of the borrowing member countries as well as the OECD member the Donor countries - that 10 years ago when the present President was elected it was, in fact, considered to be Jamaica's turn to nominate the President. And for several reasons the then Minister, who is the Opposition Spokesman and Finance, graciously withdrew Jamaica's nomination on the understanding that at the next appropriate occasion Jamaica would be favoured with consideration for this important position.

I want to place on record the appreciation - my appreciation and the Government's appreciation for the support that was given to us by the Opposition Spokesman on Finance in this matter.

(Applause)

(Cross talks)

The President Elect, Mr. Speaker, comes with a high degree of qualification both academically and in terms of his performance in various pursuits over the past - I think - over at least 25 or so years. He is a Resource Economist with a Ph.D from Cornell University, has worked in Jamaica in various positions at the Petroleum Corporation of Jamaica, Life of Jamaica, and he has served in the Eastern Caribbean for the past 21 years. In part, he restructured the Liat Airlines and he has been Director of Corporate Finance and Planning at the Caribbean Development Bank for the past 8 years and was recently promoted to Acting Director of Operations at the CDB. So it's a son of Jamaica in whom we can all be very proud and I'm sure that you would want to wish him well in his new position when he takes it up next year.

Mr. Speaker, I have consulted with the Member from Central Kingston in relation to the concerns that he has and what I'll undertake to do - the personnel from the Bank of Jamaica are here, Mr. Speaker, they're in the Well and they have noted the concerns, as indeed I have also taken notes of the concerns expressed by the Member.

We agree in principle, that we will take it into advisement. However we feel that given the urgency to promulgate these regulations that we do go ahead with them. I give the House the assurance that should the comments and observations made by the Member be of a sufficient weight that it is considered necessary to make further amendments, then we will do so and bring it to the attention of the House.

I do want to - and I give that undertaking to the Member from Central Kingston.

I do, however, wish to make one correction on page 3, of the Regulations which is listed, Mr. Speaker, in line two under item 6, under the Auditors Report form of Auditor's Report, where it says:

An Auditor's Report submitted for the purposes of Section 7, subsection (i) subsection (a), subsection (iii).

Roman (iii) should be Roman (ii) and not Roman (iii). So l simply wish to make that correction, and once again give the House that assurance that we did take the observations and carefully review them and provide the appropriate response to the Member.

Thank you.

Rev. THWAITES: Mr. Speaker, would you indulge me. There is one query that I forgot, may I just raise it very briefly.

The SPEAKER: Not usual, but I will allow it.

Rev. THWAITES: Thank you, Mr. Speaker.

It had to do with Section (f) on page 10 of the Draft Regulations, to do with quality control. And one of the queries that is prescribed there for any credit bureau is whether you have a code of ethics; and my strong suggestion to the Minister is that, the regulation should include or make reference to a basic code of ethics. It cannot be left entirely to the credit bureau on such an absolutely vital issue as the privacy and integrity of a person's credit record.

The SPEAKER: Minister, you want to respond to...?

Mr. SHAW: Are you suggesting that that basic code of ethics should be promulgated by the regulators or by the applicant?

Rev. THWAITES: No, the regulators should guide the applicant and not leave it entirely to their - what is here, their option, and one might perhaps un-forensically say their whim and fancy.

Mr. SHAW: We will take that into account, Mr. Speaker.

The SPEAKER: Members, before you then is No. 5, on the Order Paper, the Credit Reporting Regulations Resolution, 2010.

Motion put to the House and agreed to.

House Leader? Are we now moving into the...

ENERGY DEBATE (contd)

Mr. HOLNESS: Mr. Speaker, we will continue the debate on the Energy Policy and the first speaker will be the Member from St. Ann, Southeast.

The SPEAKER: Very well. Miss Lisa Hanna? (Applause)

Miss HANNA: Thank you, Mr. Speaker.

Mr. Speaker, a lot of persons have wondered why I have chosen to enter, certainly a debate such as this. I speak on behalf of the majority of our population, 53% of our population are persons under 30 years old. And certainly as we launch Youth Month which was yesterday, we recognize that lot of the decisions that we take as a country, particularly for economic growth and job creation, directly impacts this cohort of people, who are our young people.

And so, Mr. Speaker, as we embark on looking at new energy solutions through a modern energy policy, it was impatient for me to get into this debate because any decision we take on energy, in terms of bringing down electricity bills and the cost of energy directly impacts the way our young people live and will do business in Jamaica. And so, Mr. Speaker, I am pleased to join this debate this afternoon.

The diversification of our energy base away from oil, Minister, is imperative, and certainly the higher electricity cost that we experience in Jamaica significantly reduces

the disposable income at the end of every month for individual householders as well as small businesses; not only in terms of the energy cost that they pay, but certainly other businesses and industries to expand their companies for job creation. Oftentimes in Jamaica, we pay six times more than our major trading partners for electricity. And so high electricity cost, Mr. Speaker, threatens the very foundation of our economic growth now and into the future.

I support the energy policy, Minister, which speaks to the diversification of our energy base. But I would like to emphasize, Mr. Speaker, that there are some issues that are essential if this policy is to have relevance and benefit to our country and particularly to that group of young persons that I speak of.

Mr. Speaker, we need solutions in the shortest possible time, and certainly the urgency of this situation to have economic competitive viability with our major trading partners requires that we be realistic.

Currently, we pay too much for electricity; and what it means is that, other countries can expand their manufacturing base for their export economies while our businesses are hindered in their ability to compete either locally or internationally which in turn has a negative impact on the job creation for our people.

Similarly, Mr. Speaker, when a single family household has to spend a large part of their income on electricity, it limits their ability to send children to school, for children to go on to higher education, and certainly for them to improve the quality of their lives.

While pursuits in the renewable energy like wind and solar are desirable for the long-term development of our country, Mr. Speaker, I don't believe that right now we have the capital to afford them in the short term. Last year this cost factor resulted in a drop in demand for wind power, and so 40% of the wind parts in America and Europe which are built and financed by small operators, financing their projects through debt, those wind forms saw a drop and that financing saw a drop of 40%. Similarly the German Government did a recent study, and found that they had a drop off as well in terms of persons capitalizing wind farms. And the American Wind Association showed that windmills had fallen by 15%. The country that is really growing in wind farms albeit slowly is China. And so, the urgency of the Jamaican situation requires, I believe, Mr. Speaker, that we find solutions that best suit us in the short-term. And so, Mr. Speaker, the solutions that are really afforded to us at this point are in the area of natural gas, are in the area of nuclear and are in the area of coal.

So, I would like to advocate, Mr. Speaker, that while it is, as we move forward, we face the same dilemma as non-producing oil countries and gas countries, what is critical is that we do not somehow go out there, believing that we need to re-invent the wheel. There are other countries that have made the adjustments who are very close to us, countries like Puerto Rico and the Dominican Republic.

Puerto Rico for instance, Mr. Speaker, reduced its dependency on oil to generate electricity from 98% to 68% by the addition of a 540 megawatt natural gas eco-electrical plant two 250 megawatt coal fire plants. Today gas and coal satisfies 15% and 16% of their energy demand respectively and their long-term goal is to ensure that the oil

accounts for less than 30% of their energy base and increase the use of coal to 29% and gas to 30%.

The data, Mr. Speaker, supports the fact that coal reduces the energy costs in Puerto Rico per kilowatt hour by 50% while gas reduces it by 30%. Similarly, Mr. Speaker, the Dominican Republic operates three coal plants that satisfy 20% of their energy demand which aids in significantly reducing these energy costs. And both these countries, Mr. Speaker, have implemented these facilities successfully into their economies, and both have tourism as a major feature of their economic progress with over two million visitors annually.

But Mr. Speaker, true diversification means a commitment to other sources as well. The Minister of Energy his used the phrase that the cornerstone of the policy is the diversification of our energy base, and this is what we need, Mr. Speaker, because it gives us choice. But, the Minister's actions and his decisions have not supported his sentiment, as he has presented liquid natural gas as really the main alternative that we will use to move the nation away from our dependence on oil in the short-term. But Mr. Speaker, he has not yet presented to the nation, really any objective analysis as to why the total commitment to LNG at this time and certainly the prospect of lowering energy costs, without fully disclosing the alternatives or the long-term implications and obligations that will face us if we go in whole line and sinker to LNG.

Neither he, nor the Prime Minister, when I asked the Prime Minister recently, have been able to effectively tell us inside or outside of the Parliament what we will be paying for LNG, where the supply will come from and the cost for its transportation. Furthermore, the market commitments, Mr. Speaker that must be given to the overseas gas energy producer will make the Minister's projections of a diversified base for 2010 and beyond unrealistic. As I understand, Mr. Speaker, our proposed LNG investors will not be prepared to invest unless they receive long-term commitments from both JPS and the bauxite companies.

If one has confidence, Mr. Speaker, in the cost effectiveness as a product then why does Jamaica and Jamaicans have to guarantee the market. If these markets are excluded to the detriment of other investors, will there be sufficient incentives, Mr. Speaker, for others to participate, to truly recognize and realize a diversified energy-base? And I don't think that that is the case, Mr. Speaker.

The limited supply of any commodity is subject to price fluctuations. And, Mr. Speaker, over the last 30 years we have seen the fluctuation in oil prices certainly from as low as US$10 per barrel to as high as US$140 per barrel. That is an increase, if you look at it of 1,400%.

Who will guarantee, Mr. Speaker, the Jamaican people that gas prices will not suffer a similar fate and we will not be out of the frying pan into the fire in terms of diversifying and moving from oil to another source that we go wholeheartedly into? The only guarantee, Mr. Speaker, of keeping our electricity prices low is not to only commit to one source as we did with oil. The only way to ensure lower prices is to introduce competitiveness into our energy sources and base, and certainly, cellular telephones is one way to look at it, is the simplest explanation. An example that we can give was when this administration, or

when we were government, liberalized the telecommunication's industry. And what you have seen is a situation where people have actually a choice. And they can pay lower for telephone services.

Therefore, Mr. Speaker, I would recommend that certainly the Minister in his discussions with the bauxite industry and others, give them the choice of their energy demand and then they can sell their excess capacity to the grid. As I understand it...

(*Sotto voce* comments by Mr. Robertson)

Miss HANNA: Really. No, you do that, I don't. As I understand it, their choice would be coal. Carib Cement chose coal and plans to expand their coal plant. We could then allow alternative sources to provide electricity, Mr. Speaker, to our houses.

Mr. Speaker, the truth is, that while we deliberate on moving our country forward in terms of the best plans for economic growth and solutions, and when you look at those it is really having a safe society, it is having an educated people, it is having a diversification of our industry so that we can pick winners to compete internationally, but the only way that those things can also be realized is if we have lower electricity costs. Companies and companies who wish to do business in Jamaica cannot be paying 8% more of their sales towards electricity, as our major or compared to our major trading partners. Doing business in other countries that have lower electricity costs are where these big investors are going to go. And the only way that we can ensure that they come to Jamaica to give jobs to the young people who are sitting up there in our Gallery, is to ensure that they actually come to Jamaica, Mr. Speaker. (Applause) And the only way to ensure that we have that kind of competition is to truly diversify our energy base. You only can have diversification in terms of what the policy speaks to is if you have a choice, Mr. Speaker, not one solution, but a number of solutions, and there are a number of solutions that we can take in the short-term

Certainly, as decision-makers, there are trade-offs with any energy source that we choose to undertake. Renewables are where we need to go: the wind, the solar, the hydro; but that is in the long-term. The things that we have and can hold on to now and stake examples from are what I spoke about earlier.

And so, today, Mr. Speaker, we must make a choice that Jamaican industries become competitive with the rest of the world. Let us not re-invent the wheel. Let us be responsible about our environment, and above all, use this energy policy, which we support, and truly give Jamaicans a choice for their energy consumption. The data supports that we need this kind of choice, Mr. Speaker. I ask that the Government give it to our Jamaican people.

Thank you, Mr. Speaker.

(Applause)

The SPEAKER: Mr. Shaw.

Mr. SHAW: Thank you very much, Mr. Speaker.

(*Sotto voce* comments)

Mr. SHAW: Mr. Speaker, the matter of a discussion and a debate on the Energy Policy that has been Tabled in the House by the Honourable Minister, is a matter of considerable importance to our country going forward.

We must take into account, Mr. Speaker, that in the final analysis, it does not only relate to the cost of electricity to the average person

in the average household, but it relates to the cost of electricity for competitive - to enhance competitive business practices. It relates to the cost of electricity for - to enhance our capacity for creating an industrialized society.

The truth is, Mr. Speaker, that for far too long Jamaica's energy costs have escalated to a point where we are now one of the most expensive destinations in the world for electricity generation, and therefore, the cost to customers, whether as domestic users or as users in business in the manufacturing sector and other areas of the service industry.

And so, Mr. Speaker, I am not, in my short presentation seeking to dig up the past as such. But I think that it is very important, especially from my own perspective because when I was in Opposition, Mr. Speaker, I shadowed many portfolios. And among the portfolios that I shadowed, was the portfolio of Public Utilities. And, from the earliest stages, in the early 1990s, I repeatedly warned the then Government of an approach to electricity generation that we would live to more than regret.

I warned about our reckless investment in what was then recognized to be technology that was cheap to install, but expensive to operate. We introduced gas turbines which were never designed for base load, long-term continuous operation. They were designed for short-term tripping-in assistance during peak-hour use of equipment.

(*Sotto voce* comment)

Mr. SHAW: But we got gas turbines as almost a part of our base load generating capacity. We then went on to have further investment in technology that was relatively cheaper to invest in, but extraordinarily expensive to operate. And we have entered into a series of licenses that simply allowed the producers of electricity, Mr. Speaker, whether it was JPS, owned by the Government, or subsequently JPS that was divested to, in the first place, Mirant and the divestment path later on to Marubeni, now Marubeni TAQA, the issue is that we have abided by a licence system that simply allowed the companies to pass on the cost of this expensive operation - maintenance and operation of equipment, and the type of oil and the type of fuel that was used was the more expensive type of fuel, and the cost of that was simply to pass it on to the consumer.

(Applause)

And that has been what has been at the very heart of the high cost of electricity that we now, together, have to be enduring, Mr. Speaker.

It's a situation in which we have seen what is posed on is not just the cost of the fuel and the cost of the maintenance, but the inflation rate, whether inflation has been in Jamaica or the inflation is in the United States.

(The Speaker leaves the Chair at 3:17 p.m., the Deputy Speaker presides.)

There are inflation clauses at are both denominated in Jamaica, and there are inflation clauses that are denominated in terms of the United States inflation rate.

There are many other clauses. Of course, the clause that relates to exchange rates. And of course, whenever we have had exchange rates instability, and the tendency has always been towards a devaluation of the dollar, then every time there has been a devaluation, Madam Speaker, then to that extent there is the further escalation in terms of the unit cost of electricity.

And so, over that period of time, Madam

Speaker, we have seen the steady profession of the cost of electricity moving from somewhere in the region of 12 to 13 Cents US per kilowatt hour, in the early 1990s, which at that time it was seen to be an expensive rate, relative to the rates that were paid by other people. And we have seen a steady progression that has moved from some 13 Cents US per kilowatt hour, about 15 or 17 years ago, to the point now that we are virtually at 30 Cents United States per kilowatt hour which puts us into a very, very parlous, and a very difficult situation.

So, Madam Speaker, the Member from East Kingston and Port Royal has suggested that one of the things that we must hurry to do now, is to review the terms of the licence. Well, I am not going to comment on that. I am not the Spokesman on Energy. But sometimes it would have been better if we never entrapped ourselves in that kind of licence in the first place, so that then we would now have to be faced with basically what is being suggested is breaking of a contract - defaulting on a contract which, as you know, has its own consequences, and the possibility for reputational damage to us as a Government, in terms of internationally generated contracts.

So, Madam Speaker, there are some things that it is better not to have gone there in the first place, that when we reach there now you say, now that we reach we have to somehow pull back.

(Laughter/Cross talk)

These are my words now; these are my words now. (Laughter)

So, Madam Speaker, having said that, I want to join with the Member from South East St. Ann in the point that she has made concerning the need for aggressive diversification - aggressive diversification of the strategies that we employ. (Applause)

The plan of the Government to move to liquid natural gas should only be seen as a structural and an important shift towards a technology that is also based on the availability of liquid natural gas which is fast becoming the most globally abundant source, and available source which therefore, puts an intrinsic price control into it, going forward. The same cannot be said for oil.

And liquid natural gas, if it is approached in the appropriate fashion, Madam Speaker, it has been demonstrated that the actual savings that can be achieved can be anywhere from 20, 25 to 30 per cent, depending on the precise approach that is taken in the diversification to liquid natural gas.

But that can only be seen as the first stop, Madam Speaker, and the quickest stop because that can be achieved for, I think, a generation of some 450 megawatts with the JPS in two years, and the production of energy for the alumina companies that, in fact, it could serve as the basis for which we could make alumina production that much more competitive again for Jamaica.

But going beyond that we must, Madam Speaker, look seriously at solar power. We have to look seriously at wind power, because these are areas that the technology that is available globally, is changing virtually by the year. Other countries have advanced technology in solar power in Japan. They don't have the sunlight as many days around the year as Jamaica does, but yet solar technology is well-developed in Japan today.

In other countries, including Europe, they have reached the point of wind technology where the wind is not just in terms of on land

wind power, but they are now using wind power that is offshore. Albeit, it is more expensive but they are now finding that wind power offshore is much more sustainable and has more force. They generate more energy from offshore wind power, rather the wind power that is on land. This is all technology that is now being perfected all over the world. And one of the things that we have to look at - and Madam Speaker, I must tell you, it was an issue that l explored when I was in Washington, having discussions with the World Bank in terms of our potential for accessing climate change funds, which is now a new abundant source of funding for areas including renewable energy for countries such as Jamaica.

It's a matter that I further explored in Barbados at the Caribbean Development Bank last week. And I was very happy when, in the interview phase with the President Elect, DR WARREN SMITH, he made the point that his vision is to ensure that the Caribbean Development Bank becomes a catalyst not just as to what they can lend as a regional lending institution, but perhaps more importantly, to see how they can marshal resources from among multilateral institutions, from among bilateral institutions, and from among major Funds, such as the Climate Change Funds that are available globally. And there is a lot of money.

The Global Climate Change Fund marks the main Fund that has been established. They intend to spend some US $30 Billion over the next ten to fifteen years, Madam Speaker. And the question is, are we going to place ourselves in a position to access some of those funds? The answer has got to be a resounding, yes. And I believe that sometimes it is better that we use the vehicle of a regional institution like the CDB to intermediate on behalf of our countries in the region that are ultimately so vulnerable to so many things: natural disaster... but certainly, also vulnerable to the high cost of electricity production. Yet, we have all of this latent capacity, in terms of renewable energy, that can be accessed and importantly, can be financed out of the abundance of Climate Change Funds that are available. (Applause)

And so, Madam Speaker, I certainly commend that to my colleague Minister and certainly will assure him that as Minister of Finance, I intend to use every facility at my command and that is available to me, to make sure that we get full access to our share of those funds that are there. Most of it is grant funding, not even loan funding so much, a lot of it is grant funding. And the charge that we must now have is that we must put together specific marketable project, develop project profile, do the research that is necessary. We can get the research assistance from the multilateral institutions and put in place the projects, Madam Speaker, where our country can then benefit from that. (Applause)

I'll simply end by saying therefore, that this policy that has been tabled can only be seen as a policy that is heading in the right direction. We can't see it as a perfect policy, because technology is changing so quickly, opportunities abound, we must target and we must exploit those opportunities. But one thing we must, we must together decide that we are going to do is that we are going to find a way to make the cost of electricity more accessible, so that investment in our economy can be more competitive. We will not be able to generate the increments of growth that are

necessary, we will not be able to have a return to industrialization on a significant scale unless we are able to deal in a conclusive way with the question of the cost of energy.

You know, Madam Speaker, I well recall asking the then Prime Minister in the Honourable House, at the time of the divestment of the Jamaica Public Service Company to Mirant Corporation, I asked at that time, what would be the return on investment to the company that was investing in the JPS? And the Prime Minister then said - and I read from Hansard - he said:

> "It can vary anything between 9% at the bottom to 15 to 17% at the top".

He went on:

> "Our calculation would be based on the lower end rather than on the higher end over a period of time."

That was said by the then Prime Minister of Jamaica.

Unfortunately, Madam Speaker, what we are faced with today is not only the high cost of oil, not only the high cost of maintenance, all because of the inappropriate technologies that we have used, but my own investigations reveal that in fact it is not the lower end of the return on investment that we are paying for today. That intrinsic in the tariff structure, embedded in that tariff structure is a return on investment of closer to 17 - 16% to be exact. That is what is embedded in the current tariff structure, Madam Speaker. So that for this and so many other reasons, it is time therefore that we hasten to cheaper technology that is sustainable, and we also hasten to that diversification to renewable energy.

Thank you very much, Madam Speaker.

(Applause)

Mr. MULLINGS: Madam Speaker, firstly I must indicate congratulations for the tabling of this energy policy, I believe it repaints a focus as to how we're going to move our country forward.

Indeed, Madam Speaker, the debate ought not to be seen as one source as against another. And by that I mean this, that we speak of renewables, but how many of us realise that ethanol is a renewable source? And in fact this Government has rolled out ethanol in the transportation sector. The thinking was at the time, that the sugar industry could form a critical plank in that roll out of ethanol, because it would allow for a ready market that exists, and in fact Brazil has commended Jamaica that you have a ready market and you are able now to generate employment from this renewable source. And indeed I understand that the Chinese who are investing in the sugar industry are also thinking about establishing a ethanol plant in conjunction with the ethanol plant that the Government presently owns.

We speak of renewables in terms of wind and we think of it in terms of solar as well. But l think the discussion ought to take account of one particular fact and it is this, that the policy will be seeking to wean, or to take households off the grid, and that's where the focus ought to be. And if you will indulge me, Madam Speaker, I'll explain why. That when you look at the consumption of electricity, unlike developed countries where the spike in the consumption of electricity is during the days when industry is going full tilt, our high consumption of electricity takes place between 6:00 or 9:00 at nights. We suggest that households are in fact the higher consumers of electricity. Which means therefore, that in looking at renewables, that

we should be able to persuade households to go the route of the solar or of the wind, the hybrid, if you will, to take them off that grid. And of course, that metering offers a tremendous opportunity for that.

But I also wish to make this point, Madam Speaker, and if the House could contemplate it, one of the challenges we have found is not the issue of the technology, the technology is there. Government established a $1 Billion fund at the DBJ, but there are no takers of the fund. And the simple reason is that when you allow banks to lend this money, there is a spread. Now if the spread isn't competitive, then the banks will not market these funds. And while the Government, based on the historical challenges of direct lending, I would like to commend to the Minister the possibility of looking again, revisiting the role of the DBJ, because maybe it is now time for the DBJ to lend directly so that persons will take the money and then retool and rest in terms of these things. (Applause)

The other point I wish to make briefly is essentially this, that the issue of natural gas, or the issue of coal is going to be midway. That can't be the full story, because we neither have natural gas, neither do we have coal. So, as an economy grows it is going to consume more energy. And therefore if you're looking at growth, if you're looking at the future generations, some of whom are here, we must look at nuclear energy.

And I want to place on record my appreciation to PROFESSOR LALOR, who I asked to chair a committee to look at nuclear energy and a case in point in nuclear energy, it requires a lot of study, analysis, preparation, it takes years. So yesterday is too late in terms of participating in this process.

South Africa is going the way of what they call **pebble bed technology**. And indeed I know that contact has been made with South Africa to work along with them to develop our own capacity, bearing in mind that we've had our **slow poke reactor** for many, many years at the University of the West Indies, to develop that cadre of expertise to allow us to go that route as well.

And we have to see that as critical in the mix because countries do not die, so the generations coming after this, and as we move towards First World status, I believe that you ought to start the process now, of participating in the studies, in the consultations in terms of nuclear energy. And it is something that we have nothing to lose by doing, but what we ought to see is that the role of countries such as ours ought to reduce the dependency on foreign sources of whatever. And once you have that as your mast, the idea that you are going to be independent of those things that are the greatest challenges to your economy, be it food security as well with energy security, once you have that as your guide as your target, then whatever we are doing ought to be positioned along those lines.

So with this brief intervention is essentially to say that the energy policy is one that is required, that allows us to look at several things, but we must not be lost in the labyrinth of technologies and the labyrinth of sources if we understand that the objective must be independence from foreign sources, which will allow us to grow in the future.

Thank you, Madam Speaker.

Mr. ARSCOTT: Madam Speaker, I wish to make a brief intervention in respect of the energy platform we are seeking to develop for Jamaica, and to say that it is commendable

that attempt is being made to look at seriously, renewable energy.

Recently we have seen in the United States where **Google** is investing in offshore wind facility. And one of the problems that we face in terms of the whole question of the monopoly of the Jamaica Public Service is the question of the distribution network. So therefore in supporting my colleague from East Kingston and Port Royal we have to find a way to quickly create competition in the Jamaica Public Service Company. And the whole question of net metering and the way forward, a quick way has to be found.

I think the example has been laid in terms of how you deal with the telecommunications and we've seen the results. And therefore we have to look at what examples we can learn from that approach in trying to wrest the monopoly of Jamaica Public Service Company.

Offshore wind facility is one of the exciting new frontiers, and the question of using undersea cables to transmit electricity by high voltage gc current will present Jamaica has the sea around it we can lay the cable backbone that all the townships, the tourist centres that are new to the sea can benefit, and therefore we have to begin to look at it.

I'd also like to ask the Government to look at the question of geothermal. As we know geothermal is also one of those big renewables as the technology has now made it possible to look at geothermal. Already we have Jamaica, in St. Thomas, hot springs that demonstrate that the heat from the core of the earth is not that far away. And therefore there is a possibility to exploit that potential, renewable source. And heat exchangers are now available that will prevent the potential damage that earlier plants suffered using geothermal as a new – of producing renewable energy from geothermal sources.

Bio-fuel, Madam Speaker, is something that we still have great hopes. I raised it in this House, and the whole question of the use of waste to energy.

I know, for example, one of the smaller countries of the Eastern Caribbean have already moved ahead of us in terms of the use of waste to energy. And, we have talked about it but we have done nothing in practical steps in beginning to utilize vast potential of our waste that goes to Riverton and sits there idle.

So, Madam Speaker, I think we are in exciting times because the technologies are available. The possibility of tapping into the global fund is there and we now have to put our technicians to work to develop the programmes and policies to sell the policy and sell the model, that we - Jamaica has the capacity, although our Caribbean footprint is small, we can tap into the renewable energy that is around us.

The final point I would like to bring to the attention of the Government and it's something that we can see also, isle question of the use of the sea in terms of tidal waves. And just recently there was information on clean energy from the ocean. They are now rigorously testing **pelamis wave energy converter**, which would utilize the energy from the waves to produce renewable energy.

So, Madam Speaker, the ball is in the court of the Government to get Jamaica moving forward.

Thank you very much.

(Applause)

Dr. GUY: Madam Speaker, thank you very much.

I am glad that my - the Member from Clarendon South West spoke on the later point, which is harnessing the wave of the sea, because indeed, he did mention that there are studies that are being done abroad to do this.

As part of the energy mix I want to point out that, there is indeed a particular inventor from St. Mary who has gone this particular route. In fact I want to say that he has solicited the assistance of the Ministry of Energy in developing the model, and they are at the stage with the Centre for Innovation at UTECH, to develop a prototype where the wave from the sea will be harnessed to creating energy and by underwater cable to send that power to land.

But what is interesting, Madam Speaker is, this individual is not a trained engineer, he's not a Physicist, he's not a Chemist, but a simple little man who lives in the constituency of South East St. Mary, who came upon an idea one day and decided that he could do something that potentially can save this country enormous foreign exchange. He went ahead and despite a lot of obstacles has been able to develop this. And I want to commend individuals like this, Madam Speaker, because indeed, they can contribute to the development of this country without necessarily having a couple of Degrees behind their names.

And while we think about the energy policy, Madam Speaker, I am of the view that despite the stated intention of the Government in reducing the duties on the solar panels and other items in the renewal energy sector, I think the Government should go much further. I think incentive should be given to companies that may want to establish manufacturing plants in Jamaica as is being done in other countries because even though the upfront cost is going to be enormous, down the road it will pay off for this country.

In terms of the diversification of the energy, Madam Speaker, or the energy sector, for too long as a country we have been dependent on oil, and I am glad that this particular paper has been tabled and it is my hope that this country will go back to the stage where our consumers will be able to pay less for electricity and energy on a whole.

Thank you.

Mr. MONTAGUE: Madam Speaker, it is good to speak about what we plan to do, but it is better to speak about what we have done. And from the Local Authority sector, we have put the –

Dr. DAVIES: But you spoke last week. (Laughter by Members)

Mr. BUNTING: You said that last week. (Laughter by Members)

Mr. MONTAGUE: .....we have put the energy policy into practice. And what we need to do, Madam Speaker - what we have done is to do an audit to look at our efficiencies, and having done that - because that is what is known as the low-hanging fruit - look at converting your light bulbs into LEDS to make these savings and then on top of that savings, we intend to move to alternate energy. And we have done the experiment where we have a 20% efficiency. And if we could even - by looking at our operations, reduce that by 5% and then looking at alternate energy by 20, you already have a 25% savings. So regardless whether it's LNG, Coal, nuclear or whatever it is, if you look at your efficiencies, you can make some savings.

What we are also doing, Madam Speaker, is to invest into these new energy systems became there are many technologies out there,

and what we have sought to do at the Department of Local Government is to move to biodiesel to look at composting, because at the Riverton Landfill we have established a compost heat, which we have recently sold some 2,500 bags of compost from the Riverton landfill, and we are looking, (Applause) working with the Ministry of Mining and Energy with regard to energy from waste, and to establish two energy from waste plants. We are looking at our bio-diesels. We are looking at using a hydrogen reactor to run our vehicles. We are looking at the whole matter of solar, and there is a new technology that we are discussing with two suppliers. It's a hybrid of solar and light where it excites the Volta-electric cells, so therefore, with the change in light even at night you can produce some amount of electricity. And we are looking to installing that technology at our Head Office on Hagley Park Road.

We are looking at our market operations, because some 80% of the waste out of the market is biodegradable. And in utilizing that we can produce methane to run a generator to look at the operations in our markets.

A simple factor, Madam Speaker, is even to use translucent sheeting on the roofs of the market, you can reduce the light bill because you are using natural light and then to use the roof as a solar collection place.

But what we would want - I want to congratulate the Minister in carrying forward the energy policy because it opens up possibilities and opportunities for Jamaicans. Because as the Member from St. James alluded, that the bulk of our use is at the household level, and if we can utilize the roofs of these homes and turn them into solar farms or into wind farms, collectively we can begin to relook at the profile of our energies.

And, Madam Speaker, the established compensate looking to establish wind farms and hydro electric plants, and if the Ministry in going forward and seeking the support of all, can begin to look at small projects that cumulatively will become big projects as you tie their output together. So I want to congratulate the Minister and the work that he is doing at the Ministry in having a comprehensive look at everything. So regardless of where do we come down, my argument, Madam Speaker, is that we must look at the efficiencies, because if you are an inefficient operator, if you are using coal, if you are using LNG, if you are using nuclear you are still inefficient, and you will be wasting energy. And what the Minister is trying to do is to conserve, is to introduce the new technology to manipulate old technology, example, net metering, and to change the profile of our energy use.

(Applause)

Mr. CLARKE: Nu cussing now, you know.

Mr. ROBERTSON: I never do.

(Laughter)

Madam Speaker, since I opened this debate on Tuesday, October 4, 2010 in this Honourable House, there has been considerable interest shown both in the House during the debate, as well as in the media with regard to the development of a national consensus on the way forward in terms of our national energy policy.

This process is primarily driven by the urgent need to lower the cost of energy as a major input in the overall cost of production in our country.

Madam Speaker, I therefore wish to thank the honorable Members and I will single out a few from East Kingston and Port Royal, Western St. Andrew and Northern Clarendon respectively for their contribution to the debate.

I would also like to thank MR. DAN THEOC and the other individuals who took the time to make public comments and/or to send letters to the editors of our national papers with regard to various aspects of the debate. This includes, Madam Speaker, the Member from South East St. Ann whose comments we welcome today, but nevertheless, I have to point out in my presentation that her suggestions up until today in writing have been simply not feasible or desirable, and I would want to ask the question and hope that the Member's position is not reflective of the policy that that side has towards the National Energy Policy and specifically, renewables.

I would also like to say to that Member that since 1973, we are not short of studies. When we had the first energy crisis, we have had studies and studies upon studies. And I would like to point her to two very recent studies, one of which I know that the Leader of the Opposition has, and I would ask her to share it with her in confidence, that is the Bauxite Task Force Report. DR. PETER PHILLIPS had asked some questions on it. I would also like to share with her the Energy Task Force data and studies that have gone into for us to make these decisions. Because a lot of work from a lot of good, trained individuals, both local and international has gone into us making these decisions, and I would like to share those studies, but I know that the Member who speaks extensively on liquified natural gas on that side and the spokesman on energy on that side, both have these studies, and I am sure they will be willing to share them with you.

Madam Speaker, much more work needs to be done in order to achieve our stated objectives in our energy policy. But nevertheless, Madam Speaker, I think that it should be manifestly apparent that much has been accomplished in developing a coherent, cohesive National Energy Policy that seeks to uniform the Jamaican energy sector from an old and inefficient sector, characterized by an over dependence on imported oil into one that is modern, diversified and cost effective.

And as 1 indicated in my opening presentation Madam Speaker, it is through the policy prescriptions of the National Energy Policy and the several sub-policies, along with the collaboration with key stakeholders, that we will achieve full scale deployment of renewable energy technologies, improved energy conservation and efficiency, diversify and modernize the energy supply mix and place the Jamaica energy sector on a sustainable development path.

It is therefore in this context - and I will briefly respond to some of the concerns expressed by members from the Opposition during the debate. At the same time, Madam Speaker, we note the Opposition Spokesman on Energy, the Member from East Kingston and Port Royal's acceptance and support of our National Energy Policy. In some ways it could be interpreted that this is not a fulsome and wholehearted support for the Policy, but nevertheless, it is good to note that he admitted that, and by and large, we have a policy document that we can work it. There is good analysis in the document and there are the ingredients in this to move forward

towards implementing what by and large, are things that are necessary to be done as a country. So the Opposition is going to accept and support this document and we are grateful for that.

Madam Speaker, the Member spoke of the urgent need for the implementation of the major elements of the Energy Policy. Our Ministry is well aware of this, and we have in fact prepared an Action Plan, incorporating the next steps to be undertaken, several of which are already being implemented. For example, we have already completed the drafting of several energy sub-policies, namely, the Renewable Energy Policy, the Bio-fuels Energy Policy, the Energy Efficiency and Conservation Policy, and the Energy from Waste and Carbon Emissions and Trading Policies. And I want to commend those in the Ministry that have worked hard for us to be able to achieve these goals.

I would like to share with the members I promised, the draft of the National Policy for the Trading of Carbon Credits, and it will possibly have a change in name to use the word emissions. And I think he would understand why we would be doing so. And I would like to just - I will send it across to you.

Madam Spokesperson – Madam Speaker, these policies have already been published, and the Ministry of Energy and Mining is well on the way to completion of these policies, with wider public consultations as a key step towards finalization.

Madam Speaker, where we are going as a country, for years under the previous Administration without implementable energy policies - and we ask the question, where were we going? As usual, we were only talking. From 1973, we did nothing significant as a game changer towards renewable energy development.

On the other hand, Madam Speaker, I am able to point to the implementation of several energy initiatives within our Action Plan. These include the increased expansion of Wigton. It is scheduled for completion December, 2010, and the Energy Policy of this Administration has facilitated this. I am to advise this Honourable House, that thanks to this Policy, Wigton now operates in a more favourable and opportune environment. This enabling policy is in fact stimulating the expansion of the country's renewable resources.

Another project Madam Speaker, I would like to point out, is the recently commissioned Jamaica Public Service 3 megawatt Wind Farm in St. Elizabeth, which is also targeted for massive expansion.

Madam Speaker, as pointed out by the JPS Vice President of Finance, MR. DAN THEOC, in an article recently published over the last few weeks in our national newspapers, the Jamaica Public Service Company fully supports the use of renewables, and where appropriate scales of economy can be achieved with the objective of lowering the overall cost of energy in Jamaica. It is also worth repeating once again, Madam Speaker, some facts about the current and future plans by the power company for the use of renewables in the energy mix. JPS currently purchases 20 megawatts renewable power from one IPP. It utilizes 21 megawatts of hydro in the supply of electricity, and in addition to the installation of its 3-megawatt wind farm, which I mentioned previously, it is in an advanced stage of adding a further 6 megawatts of renewable capacity to the

national grid. The company is also exploring the possibility of a new IPP project for an additional 20 megawatts of wind generation, and a feasibility study for another 8 megawatts of hydro, which is being conducted. In all, Madam Speaker, we are looking at this time to the generation of approximately 90 megawatts of power from renewables, and this is without the Waste to Energy Project which should supply a further 65 megawatts of power to the national grid.

Recall also, that we have successfully implemented the use of Ethanol as an additive to gasoline, in keeping with our bio-fuels policy. In addition, the Petroleum Corporation of Jamaica is well advanced in discussion of the Energy from Waste Project, in keeping with our Policy. The PCJ issued an RFP for the conversion of our municipal waste to energy, at the Riverton site in the Corporate Area which is expected to generate 45 megawatts of power, and in our tourism capital, Montego Bay, a minimum of 20 megawatts.

(Question from Mr. Paulwell)

Madam Speaker - I will - I think it's a company by the name of Cambridge, but we will provide that to you properly.

Madam Speaker, it is a fact that renewable energy is a priority in the National Energy Policy. Under this Administration and in the Policy, a commitment has been made to achieve 20 per cent of the country's power generation from renewables, in our energy mix, by 2030. However, members of this Honourable House need to understand - it needs to be clearly understood that the cost and reliability of renewable energy does not allow for it to be used as base-load energy source in the replacement of heavy fuel oil.

(The Speaker resumes the Chair)

Mr. Speaker, Jamaica is an island state, and our power system is without interconnection to other power sources. We also have relatively limited resources to support a large amount of renewables in our energy mix for base-load, relative to the systems size. Accordingly, renewables will likely play a meaningful but limited role in energy diversification over the medium term. The biggest bang for the buck for JPS customers - 600,000 customers - will therefore come from the replacement of at least 480 megawatts of base-load capacity, burning less costly and price-volatile fuel. It is for this reason, Mr. Speaker, that notwithstanding the encouragement of the development of renewable energy resources in policy, and the likelihood of our exceeding the Office of Utility Regulation's target, the Government has found it necessary to pursue the liquified natural gas initiative to supply our base-load requirements.

Mr. Speaker, recent statements have been made that the Government should be using coal, as our primary base-load fuel. Mr. Speaker, this Administration must once again place on record its disagreement with this position, after having carefully examined the various positions for and against the use of coal for our primary base-load fuel.

Our position, Mr. Speaker, is supported by the endings of a recent regional study submitted back to the World Bank in March 2010, entitled Caribbean Regional Electricity Generation Inter-connection and Fuel Supply Strategy, which examined natural gas delivered as LNG, and imported coal as alternative fuel options for Jamaica. This study concluded that LNG, combined with wind

generation, and to a lesser extent hydro-power, is the preferred option for Jamaica particularly when taking into account the cost of CO2 emissions. It should be noted, Mr. Speaker, that the point was also made in the Report that although mid-scale LNG was not studied in the same detail as the other fuel options, it seems likely that it may also provide an economically attractive option.

My colleague Minister, the Honourable Member from North Clarendon - North East Clarendon, dealt - North Clarendon, dealt extensively in his contribution to this debate, with the concerns expressed about the availability of cheap natural gas in the medium to long term. I would like to support this position and simply add that as recently as October 20, 2010, *The Business Observer* published an article entitled, **Natural Gas Elbows its Way to Centre Stage**. This article pointed out that once we thought that there would be a shortage of natural gas supply, but with recent natural gas discoveries, Mr. Speaker, we may be facing the possibility of an over-supply of natural gas. Quoting from the article, it states that:

> "By unlocking decades worth of natural gas deposits deep underground across the United States, drillers have ensured that natural gas will be cheap and plentiful for the foreseeable future. It's a reversal from a few years ago that is transforming the energy industry."

Billions of dollars worth of plans, Mr. Speaker, to build windfarms and nuclear reactors, have been delayed or scuttled, and coal power already struggling under tighter environmental regulations, is now under even greater pressure. Natural gas emits fewer dangerous chemicals and about half as much carbon dioxide as coal. A recent study, Mr. Speaker, by the Massachusetts Institute of Technology, on the future of natural gas, found that eighty years worth of global natural gas consumption would be developed profitably with a gas price of U.S. $4 or below.

Mr. Speaker:

> "Plans for nuclear plants and wind farms were made under the assumption that gas prices would average US$7 to US$9. At that level, electricity prices would be high enough to make wind and nuclear power look affordable. Now, even these projects suddenly look too expensive."

Mr. Speaker, I also think that it's important that 1 make a few other points related to greenhouse gas emissions. First, gas-fired combined-cycle power stations produce greenhouse emissions that are 50 to 70 per cent less than those of coal-fired generating stations for a given level of power output. The carbon footprint alone for a natural gas-fired combined-cycle plant is roughly half that of a state-of-the-art super critical pulverized coal plant. And this is because of the higher heat content of natural gas, the lower carbon intensity of gas, relative to coal, and the higher overall efficiency of gas plants, relative to coal-fired plants.

Mr. Speaker, gas plants, displacing aging coal or oil-fired plants, are excellent sources of carbon credits, as noted, before, while traditional coal plants are not.

A third point Mr. Speaker, the permitting, licensing and construction of coal plants could easily take as much as seven years. On the

other hand, a gas plant can be permitted and constructed in 24 to 30 months.

Another point Mr. Speaker, some argue that coal, as a primary fuel, is cheaper than gas. Mr. Speaker, I would like to remind this Honourable House, though, of the effect of new discoveries of shale gas on the projected market for natural gas. Additionally, the cost of converting coal to electricity is much greater than the cost of converting gas to electricity, when considering both the fixed and variable costs of the operation. The net result, Mr. Speaker, is that the electricity from a base-load coal plant is considerably more expensive than that of the base-load from a gas plant.

I'll look at clean coal, Mr. Speaker.

There has been much talk also about clean coal. But this again is a folly. And in the case of Jamaica we would not be able to consider this. Mr. Speaker, not only is Jamaica facing massive opportunity costs by not replacing inefficient, ageing oil-fired plants as soon as possible, but carbon capture technology for zero emissions coal plant is not ready for commercial application. This is an important fact for us to note. Post combustion capture is at least ten years away.

Miss HANNA: What?

Mr. ROBERTSON: Mr. Speaker, there's ample precedence in America where gas is rapidly replacing coal. Several US utilities have recently announced plans to switch units from coal to natural gas. Mr. Speaker, the importance of trading carbon credits which was noted during the debate, however, we should point out that the trading in carbon credits is inconsistent with the arguments being advanced by certain Members of the Opposition that the country should be promoting the use of coal for electricity.

Mr. Speaker, this Administration will ensure that Jamaica does its part to assist in international measures to deal with the impact of climate change and will make sure that our policies specifically treat with this matter.

Mr. Speaker, the National Energy Policy, 2009/2030, recognizes that Jamaica does not significantly contribute to the global problem of climate change. Rather, as a small island developing state, the country is highly vulnerable to the effects of climate change. Actions, Mr. Speaker, to address climate change are common to all nations but with differentiated responsibility.

This Administration, therefore, will do everything in our power to enable us to effectively participate in carbon credits trading schemes, geared at assisting developed countries in realizing a portion of their qualified emissions reduction target, and at the same time, helping us here in Jamaica to move forward towards achieving our national sustainable development goals.

Mr. Speaker, this area is so important to us that we have drafted Jamaica's national policy for the trading of carbon credit which sets out a comprehensive framework for Jamaica's reduction in carbon emission and participation in the carbon market. It presents our position, defines investment priorities, establishes the necessary enabling institutional and legislative framework. Mr. Speaker, we are very proud of the work in this area.

Mr. Speaker, the matter of the Petrojam Refinery Upgrade has been raised by the Opposition spokesman on energy. He enquired as to the progress to date. This project is being actively pursued. But when you are spending up to US$1.4 Billion on an engineering

project, Mr. Speaker, you cannot proceed with undue haste, especially in the current environment and the need for fiscal constraints.

Mr. Speaker, on the matter of the estimated cost of this refinery upgrade, I would wonder if the Member can recall a revised figure of US$512 Million being put forward by him in a Cabinet Submission dated May 10, 2007, for here, and I quote, Mr. Speaker:

> "*The implementation of the Petrojam Refinery Upgrade Project in a single phase that will incorporate a delayed coker unit."*

Mr. Speaker, at that time he estimated the project to cost approximately $512 Million.
The same project to date, going through the rigours, is now being put at $1.4 Billion.

Mr. SHAW: How come?

Mr. ROBERTSON: Mr. Speaker, when he presented the Cabinet with this revised estimate in 2007, May 2007, was he misrepresenting the facts, misinforming the Cabinet, perhaps, through youthful exuberance?

Mr. Speaker, we now come to the issue of the current JPS licence.
The Member from Manchester has spoken extensively on this and also the Member from Northern Clarendon. But, Mr. Speaker, against good advice from the then Opposition in 2001, the Member who was then the Minister with responsibility for energy rushed into signing the current licence held by JPS and now has the audacity to berate this Administration for not being able to correct the errors of his judgment.

Mr. Speaker, I draw your attention to an article in the *Daily Gleaner* of February 15, 2001, entitled: "**Seaga demands Answers on JPSCo Sale**," which noted, and here I quote:

> "*Jamaica Labour Party Leader, Edward Seaga, is calling on the Government for transparency in the soon-to-be-fnalized divestment of the Jamaica Public Service Company Limited to Mirant Energy Incorporated of the USA."*

To this end, Mr. Speaker, he urged the Government in a television broadcast on Tuesday night to table the JPSCo agreement for divestment, in Parliament before the sale is completed. This, he argued would enable the country to be fully informed and to raise any questions necessary. Describing the JPSCo, "as the most important asset owned by the Government," Mr. Seaga said

> "*the negotiations have taken place in secrete ignoring many important areas and leaving critical questions to be answered*."

Well, Mr. Speaker, those questions have been answered today. Mr. Speaker, the article also goes on to point out that the Jamaica Labour Party had repeatedly stated that any divestment of the power company should only be done to a firm which had the technology to lower electricity rates significantly to the Jamaican consumers, who are already facing the second highest electricity rates in the region.

As you know, Mr. Speaker, this was not done. And in the words of Mr. Seaga, and here I quote again:

> "*We are about to lose once and for all any possibility of reducing the substantial burden of high rates, leaving the way open for cheaper imports from countries with lower*

electricity rates and closing the door to Jamaican exports by failing to reduce our costs of production to competitive levels. The vital opportunity to revive the sick manufacturing sector is about to be lost."

Mr. Speaker, as the Member well knows, by ignoring this advice and entering into the current licence agreement with the Jamaica Public Service Company, he has created a binding legal obligation for the nation. This, Mr. Speaker, cannot be changed unilaterally. And the transmission and the distribution of electricity is a complex matter not to be confused with the deployment of new technology as offered in other sectors as an example.

Mr. Speaker, the Leader of the Opposition and the Opposition spokesman on energy have at various times raised the issue of the use of nuclear power as part of the country's energy mix.

Members of this Honourable House will recall that in January 2009, the then Minister of Energy, the Member from West Central St. James, asked PROFESSOR GERALD LALOR to chair a committee to carry out a study on the possibility of nuclear energy as an option in Jamaica's energy mix. Other members of the committee were: DR. AUDLEY DARMAND, Advisor to the Minister of Energy; DR. JEAN DIXON, from the Ministry of Energy; MR. PETER ESPUET, Environmentalist; MR. CHARLES GRANT from ICENS; DR. WESLEY HUGHES from the PIOJ; DR. ZIA MIAN, the OUR now, to date DR. RUTH POTOPSINGH from the PCJ.

Mr. Speaker, upon assuming portfolio responsibility for energy in 2009, I reconfirmed our interest in the completion of this study. I am now in receipt of the revised Report dated August 2010, in which the committee recommends that the Government establish a small task force to consider in-depth all relevant aspects of the possible introduction of nuclear power in Jamaica, with the aim to report within a period of 18 months.

They further indicated that the most urgent aspect of this work would be to confirm the claim to performance of small reactors, the timetable of likely availability, the capital and insurance costs, also to ensure that the cost of nuclear electricity delivered to the customer is at least competitive with that from other sources.

And finally, to examine the feasibility of the installation of the first one hundred megawatts of energy from nuclear power, about eight to nine years from now and a second hundred megawatts in 2024 to 2025.

The SPEAKER: (Gavelling) The Member's time for speaking has expired.

(The Member's time for speaking having expired the Deputy House Leader moved a motion for the suspension of Standing Orders to allow the Minister adequate time to complete his presentation.)

Put to the House and agreed to.

The SPEAKER: Minister Robertson.

Mr. ROBERTSON: Mr. Speaker, this committee studying the installation of the first one hundred megawatt of electricity from nuclear power in about eight to nine years, Mr. Speaker, we are supportive of this on this side. But studying this feasibility and the dates that we are putting forward at this time without major technological breakthroughs in this area, is looking more like 10 to 12 years.

Miss HANNA: What is that?

Mr. ROBERTSON: The ability to offer a small hundred megawatt-sized electricity produced from nuclear. The timetable being put forward...

Miss HANNA: Ten years?

Mr. ROBERTSON: Unless major new technology is.... technological breakthroughs. This is what the committee headed by Professor Lalor and others are saying. And these reports need to be read and studied carefully before presentations are made.

The committee also felt that the Task Force could also examine the donation of a demonstration plant as a grant to the country.

The Member from St. Ann needs to read this.

Mr. Speaker, I'd also like to respond to the brief comments made by the Member from Western St. Andrew, regarding the regional energy security and which implied that Jamaica, our beautiful country, was being placed at a disadvantage. And I agree with him. Mr. Speaker; I wish to make it abundantly clear that we are doing all to reverse this issue (and) as he continues to work on it also.

Except for Trinidad and Tobago, Mr. Speaker, the energy challenge that faces Jamaica mirrors to a large extent the energy challenge facing our other Caribbean neighbours. And while this Government moves aggressively to address this and to solve Jamaica's energy challenge, we are quite aware that the solution will come about by taking national decisions within the context of a regional and global marketplace.

(*Sotto voce* comments by Members)

Mr. ROBERTSON: Mr. Speaker, Jamaica continues to enjoy strong relationships with our Caribbean neighbours and the issue of regional energy security that was raised by the Honourable Member during the debate is one of the fundamental underpinnings to the development of our national energy policy, as stated in the Executive Summary of the policy. And I quote:

> "*There will also be the strengthening of the existing multilateral, regional and bilateral partnerships and cooperation agreements and the development of new relationships that best advance and promote our every interest*."

Mr. Speaker, we take onboard the point that greater and specifics should be stated in the policy with regard to the issue of security of energy supplies in keeping with the regional energy policy, which is in support of and complementary to our national energy policy on strategy. I should point out though, Mr. Speaker, that the draft Caribbean Regional Energy Policy has been at the draft stage for some time and we trust that the issues will be agreed on, so that regional energy strategies to deal with energy security and access, including affordability, can be fully articulated and implemented. Further, with regard to regional energy security, the policy recognizes the need for it to be inherently flexible so as to allow Member States to respond to extra-regional developments that affect the regional energy market. As such, Jamaica continues to be a partner, supporter and beneficiary of the cooperation on the various agreements such as the PetroCaribe Agreement, OLADE, the agreement with Trinidad and Tobago, as well as bilateral relations with Cuba to name a few. And we intend to pursue these and other

regional arrangements vigorously, in order to ensure that Jamaica is not in any way placed in a disadvantageous position. And I thank the Member for his comments.

Finally, Mr. Speaker, the Member from East Kingston and Port Royal spoke of inconsistencies in the National Energy policy. From our Administration's perspective the policy is consistent in its prescriptions, goals, strategies and objectives. The fuel diversification project is consistent with this Administration's goals of reducing energy cost contributing to improved air quality and increasing the number of major fuel sources on which the country will rely.

Mr. Speaker, the promotion of renewable energy is consistent with our stated intention to develop local energy resources, reduce the outflow of scarce foreign exchange to purchase expensive crude oil, develop local expertise, increase employment and generate local wealth. Also, the policy is consistent in seeking to provide the requisite incentives to promote the development of renewable energy sources, energy efficiency and energy conservation by using these resources.

Mr. Speaker, we can always argue about the need for more incentives. I wish that we could be more generous in this area. However, we are currently operating within the construct and conductors of an IMF agreement. To this end, the incentives will reflect what we can currently afford.

Mr. Speaker, as time passes and the policy's impacts are evaluated it will be possible to make the required adjustments so as to increase the chances of its success and sustainability.

Mr. Speaker, I thank you as I call for the support of this House as I seek for this motion to be adopted.

Thank you. (Applause)

The SPEAKER: Members, the resolution and the motion before you is No. 1 on the Order Paper.

Put to the House and agreed to.

The SPEAKER: House Leader, there are two short items, one is the petition and the other is return to statements. So maybe you could do the...

Mr. HOLNESS: Mr. Speaker, may I propose that we dispatch the matter dealing with the political party registration and financing. It is a short matter and I am expecting only one Member from the Opposition to respond to my opening comments last week, and then I will close, which will be brief.

The SPEAKER: Very well. Mr. Bunting.

Mr. BUNTING: Thank you, Mr. Speaker. Mr. Speaker, I am happy to rise to support the motion to accept The Report of the Electoral Commission of Jamaica on political party registration and financing.

Mr. Speaker, this is a matter that has been under consideration for at least six (6) years and about three (3) years ago it was determined to take a two-phased approach to the matter. Since there seems to be not much difference between the parties' position on the matter of registration and what I would refer to as the regular financing of political parties, it was determined that it might expedite the whole matter to deal with campaign financing as a Phase 11. One of the challenges I think we are going to have, and I have discussed it with the House Leader who has responsibility, is that in a system where we have no fixed

date for an election, determining the period that the campaign financing would apply to, is going to be challenging. In the normal course of things if we assume a five-year term we could say Year Four would commence the period of campaign financing. But as we have seen from time to time, elections are called much earlier than that. In any event the Electoral Commission has now commenced the consultations on the second phase and on that phase, the campaign finance, we have set ambitious targets. In fact my recollection is that we intend to have the consultations and the Report drafted by the end of this year.

The issues we are addressing in these Reports, Mr. Speaker, are not unique to Jamaica. They are currently being looked at by various electoral authorities and legislative bodies across the region. In fact, I have here which I received recently, a document from the Organization of American States entitled The Draft Model Law on the Registration and Regulation of Political Parties. Fortunately the copy is in English and it has some very useful precedence which I think will be helpful to our Parliamentary draftsmen and to the House when we are looking at the Bill.

Now, Mr. Speaker, I just want to highlight a few points from the Report. One of the things I want to point out, Members had raised this last week, is that there are separate procedures for a party that is just registering *versus* one that is applying for financing. If we look at the procedures purely for registration, they are actually quite minimal. Just the full name of the party, the party logo, the names and addresses of leaders, the address of the office and a processing fee. As simple as that.

Where it becomes much more substantial is for parties which intend to apply for financing. That is dealt with in page 5 of the Report. And what that sets out there is not only obligations to supply initial information but as we go further it also puts fairly onerous obligations to the party in terms of reporting on these expenditures, not just the expenditures which may arise from the state financing, but all their expenditures. And it includes things like the limits on the contributors and limits on the state funding and total expenditure by the parties.

Now I want to move to the issues of disagreement. We had it - and this has been the public domain. I don't believe I am carrying tales out of school. This Report represents, Mr. Speaker, a compromise. Neither of the political parties represented at the Commission got precisely what they would have liked. The disagreements which have been discussed already refer, for example, to the idea of public disclosure of contributions to political parties. The PNP has always been in favour of full public disclosure. What we have in the Report however…

Mr. VAZ: Including Trafigura?

Mr. BUNTING: Full public disclosure that - I don't if you want us to put it - Mr. Speaker, I am trying to continue to proceed in the bipartisan spirit that the Electoral Commission relies on. But I don't know if my colleague from West Portland is trying to burnish his credentials to become General Secretary and perhaps a nominated commissioner. (Applause) But I would suggest to him, wait until after the elections before he starts worrying about the Electoral Commission.

Mr. SHAW: I have a man to run against you in Mandeville. I am going to fix your business down there.

Mr. BUNTING: Finally…

The SPEAKER: (Gavels) Allow the Member.

Mr. GALLIMORE: Are you going to disclose the Trafigura issue…

The SPEAKER: (Gavels) Allow the Member to finish please.

Mr. BUNTING: Similarly, Mr. Speaker, the Jamaica Labour Party was not in favour of any further state-financing support at this time. As you know, Mr. Speaker, there is some modest support that the ECJ gives to political parties now. There is some modest support that the state gives to political parties now. They pay scrutinizers, albeit a very token figure, I think, of $100 per person that they verify during the enumeration the continuous enumeration period, and they pay Indoor Agents on Election Day $2,500. But that's really very minimal.

The recommendations here still speak to very modest financing for party. It really talks to party headquarters, a percentage of the utilities, *et cetera.* But, Mr. Speaker, really, the entire Report is predicated on that *quid pro quo* of political parties submitting themselves to regulation, reporting obligations and sanctions in exchange for modest state financing.

And, you know, I want to read a section of the Report here, Mr. Speaker, quote briefly a couple sentences.

It says on page 9:

"*State funding for political parties is premised on the thesis that political parties in a small growing democracy perform important public services in representing general and specie interests of people. These demands extend beyond the resources available from membership dues and contributions from like-minded individuals and organizations".*

And the key sentence here, Mr. Speaker,

"*It is possible that in their desire to meet representational needs beyond their resources, political parties may become vulnerable to funding coming from questionable sources. State funding is a justified and justifiable means of helping to offset this deficit between available resources and the demands and needs of representation. State funding for political parties should not exceed 40% of the total income of a political party in any single year".*

Mr. Speaker, State financing of political parties is in the interest of protecting the parties from becoming vulnerable to funding from questionable sources. And now the Deputy Treasurer of the JLP should know that when he was feting certain persons who were contributors, who are now either charged or convicted, he should be concerning himself with that source of funding.

Mr. ROBERTSON: Rubbish!

(Cross talk)

Mr. MULLINGS: Mr. Speaker -

(Cross talk)

Mr. BUNTING: Mr. Speaker -

The SPEAKER: I must admit to you I didn't hear-

(Cross talk)

The SPEAKER: Yes. Yes, Mr. Mullings.

Mr. MULLINGS: The Member from Manchester is, with respect, suggesting an association and imputing motive to a Member of this Honourable House.

Mr. BUNTING: What? Stop chatting rubbish!

Mr. MULLINGS: It is unfortunate and **Hansard**, I'm sure, has a record of what you said. It is unfortunate that the Member from Manchester is seeking this occasion or any other to make such a suggestion. I would invite the Member, through you, Mr. Speaker, for the Member to withdraw that comment with respect.

(Cross talk)

Mr. BUNTING: I don't know what he is talking about.

The SPEAKER: You know unfortunately, you know, l didn't hear what he said.

Mr. MULLINGS: Mr. Speaker, with respect **Hansard** would have recorded that and it will be for historical record.

The SPEAKER: I'll get a copy of it in a short while. Yes.

Mr. CHARLES: You collected $300 Million Dollars

(Cross Talk)

The SPEAKER: All right, Mr. Charles. Okay, Mr. Charles, okay. Please.

(Cross talk)

The SPEAKER: Okay, okay. Mr. Robertson, allow him to finish please.

Mrs. SIMPSON MILLER: Mr. Speaker, I think we should be mindful that we have students and future leaders of Jamaica in the Gallery.

(Applause) (Cross talk)

The SPEAKER: Members, please. There is no need for this.

Mr. HOLNESS: Mr. Speaker, Members. Mr. Speaker, on reflecting on the Member's statement, Mr. Speaker, the Member did say that the Deputy Treasurer of the party 'feted', which suggests that the Member took action other than out of the normal course of a treasurer.

Mr. BUNTING: Feting people for party contributions.

Mr. HOLNESS: And I would suggest, Mr. Speaker that all the Members heard that and I would suggest that the Member withdraw that comment.

The SPEAKER: I must admit that I heard when he referred to the Deputy Treasurer but I did not hear the rest. Because I and –

A MEMBER: You know what he said.

The SPEAKER: No, no!

Mr. HOLNESS: The term 'fete' suggests action outside of what the normal action of a treasurer would do.

(Cross talk)

Mr. HOLNESS: Mr. Speaker, in the good course of Parliamentary conduct I don't believe that term should be used, particularly in light of the subject that we're debating.

Mrs. NEITA-HEADLEY: Mr. Speaker, with all due respect I think it's a matter of the definition of the word and all of this-

(Cross talk)

The SPEAKER: One second. Can I hear the Acting Leader of Opposition Business?

(Cross talk)

Government MEMBER: Your paper soon come, don't worry bout that.

Mrs. NEITA-HEADLEY: Mr. Speaker, they did hear - and according to the definition of the word 'feted', 'feted' could simply mean having taken to dinner, having had a drink with -

The SPEAKER: No, no!

Mrs. NEITA-HEADLEY: No, no, no, and I don't believe we can sit here and determine what it is that the Member meant by

the definition of the word feted. And that you feted persons I don't believe there is any dishonesty and I think, Mr. Speaker that we are here deliberating on a matter that is trivial; trivial to the argument.

(Cross talk)

The SPEAKER: No. Now, Mr. Bunting my understanding - Could you please, please –

(Cross talk)

The SPEAKER: Now, Mr. Bunting, my understanding is that the imputation was that the Deputy Treasurer or the Member from West Portland benefited and from persons of questionable character.

Mr. BUNTING: That is not what I said, Mr. Speaker. Mr. Speaker, it is a matter of record in the media in Jamaica that in his capacity as Deputy Treasurer of the party and the party generally, held a thank you function, it was covered in the newspaper, for contributors. At this thank you function were persons - it was covered in the media - were persons who have been charged and convicted for running fraudulent pyramid schemes in this country. That is a matter of record.

(Heckling)

Mr. BUNTING: That is a matter of record.

(Heckling)

The SPEAKER: No. no-

Mr. HOLNESS: Mr. Speaker, the Member has committed a fundamental breach.

(Cross talk)

The SPEAKER: Members, Members, please.

Mr. HOLNESS: Mr. Speaker, the Member has imputed motive. The Member has made general references to the media without giving us the specific reference.

(Cross talk)

The SPEAKER: No, apart from that it's inappropriate inside here, Mr. Bunting. I'll ask him to withdraw those comments.

(Cross talk)

Mr. HOLNESS: Please.

Mr. BUNTING: Mr. Speaker, I'll be guided by you. If you ask me to I'll withdraw.

(Cross talk)

The SPEAKER: Yes, please. Please withdraw.

Government MEMBER: He must withdraw:

The SPEAKER: No, the Member -

(Cross talk)

Mr. BUNTING: I said I withdraw it.

Government MEMBER: No, he said "I will be guided by you."

Mr. HOLNESS: The Standing Order, Mr. Speaker, does not allow a Member to cast such aspersions without reference to the facts, so unless the Member -

(Cross talk)

Mr. BUNTING: But I said I withdraw.

(Heckling)

The SPEAKER: No, he has withdrawn.

(Cross talk)

Mr. BUNTING: I said I withdraw.

(Cross talk)

The SPEAKER: So my understanding - Members, members. Members, the speaker has indicated that with reference to the comments of which objections has been raised he is guided by what I have instructed him to do, he has withdrawn. He said it.

(Cross talk)

Government MEMBERS: No, no, no!

Mr. SPEAKER: Mr. Bunting, could you repeat it for me please.

(Cross talk)

Mr. HOLNESS: Mr. Speaker, the

Members and 1 did not hear the withdrawal.

Mr. BUNTING: Mr. Speaker-

The SPEAKER: Could you listen.

Mr. BUNTING: I could make an issue of going to the public sources -

Mr. ROBERTSON: Just apologize and withdraw.

(Cross talk)

Mr. SPEAKER: Please, please!

(Cross talk)

Mr. BUNTING: I already indicated that l will be guided by you and that I withdraw the comments.

(Cross talk)

The SPEAKER: All right, Mr. Ernest Smith, if you don't behave we can do without you inside here you know. If you don't behave.

(Applause)(Cross talk)

The SPEAKER: No, no, Mr. Ernest Smith, he says that he has withdrawn it.

Mr. E. SMITH: No, he has not said so. Mr. Speaker, let me tell you something when he has said "I am guided by you," that's nonsense.

(Cross talk)

The SPEAKER: Because I instructed him.

Mr. E. SMITH: No, no, he has not withdrawn it. He has not apologized and **Hansard** will show that he has not done so

Mr. BUNTING: Mr. Speaker, tell him to sit down and shut yuh mouth.

The SPEAKER: No, no! One second.

(Cross talk)

Government MEMBER: The man is on his feet. You sit down. Speaker...

The SPEAKER: Mr. Smith, please sit. No, Mr. Smith, please sit -

Mr. E. SMITH: The man has not apologized.

(Cross talk)

The SPEAKER: Mr. Smith, please have a seat. Members, I instructed the Member to withdraw the offending comments. He indicated that he will be guided by me. I accept that has an apology.

(Applause)

Government MEMBERS: No no, no!

Mr. ROBERTSON: Mr. Speaker -

(Cross talk)

The SPEAKER: But I accept that as a withdrawal.

A MEMBER: No, that is not a withdrawal

Mr. ROBERTSON: Mr. Speaker, I'm on my feet first -

The SPEAKER: No, no, we are continuing with the debate. I accept.

(Cross talk)

Mr. ROBERTSON: Mr. Speaker…

(Cross talk)

Mr. HOLNESS: Mr. Speaker-

The SPEAKER: Yes.

Mr. HOLNESS: Mr. Speaker, the comments are such that the standard of a withdrawal would be for the Member to specifically say "I withdraw those comments"

Mr. E. SMITH: That's what he has to say.

Mr. SPEAKER: Yes, Mrs. Simpson Miller.

Mrs. SIMPSON MILLER: Thank you, Mr. Speaker, I take this moment to say this day is a dark day for Parliament.

(Heckling)

The SPEAKER: Enough!

Mrs. SIMPSON MILLER:

(Microphone out of service)

The SPEAKER: Thank you, Leader of the Opposition. Mr. Bunting -

(Cross talk)

The SPEAKER: Please, please!

(Cross talk)

The SPEAKER: Mr. Bunting, please - will you please - I understand when you said that you are guided by my ruling that you meant you withdrew your comments.

(Mr. Bunting nods)

The SPEAKER: Very well, we'll move on.

(Cross talk)

Mr. HOLNESS: No, Mr. Speaker, no. Gentlemen, let us –

A MEMBER: He intends to –

(Cross talk)

Mr. HOLNESS: Mr. Speaker the gravity of the comments made by the Member is such that a mere saying that "I'm guided" only means that he follows your direction. Mr. Speaker, he has not at this point, Mr. Speaker, followed your intention. The Member, Mr. Speaker, would be considered disingenuous in just merely saying, I agree with you but has not done what is necessary to demonstrate his agreement. I suggest to you, Mr. Speaker, that the House requires the Member to be honourable and fulsome in his withdrawal.

The SPEAKER: No, no! Leader of the House, you heard me asking the Member if when he said he is guided by comments if it meant a withdrawal of the offending comment and he said yes. I -

MEMBERS: No, no, no!

Mr. E. SMITH: Mr. Speaker, with the greatest of respect, the Member must withdraw the statement, he must apologize. The records of **Hansard** must show that his disrespectful comment has been withdrawn and he apologizes. To say that he is guided by you that's legal language. Nonsense.

The SPEAKER: No, no, Mr. Ernest Smith, please!

Mr. HOLNESS: Mr. Speaker, if the Member is guided by your requirement of him to withdraw then let him withdraw.

(Applause)(Cross talk).

The SPEAKER: With due respect -

(Cross talk)

The SPEAKER: No, but he had indicated that he has withdrawn the comments.

Government MEMBERS: No.

Opposition MEMBERS: Yes.

Mr. HENRY: Mr. Speaker -

The SPEAKER: One second Mr. Bunting. Yes, Mr. Henry.

Mr. HENRY: Mr. Speaker, Point of Order. You could only satisfy this Side of the House if you call for the notes from **Hansard** which records that the Member followed your instructions and withdrew the remark and apologized, he can't be responding to your recommendation; and I have enough years in this Parliament to advise you, Mr. Speaker, that must be regarded clearly in **Hansard**. If you want a recess to clearly consult **Hansard** I am willing to wait on it.

(Cross talk)

The SPEAKER: Mr. Bunting, please I think - Mr. Bunting it is obvious to me that you have withdrawn the comments but just to satisfy our colleagues -

Government MEMBERS: No, no, no!

(Cross talk)

Mr. SPEAKER: No, No!

(Cross talk)

The SPEAKER: Members -

Mr. HENRY: Mr. Speaker -

The SPEAKER: Yes, Mr. Henry.

Mr. HENRY: Mr. Speaker, my request is not meant to satisfy colleagues. My request is

that **Hansard** records clearly and historically your order to the Member that he should apologize and withdraw.

The SPEAKER: No, my orders are to withdraw the comments. Okay,

Member apologize too and basically could you, Mr. Bunting, just indicate with the words that you have withdrawn the comments.

Mr. BUNTING: Mr. Speaker, I have said it twice before and I'll say it again. I withdraw the comment okay.

Mr. Speaker, I think it is important for us to understand the process or the practice with the Electoral Commission -

(Cross talk)

A MEMBER: Mr. Speaker, could you tell us what you heard since –

The SPEAKER: He said, "I said it before and l will do it again. I withdraw the comments." That's what he just said.

(Cross talk)

The SPEAKER: Continue, Mr. Bunting.

Mr. BUNTING: Mr. Speaker, the standard practice of the Commission in deliberating on any major issue including this report is as follows:

The Commission invites submissions from political parties, organizations of civil society, local and international experts on the state of practice worldwide and individuals with special interest on the subject. We collate the submissions and draft a report. The draft report is then discussed with the leadership of the major political parties.

And Mr. Speaker, I think I should point out here the dual role of nominated commissioners, because on the one hand, they represent the interests of their parties at the Commission, but they also have the role of taking back and advocating the position of the Commission to their political parties. It is only after this process is through, Mr. Speaker, that we submit a revised report for review and deliberation.

Finally, if there are any points of disagreement between the political parties, the convention is, we leave those matters to be decided by the independent commissioners. That is the process that we follow here, Mr. Speaker, and that is the process that has allowed our electoral system to make great strides over the last three decades.

In many areas we have led the region, in developments such as our electronic voter identification and ballot issuing system. However, in the area of party registration and financing, as well as campaign financing, we are not leaders in the region. In fact, the few provisions we have in the Roper now regarding campaign financing as you know, Mr. Speaker, are totally deficient and inadequate.

We have developed practices and conventions. I have spoken about the practice in deliberating on a major issue, but equally important is the convention that a unanimous Report of the Commission will be supported, and this is very critical, Mr. Speaker - a unanimous Report of the Commission will be supported by the majority of the Members of the Government's side as well as the majority of the Members of the Opposition side of this Honourable House. This is a responsibility which the respective House Leaders bear.

Last - two weeks ago, Mr. Speaker, we had Members raising legitimate concerns regarding the mechanics of how some of the recommendations will work. I suggest, Mr. Speaker, and respectfully to the House Leader,

that these can be addressed during the drafting stage and review stages of the Bill.

I urge this House to let us maintain that convention which has served this country and accept this Report on political party registration and financing as a broad statement of the principles we need to achieve in the legislation and which will carry our democracy forward.

Thank you, Mr. Speaker.

(Applause)

The SPEAKER: Yes, Mr. Mullings.

Mr. MULLINGS: Thank you, Mr. Speaker.

Mr. Speaker, firstly let me congratulate the Commission for putting forward this Report and these recommendations as far as party registration and financing are concerned. Indeed, there are Members on both sides, and others who are not in this House, who have raised very relevant questions as it goes to protecting our democracy and to ensuring that persons, either of tremendous commercial ability or others will seek to affect or indeed influence the operations of any political party.

I am also cognizant Mr. Speaker, of the convention of which we speak. However, I must confess that while we recognize the conventions, it doesn't mean that we ought to collectively put our brains in neutral. And by that I mean, that prior to this there was n requirement for a political party to be registered, and so, this is really new ground. But I must note that in looking at the Report, the Electoral Commission purports to recommend that a political party in seeking registration may in fact be open to objections. So that if a body is forming a political party and an objection is raised then that objection can, in fact be entertained and to see whether it is valid or not, I believe that, that is unnecessary. If, bearing in mind the nature of politics, which is one of the contest, that once you satisfy the requirements of a political party you ought to be registered, and you ought not to be opening the possible flood gates for frivolous objections, or in fact for anyone to object because that is part of the deepening of your democracy.

But I also note that the recommendation also is being put forward that, a political party cannot be registered in certain scenarios, and this relates to electoral periods. So if Parliament is prorogued, in between that time of prorogation and the time of an election no party can be registered. Indeed, in a situation where you have a bi-election, by the calling of that by-election or the naming of a date and the ending of that election no party can be registered. And l think that, moving from a position where you are not required to be registered you then have this requirement and then imposing on it the possibility of not having an application entertained or deemed valid, I believe is unnecessary, and could very well be unintentionally inimical to the deepening of a democracy.

In relation to state funding, Mr. Speaker, and 1 have a very serious concern, because one of the recommendations is that if five Members of Parliament who have been independently elected, decide to form a political party then they cannot get state funding. Now, it seems that you are now adding to the requirements where you are properly registered, that if you have five persons, and I go further, I see no objection - and this is merely for hypotheses where persons are elected by - from any political

party who themselves decide to come together, get the required signatures that they ought to be deprived from State funding. And I think that that is an unnecessary hindrance if you are looking at deepening a democracy and allowing for a contest.

Now, I am sure that there has been a lot of discussions and, of course, there may very well be reasons that have been put forward for and acceptable, to allow for these recommendations. I personally believe, however, that that is unnecessary. I think that unwittingly you may very well open the flood gates for issues and contests for those who don't want additional parties to come. And you must bear in mind that this is something governing all political parties, not just the People's National Party and the Jamaica Labour Party or the National Democratic Movement. It might very well be some other grouping that wants to come together, they want to form a political party in a particular period of time and they can't do so. That I believe, moving from a position where there is requirement to be registered ought not to happen. And also, if Members of the House decide to form a political party they ought not to be deprived of State funding because I believe that that is also an unnecessary hindrance.

Thank you, Mr. Speaker.

(App1ause)

The SPEAKER: Yes Mr. Warmington.

Mr. WARMINGTON: Mr. Speaker, I am having very grave difficulty supporting this Report from the Electoral Commission, and the reason for this is that this is a start of something - the other phase of this recommendation is the phase of the financing, I am sure, of electoral campaign for parties, this is first aspect of it.

I understand that it was supposed to be a comprehensive Report, or a comprehensive recommendation that deals with the recommendation for registration, financing of parties activity like party offices and so on, and the recommendation for the dancing of campaign of parties.

My position has been, all along, that we cannot expect a poor person in Jamaica who is unable to get assistance from PATH Programme, or unable to get assistance to send his or her child to high school or college, to finance the campaign of Members to come to this House. It is a privilege to Members, or people who seek to be elected to Parliament. And I believe, if one wants to enjoy the privilege or the prestige or whatever it has, you should finance your own campaign and we should not call on taxpayers of Jamaica to. finance campaigns political party or anything. It is wrong. (Applause)

And I personally, I want to request that eventually when the report comes here to finance campaign, there has to be - I want there to be a convention or something in there, a clause whereby a candidate can opt out of that because I personally don't want the taxpayers of Jamaica to pay for any campaign that I am involved in. Taxpayers should not pay for any of us – we must find our own way here overall.

And then you have an organization there, a Commission that believes that they are crown princes and empresses, and anything that they state is law and you must abide by it. There is no – if you find errors in their reports or recommendations and you bring it to their attention, what you get from the Commission is that you must amend the laws of Jamaica to

take in our recommendation. I was told then that this is not a constitution, so you don't have to think about it, we must amend the existing laws, to take any recommendation that comes from the Electoral Commission, and I am very concerned because even a group of persons - the Member here talks about when you don't agree you go to selected Members and it constantly happens like that. You have a few guys who sit or what have you and dictate to Jamaica and dictate to the Parliament. Parliament is the supreme body of this country and at that sage there should not be and never be any organization or any group that dictates to this House and this is what is happening here. And when you talk about convention, the last time I spoke here, I was told - the impression was given that I was talking about South West St Catherine, I was talking about the interest of Jamaica. And I don't believe that what comes here is in the interest of the small man, the poor man of this country. Therefore, I want to make it clear and I put it on record, I will not support this Report. I am a suspect of these things that come from this Commission.

The SPEAKER: Yes, Mr. Vaz.

Mr. VAZ: Thank you, Mr. Speaker. I had not intended to take part in this debate because I thought that the Report was straightforward, bearing in mind that it does have different interpretations for which the Member spoke to a while ago, 1 don't think you will ever get any that is fully perfect and agreed on by all.

But what I stand to raise in this matter is the assertion by the Member from Central Manchester that the PNP supports full disclosure in relation to political donations. And I ask the question, Mr. Speaker, whether that is going forward from today, or is that something that they are prepared to do in relation to the past, because you have to deal with the past in order to go to the future.

And let us clearly understand that this is not a question that is being posed by me for the membership in the Parliament, but there is hundreds of thousands of Jamaicans that are still questioning transactions that have taken place in the past for which no answers and proof have been forthcoming.

(*Sotto voce* comments by Mr. Gallimore)

Mr. VAZ: And I speak specifically to the fact that in recent time...

A MEMBER: Trafigura!

Mr. VAZ: ...they have been so strident for transparency and accountability when it suits them.

MEMBERS: Yes.

(Applause)

Mr. VAZ: But you have a situation where first of all...

Mr. PERALTO: Hypocrisy.

Mr. VAZ: ...a transaction took place some years ago, and you will recall that in that transaction the Peoples National Party said themselves, it was a political donation. The persons who donated the fiends said it was a business transaction.

A MEMBER: Corrupt, corrupt!

Mr. GALLIMORE: Which would have been a clear conflict of interest.

(*Sotto voce* comments)

Mr. VAZ: When the Opposition Leader - when the Prime Minister was asked the question, she said, ask the PNP. We asked the PNP and the PNP said that the money had been refunded. Up until this day, no proof of that has been forthcoming to the people of Jamaica. So, let us cut out the hypocrisy when it suits you about full disclosure.

(Applause)

You can't support full disclosure until you disclose everything, being the past and the present, and the future.

Let me go further, Mr. Speaker, and say that not only is that bad, and not too bad but when the investigation by the overseas investigators was launched...

Government MEMBER: They refused to testify.

Mr. VAZ: ...and they came to Jamaica, the Peoples National Party at the highest level, refused to cooperate with the investigation.

(Applause)

Government MEMBER: Hypocrisy!

Mr. VAZ: What did they do? What did they do? They pleaded the Fifth.

Mr. SHAW: Hypocrite.

Mr. MONTAGUE: Watch them.

Mr. VAZ: And when you plead the Fifth, for those who don't know, it is when you get yu lawyer, and every question that you ask, you say, "My client will not answer that question."

(*Sotto voce* comments)

Let us also remember that that investigation, despite the attempts of the Opposition now, the then Government, to stymie it, we have heard in recent times that it is still something that is of a legal interest. And 1 won't comment any further on that.

As it relates to the personal attack on me, in relation to the comments made that were…

The SPEAKER: They have been withdrawn, though, you know.

Mr. VAZ: ...somehow withdrawn... no, no, I say somehow until I see **Hansard**... somehow withdrawn...

Mr. SHAW: Somehow.

(*Sotto voce* comment)

Mr. VAZ: ...and I say personal because it never spoke to the treasury of the party, it spoke to the Deputy Treasurer. But the Deputy Treasurer has one head above it, which is the Treasurer. So, therefore, what you are really trying to say is that I am once again, the man in the middle.

(*Sotto voce* comment)

Mr. VAZ: Let me remind you... let me remind you. …and I have said it recently, and a gwine say it again...

Mr. BUNTING: You represent the treasury.

Mr. SHAW: You are a hypocrite, shut up!

(Laughter)

Mr. VAZ: ...former Member, former Member for which you have good knowledge of, Honourable Hugh Lawson Shearer, told me, "*Jamaican people don't stone fluxie mango.*" So, you can come with all that you are trying to come with, it can't work, because the people will be the final judge.

(Applause/Laughter/Cross talk)

Mr. Speaker... Mr. Speaker, I am going to close and say one further thing. I am going to close... I am going to close by saying... and giving one more challenge. And when I give this challenge to the current General Secretary of the Peoples National Party, I am going to sit down with the hope that he is going to respond. And I am going to defy you, and challenge you to deny that the same source of funding that you're accusing me of, that the Peoples National Party didn't benefit from. And I challenge you by sitting down, to answer on behalf of the Peoples National Party.

A MEMBER: Aahhh!

(Applause/Cross talk)

MEMBERS: Hypocrite, fluxie mango...

The SPEAKER: Okay. Mrs. Maxine Henry-Wilson.

Mr. MONTAGUE: Don't open yu mouth again, you hear boy?

(Cross talk)

The SPEAKER: Mrs. Maxine Henry-Wilson is on the floor.

(Gavels) Members, Members, now...

(Mrs. Henry-Wilson proceeded to the microphone that was set up in the passage as some microphones didn't appear to be working)

Mrs. HENRY-WILSON: I am not listening to that. Mr. Speaker... Mr. Speaker...

The SPEAKER: (Gavels) Members... please... Mrs. Maxine Henry-Wilson is on her feet.

Mrs. HENRY-WILSON: I am very sorry that what is a debate of signal importance to our country and to our democracy has been generated into this. I am...

(Heckling)

Mrs. HENRY-WILSON: You know... you know one of the problems is... one of the problems...

(Cross talk)

Mrs. HENRY-WILSON:...this thing is not working.

The SPEAKER: Members... please...

Mrs. HENRY-WILSON: One of the problems... one of the problems, Mr. Speaker, is that we believe that it is *either* or.

Mr. WARMINGTON: Point of Order, Mr. Speaker.

Mrs. HENRY-WILSON: We can have a civil conversation in here without us having…

Mr. WARMINGTON: Point of order, Mr. Speaker; point of order.

The SPEAKER: What is the point of order?

Mr. WARMINGTON: The Member is speaking from a position that is not her assigned seat. And she is yet to ask for permission.

(Laughter/cross talk)

Mrs. HENRY-WILSON: You know, Mr. Speaker...

Mr. WARMINGTON: She is speaking from a position...

Mrs. HENRY-WILSON: Mr. Speaker, may I speak from a position... I can't hear! I can't hear.

Mr. WARMINGTON: Point of Order...

The SPEAKER: Yes, yes.

Mr. WARMINGTON: Take yu seat. The Member is speaking from a seat that is not her assigned seat. She needs to ask permission of the Speaker to speak from that point...

The SPEAKER: That is correct.

Mr. WARMINGTON: ...and she has not done so.

The SPEAKER: Mrs. Maxine Henry-Wilson, please just...

Mrs. HENRY-WILSON: Mr. Speaker, I was about to do so, you know.

(Heckling)

Mrs. HENRY-WILSON: No, hold on a second, I am not into any of this nonsense that is going on.

(Cross talk)

Mrs. HENRY-WILSON: Mr. Speaker, Mr. Speaker, why can't we have...

The SPEAKER: (Gavels) Please...

Mrs. HENRY-WILSON: ...a civil discussion in the House? I am about to ask... I am about to ask for permission to speak from a seat that is not my own. I was told I needed to move from where I was; I was ready to speak there.

The SPEAKER: Permission granted,

Mrs. Maxine Henry-Wilson.

MEMBERS: Ahhhh! Go ahead.

Mrs. HENRY-WILSON: Mr. Speaker...

(Heckling)

It is unfortunate that we have - as I said, we have moved from what is a signal debate, in terms of the future of our democracy to allegations on both sides.

Now, I just want to go back to something that was said by the Member - one of the Members. First of all, this discussion about financing of political parties and registration of political parties has been on the agenda for at least the last 20 years. A previous Electoral Advisory Committee, before it became the Commission had looked at the entire issue of campaign finances. This actually is quite a separate issue from financing of political parties.

For the Members who may not know, there has been a financing of campaign taking place, either by subsides that are granted or by some support for electoral matters. For example, scrutineers are paid for both sides. That is a part of the movement. I said there is a distinction between financing of electoral matters, and financing of elections and political parties.

(*Sotto voce* comments)

Mrs. HENRY-WILSON: Mr. Speaker, I am about to not contribute to the campaign - to the discourse.

(*Sotto voce* comment)

Mrs. HENRY-WILSON: No, because you see, Member, I think that if we are going to settle this matter - first of all I don't like the friction that is taking place. We are coming from a place in the electoral system where we could agree on nothing; where we had degenerated to a point where...

(*Sotto voce* comments by Members)

Mrs. HENRY-WILSON: ...where we had degenerated to a point where it was impossible for the two political parties to agree on anything.

By the discussions that have taken place over the years at the Electoral Committee, we have been able to arrive at some amount of consensus on matters. I would put it to Members that it is not a light achievement and that as political parties, we have a responsibility to make sure that at all times we operate in a way which is above the suspicion of the populace.

Now, I am making the point that we have had support of both electoral and political parties, in a way through the EAC. Basically, in 2002 the Electoral Advisory Committee tried to get some kind of consensus about what was a political party. And at that time, they looked at different models of what constituted a political party.

I am not sure that I agree with the Member that when an election is called... when you have - you have dissolved the Parliament, that at that time you can be considering what kind of support to give to an institution that did not exist prior to that event. I think it is important for the political parties to have existed for a period of time for it to have been recognized and for it therefore, as part of the political process, to be able to put forward its platform. And so, people can vote on the basis of the platform.

In 2002, we had a new political party that was required to go and get X amount of signatures from the electoral list in order for them to qualify to get the support that is given to parties during an election. The upshot of it was that we had a situation that was totally

untenable. And for us to have audited those names, to determine whether they were, in fact, verifiable or not, almost led to a confrontation between the committee and the party. So, I believe there has to be a cut-off point at which an institution is recognized as either existing or not existing.

I think that there needs to be a threshold below which a political party is not recognized, which is what they are trying to suggest. But, I agree with that comment that what you are doing is then setting a barrier which may not be one that the ordinary person can jump over. In fact I made the point to one of one of my colleagues, that if the Peoples National Party were required to have five members before it was recognized it probably would not exist today because in the 1944 Elections there were Issues relating to the survivability of the party. So, the question would be, what are the kinds of support that a needed to ensure that the hurdle is not so high that an ordinary coming together of persons cannot then develop into a political party.

The other thing that I would like to say is that I do not agree with the Member that when you run for office you run only as a private individual. What we are trying to guard against is where some other countries have reached, which is, the persons who are able to afford to be elected are not persons of character that you would want in the electoral process. The public has an interest in who should be allowed to be a part of the electoral process. The public must have an interest in terms of the character and the origin of the funding that is required because what you will do then, is exclude a certain group of persons from being a part of what is a democratic process.

So, I don't think we can talk away only about what an individual can afford; we have to talk about the whole question of what is the objective of democratic participation, and what is the objective of the democratic participation, and what is the objective of the democratic system. We have to guard against the take-over of the political process by individuals, or characters who are not those who we would want to promote as being a part of the leadership of this kind of country. We have seen where it has gone in other democracies; we don't want ours to go the same way.

So, I think they are issues that we can debate. But, my real issue is, let us ensure that at the end of the day, a critical institution that we have created, the Electoral Commission is not thrown into the gutter with many of the other institutions that we have. We have worked too hard, and we have come too far for us not to be able to arrive at a convention. Nothing is wrong with conventions. Societies operate on conventions. If there were no conventions we could not even operate in this House.

So, let us regard a convention that has carried us a very far way, beyond where we thought we would have been able to be 30 years ago. Let us remedy what we may see as wrong debt but let us not throw out the institution with the good that it has done. That really is my appeal.

(Applause)

The SPEAKER: Thank you, Mrs. Maxine Henry-Wilson. Yes, Leader of the House.

(*Sotto voce* comments by Mr. Warmington)

The SPEAKER: Mr. Warmington, you

spoke already, you know.

Mr. HOLNESS: Mr. Speaker, l would like to thank...

Mr. ROBERTSON: Maxine, well said.

Mr. HOLNESS: Mr. Speaker, I would like to thank the Members for their participation in the debate. You will recall when we opened the debate we suspended the debate to ensure that the political parties could go back to their various places and have further discussion, so that when we come here there is agreement across the aisle to proceed with this report.

There is one area, Mr. Speaker, that we will leave to the judgement of the ECJ and the Members from both sides to make a definitive position and that is, the basis on which the one-fortieth of the whole, which is the party's budget, is calculated. This report sets the principle that no contributions to a political party should exceed one-fortieth of the entire budget...

Mr. WARMINGTON: But that must be determined before you vote.

Mr. HOLNESS: ...2½% of the entire budget of the political party. The issue is, what is the budget? And so we have to spend some more time working out the mechanics that would define the budget. That would also solve the problem of - because the preposition in this Report is that government funding should only account for no more the 40% of the political party's budget. So we now have to work out the mechanism as to what is the exact, how do we determine the budget of the political party.

Those are the only issues I see in this, Mr. Speaker. We intend to preserve the convention which we have worked long and hard to establish. It is indeed, Mr. Speaker, a major step in the democracy of Jamaica.

Mr. SHAW: Hear, hear!

Mr. HOLNESS: We would now join many countries in Europe and in North America, which have gone this route of supporting their political parties, because they see that as enriching the democracy.

And the results of that move, Mr. Speaker, as inured in my opinion to the benefit of those countries. And I think Jamaica stands to gain by this move. I therefore, Mr. Speaker, recommend the Report for the acceptance of the House.

Mr. WARMINGTON: Mr. Speaker, Mr. Speaker...

(Inaudible comments by Mr. Holness)

Mr. WARMINGTON: No, no, on a point of order.

(Inaudible comments)

Mr. WARMINGTON: The Leader of the House has asked for you to put the Report to the House. He has expressed concern about aspects of the Report, which is said the nominated members need to work out with the Commission. If there are concerns - and he expressed serious concerns - it means that the Report need to be sent back to the Commission and those concerns rectified and results sent back to us.

How can we be asked to vote on an issue where there are concerns by the Minister in charge of electoral matters? You cannot! He expressed concerns, grave concerns of areas that are not clear to him or to the House. So if it is not clear to the Members, how can you ask the Members to vote? You need to send the Report back to the Commission for them to clarify that whatever percent and send it back to us. How you can vote on something you're not clear about? You cannot ask the

House to vote on something that is incomplete.

Mr. HOLNESS: I want to reassure the Member that the normal procedure, Mr. Speaker, in any event any report that is sent here where the substantial matters are agreed...

A MEMBER: No.

Mr. HOLNESS: ...we can pass the Report on those matters which we have - and which is why, Member, I make sure to place it in **Hansard**, so that these matters are now in **Hansard** which the ECJ will have to take account of.

A MEMBER: No.

Mr. HOLNESS: It is a means of ensuring that the wish of Parliament is considered, because it is a way of ensuring that the wish of Parliament is considered, when the ECJ and the Members from the political parties meet.

I had discussion with both members from the political parties on the ECJ and with the chairman of the ECJ himself, and it was agreed that we would proceed and they would, in the drafting instruction which comes back here in the form of legislator which we get another chance to debate, Mr. Speaker...

Mr. SPEAKER: Yes, House Leader.

Mr. HOLNESS: ...would ensure that the wish of Parliament is preserved.

The SPEAKER: Yes.

Mr. HOLNESS: But for expediency sake, because we have been debating this for many years and I gave an undertaking that 1would move apace the matters that have come through the ECJ.

Mr. WARMINGTON: Him chatting nonsense.

The SPEAKER: House Leader.

Mr. HOLNESS: So I put it to the House, Mr. Speaker...

The SPEAKER: Yes.

Mr. HOLNESS: ...for consideration.

The SPEAKER: Members, it's not unusual for Reports that have come to the House that there are - some details, some of them even more than minor to be worked out.

So, Mr. Warmington, it is something - there's no doubt that you are right that some details need to be worked out, but that doesn't stop the Report from being approved by Parliament so that the Commission can then return to continue its work, to work out the details.

In the circumstances I put Number 6 on the Order Paper, the Report of the Electoral Commission of Jamaica on the political party registration and financing.

Mr. WARMINGTON: No?

Mr. MULLINGS: No!

The SPEAKER: One no.

Mr. WARMINGTON: Two, two!

Mr. HOLNESS: Mr. Speaker.

The SPEAKER: Yes.

(Cross talks)

The SPEAKER: Well okay, two persons have recorded the negative votes, two persons.

Put to the House and agreed to.

The SPEAKER: Yes.

Mr. HOLNESS: Mr. Speaker, there are two matters...

(Cross talks)

Mr. HOLNESS: ...two Petitions that were brought before us, I would like to...

The SPEAKER: Sure.

Mr. HOLNESS: ...recommit those items, Mr. Speaker, the Petition and Statement by Ministers.

(*Sotto voce* comments by some Members)

Mr. HOLNESS: Mr. Speaker, I therefore move for the suspension of Standing Orders to

allow the recommittal of the items, 'Petitions' and 'Statements by Ministers'.

The SPEAKER: Members, the motion before the House is for the suspension of the Standing Orders to allow the recommittal of two items, 'Petitions' and 'Statements by Ministers'.

Put to the House and agreed to.

PETITIONS
(Recommitted)

The SPEAKER: Petitions first?

Mr. HOLNESS: Petitions first.

Mr. SPEAKER: Petitions. Member, under the item 'Petitions', two Petitions were circulated to Members. Members, those who have seen the Petition, is this now the wish of the Honourable House for the Petition of DR. GLADSTONE FAIRWEATHER and DR. EVELYN FAIRWEATHER to proceed?

Put to the House and agreed to.

The SPEAKER: In respect of the Petition from REVEREND MONSIGNOR GREGORY RAMKISSOON and His Grace THE MOST REVEREND EDGERTON CLARKE and REVEREND GARVIN AUGUSTINE is it the wish of the House that this should proceed?

Put to the House and agreed to.

The SPEAKER: Both Petitions will now proceed to the Committee for further consideration. That's it very well.

STATEMENTS BY MINISTERS
(Recommitted)

The SPEAKER: Mr. Vaz.

Mr. Vaz, could you circulate the Statement?

Mr. VAZ: Thank you, Mr. Speaker.

I would just like to update this Honourable House and the Members in relation to the threatening Tropical Storm/Hurricane Tomas. Let me just start by saying that we're all aware that the Prime Minister left the island to attend the funeral of the Honourable David Thompson earlier yesterday, after having a meeting yesterday morning based on the information that we had on the weekend as it relates to Tropical Storm Tomas. That meeting was held with a number of the critical ministries and agencies in relation to preparations in the event of such a weather condition that may face us.

As of this afternoon at 2:00 Tropical Storm Tomas experienced further slight weakening over the past few hours but is still expected to re-strengthen within the next 24 to 48 hours over the south-central Caribbean.

As at 1:00 today the centre of Tropical Storm Tomas was located near Latitude 13.5 degrees North, Longitude 74.5 degrees West; and about 520 kilometres (320 miles) southeast of Morant Point, Jamaica or, 570 kilometer (370 miles) south-southwest of Port au-Prince, Haiti.

Tomas is moving towards the West near 22 kilometres per hour, or l4 miles per hour and maximum sustained...

Sorry, Mr. Speaker, I crave your indulgence. I've just received the 5:00 p.m. report, which I think is more current and up to date and I think that would be more useful for us here. So this is Bulletin number 12 and it does indicate that a Hurricane Watch is now in effect for Jamaica. I'll read it in its entirety based on the...

> "A Hurricane Watch is now in effect for Jamaica as Tropical Storm Tomas moves on a track that is forecasted to take it close to the East Coast as a

Category 2 hurricane. This means that hurricane conditions pose a possible threat within 48 hours.

At 4:00 p.m. this afternoon the centre of Tropical Storm Tomas was located near latitude 13.5 degrees North, Longitude 74.6 degrees West and about 520 kilometres or 320 miles south-southeast of Morant Point Jamaica or 620 kilometres 385 miles south-southwest of Port an-prince, Haiti.

Tomas continues to move towards the West near 22 kilometres per hour, or 14 miles per hour, but a turn towards the west-northwest and north west, with a decreasing forward speed is expected during the next 48 hours. Maximum sustained winds are near 65 kilometres per hour, or 40 miles per hour, with higher gust. Strengthening is forecasted and Tomas could regain hurricane strength by Thursday. Tropical storm force winds extend outwards up to 165 kilometres, or 105 miles from the centre.

Satellite imagery indicates that the areas of showers and thunder storms associated with Tomas has expanded over the past six to 12 hours. As the system slows down and strengthens during the next 48 hours, expect outer bands to start affecting southern and northeastern parishes of Jamaica.

Tomas is expected to be closest to the island on Friday morning and there is a chance that hurricane force winds will be experienced over eastern sections of the country at that time. Above normal wave heights should be expected over coastal areas of northern and southeastern parishes. Northeasterly winds are forecasted to increase to gale-force over southern waters by Thursday, and could gradually become near northerly at hurricane force. All small craft, including fishers from the Cays and Banks, should now be arriving in port to start preparations for safe harbour.

The Met Office continues to monitor the progress of this system, and all interests should pay special attention to further Releases. The next Bulletin will be published and issued tonight at 8:00 p.m. ".

Mr. Speaker, this latest Bulletin bringing hurricane watch in effect for Jamaica, makes it that much more important to fast-track the arrangements that were initiated yesterday at that meeting.

Let me just indicate that we know that we've had serious issues as it relates to Tropical Storm Nicole, in terms of dislocation and devastation and there is a number of communities and districts that are still suffering. Those, Mr. Speaker, were discussed at length yesterday and special arrangements are being made, including and not limited, to voluntary evacuation and possible mandatory evacuation.

I can indicate to this Honourable House that up to this afternoon prior to coming to Parliament the reports from ODPEM were that things were on track in terms of the usual protocols that exist in the event of disasters.

I would share with you, Members, for your own purposes, that as of today arrangements have been in place for assistance through the National Solid Waste Agency in

terms of pruning of trees and so far a number of calls have been received and the Solid Waste has dispatched.

And I would urge my fellow Members of Parliament here that if there is any area or anybody that you feel may be in danger, I would encourage you to be in touch with the Solid Waste Management as early as this evening or tomorrow morning, to see how we can alleviate.

Key tips have been put out on the Media since yesterday regarding improving roofing using hurricane straps, water storage and purification and other tips. These will continue right through and have been placed also on Facebook or ODPEM's Website.

Parish Committees have started meetings including sub-committee meetings. Priority shelters in highly vulnerable areas have been identified and will be activated by the latest Thursday morning into the afternoon. Measures are being instituted to preposition shelter supplies within the parishes, within the current resource capacity.

Arrangements are put in place with suppliers for food and water for sheltering and possible relief air flights.

SMS, otherwise known as text messages, that protocol has been re-established with Digicel, Lime and Claro and scripts have been sent out from ODPEM in relation to the content of those messages.

Additional boats are being sources through Food For The Poor, for those areas that are already under water, and those that may become under water, and local arrangements through local suppliers are being put in place as we speak for tarpaulins and additional cots to bolster our supply at ODPEM, based on the fact that Tomas coming so close on the heels of Nicole, obviously supplies were used.

A Press briefing will be conducted tomorrow morning at 10.00 o'clock by ODPEM to outline the list of priority shelter plans for evacuation and security for shelters as well as welfare support. And budgets are being developed for Parish Disaster Committees for welfare operations.

Mr. Speaker, based on the fact that the Prime Minister will be out of the country until Thursday and with this new hurricane watch, I think the Acting Prime Minister will take the necessary steps to probably, have another meeting, based on the timeframe that has elapsed since Monday to when we are expected to get this weather. And I can assure the Opposition that we will make the necessary contact to make sure that we invite and have the participation of everybody going into this situation, in terms of the weather conditions.

But to assure Parliament Mr. Speaker, that based on the meeting and the follow-up meeting that is to be held, that all is in place in order to face the challenges of the adverse weather conditions, and we are planning for a worst case scenario and work our way back if that does not come, which we hope and pray does not.

Thank you very much.

The SPEAKER: Thank you, Mr. Vaz. Leader of the Opposition.

Mrs. SIMPSON MILLER: Thank you, thank you, Mr. Speaker.

I am sorry that the Acting Prime Minister left, the person now in charge of the country. I had sent a letter earlier today to the Prime

Minister because I saw in the media where the Prime Minister had a meeting before he left Jamaica with the Disaster Committee, and I had spoken to the Minister of Information earlier.

The Opposition was not invited to that meeting. I think it was established - my recollection....

(*Sotto voce* comments by Government Members)

(Mrs. Simpson Miller stopped speaking and waited)

M**rs. SIMPSON MILLER:** .....my recollection, Mr. Speaker, has always been that in the event of any disaster, the Opposition would be asked to name one person, who would sit at those meetings. And I remember that the last hurricane it was....

(*Sotto voce* comments by Government Members)

(Mrs. Simpson Miller stopped speaking and waited)

Mr. JACKSON: No, don't disregard...

Mrs. SIMPSON MILLER: No, no, no no, no! this is a serious thing, it's not a joke. If the Government doesn't want the support of the Opposition and consensus and so then I can sit, and then that's okay, we have no problem, but constitutionally, we have a right to defend the rights of the Jamaican people as well, Mr. Speaker.

(Applause by Opposition Members)

Mr. Speaker, I remember the last - other disasters, whether it was the MOST HONOURABLE EDWARD SEAGA or the MOST HONOURABLE P.J. PATTERSON, or myself for the short time, I remember my time when we called it was MINISTER GRANGE - now Minister Grange that was nominated by the Opposition to sit at those - the Committee meetings that we had to deal with the disaster. And all I am saying is that I won't go any further, it's not important for the Opposition to be involved, or I accept that since the Members feel that way. The Minister of Information did not feel that way when I spoke to him certainly this afternoon. If it is a position of the Government, then I would love for them to indicate to me and I await the response from the Prime Minister.

Mr. HOLNESS: On a Point of Information. On a Point of Information, Mr. Speaker. The Leader of the Opposition pointed out that several years ago, Minister Grange was asked to sit on a committee, not specifically stated by the Leader of the Opposition. My recollection is that, the committee could have been after the disaster and that was to do the response. If you could point out specifically whether or not the Member was asked to sit in the planning of the response?

Mrs. SIMPSON MILLER: When we got all the information that, for example, when I was Prime Minister that the hurricane was coming, I summoned a meeting like Prime Minister Golding did, with all the stakeholders, the Army, Red Cross, the Adventist organization, all of them, that committee meeting where the discussion in terms of the preparedness and the relief situation for the preparation and preparing the country for, that was the meeting that we were asked to nominate somebody or we would ask the Opposition to. And for my time certainly, it was now Minister Grange that sat then at that meeting for the Opposition.

And all I am saying it was an established thing where whenever there are disasters, then the Opposition –

(*Sotto voce* comments by Government Members)

Mrs. SIMPSON MILLER: - no matter what party would, would... Listen, Mr. Speaker, I don't have to put up with the insult and the rudeness from that side. I don't have to put up with it.

The SPEAKER: Could you please....

Mrs. SIMPSON MILLER: It's about the people of Jamaica it's not about..... Disasters do not have any political bias.

Dr. BARTLETT: So why you making it political?

Mrs. SIMPSON MILLER: Whether you are PNP, JLP, you support no party at all, Christians, sinners, everybody suffer.

Dr. BARTLETT: Nobody never say anything.

The SPEAKER: In all sincerity the Leader of the Opposition deserved to be heard in silence nuh, there is no need for these comments.

(*Sotto voce* comments by Government Members)

The SPEAKER: Continue please.

Mrs. SIMPSON MILLER: I want to make a recommendation...

(Mrs. Simpson Miller stopped speaking and waited)

Dr. BARTLETT: Is Bunting behind her making the noise.

(Laughter)

Mrs. SIMPSON MILLER: ....since the person acting is not here, the Minister of Information, and I am not criticizing the Government for this, it happens all the while, I really believe that in terms of areas that we know that the people are going to be flooded out, we not wait until they are flooded out before we take some action.

And the other recommendation I would like to make is that, we know the areas where people - if it is even a light shower, they are going to be wet, their roofs are bad, they live in terrible conditions and we wait until they get wet, bed, everything, house flooded before we hand them some tarpaulin. And I think perhaps, we should take a decision that we could identify quickly in the various constituencies across the country those who are most in need, and we do something that they do not getter. And the tiny ones that it's supposed to be covering a small settee cannot help, because as soon as the rain drops touch down, they just fall apart.

And I am just making a recommendation because if what the Minister just read, if we should get - and whether we get or not but we are going to certainly get some rain, we should be - since we cannot predict what is going to happen, until maybe it is too late, we should then act to ensure that as he said, the activation of the Parish Disaster Committees and also to see how we can give some assistance for those who will be in their homes, and also to prepare the shelters, so that in the event people do not have to be running up and down and people suffer all kinds of pressure and so on.

And I really would love to make a special appeal, Mr. Speaker, on behalf of the suffering Jamaican people. And I am sure all of us in our constituencies we have people, most of us, who suffer as a result even if the hurricane doesn't come but we have even light showers. And I really believe that we need to make some move and do some things differently because we've been going through it for years now and I think we should perfect how to treat and deal with these things.

(Applause by Opposition Members)

Mr. VAZ: Thank you, Mr. Speaker.

Just to indicate that we will await the notification of the person from the Opposition who will be representing, and I think that that meeting will be probably tomorrow, so we would appreciate hearing that and working together with some of your suggestions, which are agreed and accepted on.

The SPEAKER: Yes, you want to go ahead.

Mr. FAGAN: I am just saying sir, I learnt through the...

MEMBERS: Mike, mike, mike!

The SPEAKER: It's not working.

Mr. FAGAN: I am just saying, sir, I am going to get permission to speak here, sir.

Mr. Speaker, I learnt through the media that the Government is seeking to relax the procurement guidelines in order to facilitate speedy purchasing. I am a little concerned that this kind of – what is being proposed could create a little difficulty where other areas could get sliced into this situation that is not necessarily part of the emergency. What safeguard, what safeguard is the Government putting in to ensure that those areas that need to get the relief get that particular area of relax. Is there any safeguard or is this just going to be just an open, this is going to be an open situation where anybody could just…

The SPEAKER: Dr. Todd, you want to ask your question?

Mr. FAGAN: Mr. Speaker...

The SPEAKER: Yes, Mr. Montague will respond.

Dr. RHODD: Mr. Speaker, can I have permission to speak from a position other than my own?

The SPEAKER: Yes.

Dr. RHODD: Mr. Speaker, I was reassured to hear the Minister of Information speak about the steps that have been taken so far in preparation for the storm/hurricane.

I am, however, very concerned, Mr. Speaker, as a Member of Parliament who represents a number of very vulnerable communities, not only because the communities are located in the eastern section of the country, which is the area to be affected first, more than likely, by the hurricane, but also because of the mountain ranges, which, as you now, are situated - the Blue Mountain Range and the John Crow Mountain Range, which compound the problem, in respect to rainfall and flooding.

The second point I want to just raise and ask the Member - the Minister and the Member from West Portland to address - because I did some checks prior to coming here, Mr. Speaker, at about a Quarter to Two - One-Thirty/a Quarter-to-Two, and up to that time there were a number of concerns, not only by the citizens, but by the local planning authorities and the response team, in respect to resource deficiencies. And I am just going to ask the Minister to ensure - because we know that there are challenges, because of what occurred with Nicole, and the focus has been elsewhere because that damage of Nicole was elsewhere. But now we are facing an imminent damage of this upcoming storm.

There is another issue which we need to address, and I am asking the Minister to address it, I am asking him - and the Member from South East St. Mary would fully appreciate what I am about to say, it has to do with the corridor to get into Portland through the road popularly known as 'the Junction.' And it was even blocked on Saturday, and we

had to detour for over an hour just to bypass a short section at Castleton. I am just appealing and asking the Member to - and in conjunction with the Minister of transport and Works, to put - pre-position equipment in place from now to clear the corridors, not only in St. Mary, which is going to be necessary to move equipment and resources and supplies into the affected areas, but also to pre-position equipment in the vulnerable areas of Portland, St. Mary and St. Thomas, which will be affected first.

The SPEAKER: Yes, Mr. Hylton.

Mr. HYLTON: Permission to speak from a seat other than my own, Mr. Speaker.

The SPEAKER: Yes.

Mr. HYLTON: Mr. Speaker, accepting that the - with the oncoming hurricane and the threats from Tomas that we really don't know the extent of the damage or the impact, but, as has been said here before, by myself and others, there are some predictable - some areas where even the mere normal showers, there is flooding that would occur in those areas, and they are by now well known. One such area happens to be in the constituency that I represent, because it drains a number of the gullies coming from north to south, and they all end up - end up in the...

(*Sotto voce* comment from a Government Member)

Mr. HYLTON: Shut up yu mouth, man!

The SPEAKER: Please!

Mr. HYLTON: Shut yu foolishness!

The SPEAKER: Please! Please!

(Heckling)

Government MEMBER: No No, No!

Mr. HYLTON: Please Mr. Speaker...

The SPEAKER: No, please! Please!

(Cross talk/heckling)

Mr. HYLTON: Mr. Speaker, Mr. Speaker...

Government MEMBER: That's out of character.

Mr. HYLTON: Yea, but, but - that's true, that's true.

(*Sotto voce* comments)

Mr. HYLTON: Mr. Speaker, Mr. Speaker, we don't want to trivialize - we really don't want to trivialize the issue. Mr. Speaker, we don't wish to trivial the matter.

The fact is that we are talking about gullies, some of which have not been cleaned for years, and you take - I have raised the point many, many times with the Ministry of Works, and even more recently raised it here. The fact is that no pre-propositioning, no preparation for the upcoming hurricane has been done. These gullies are still almost overflowing. As and when the rain comes they will be the first to start flooding houses, and to have roads covered. And I am simply saying that as to those areas that are flood prone, it seems to me that we can pre-position some assistance, even if we haven't done the work prior to, that in the light of the threat the imminent threat that we should be pre-positioning some equipment and some relief effort to ensure that the inevitable, when it occurs, can be addressed in a very immediate and responsive way.

Thank you, Mr. Speaker.

The SPEAKER: Yes, Mrs. Hay-Webster.

Mrs. HAY-WEBSTER: Mr. Speaker, permission to speak from a position other than my own.

The SPEAKER: Yes.

Mrs. HAY-WEBSTER: Just in…

(Cross talk)

Mrs. HAY-WEBSTER: Please. The entrance to the City is Mandela Highway, and right on the border with myself and Western St. Andrew there is an - right next to Soapberry, Minister of Information, there is an inlet there that needs to be cleared, or we are going to get back into the situation as we had on Mandela Highway, coming out of Nicole. So in trying to pre-position and prepare, can I ask that you just look back at that? I know that some of the staff who had been there before are gone, can we find the old staff who know it. I am saying it to you, Minister, because I have been caught in there before in the water, and having to call, and I now that they went and cleared it, and that did not happen on this round. Find the old staff who now where the creeks are and clear them, or Mandela Highway is going to be blocked again and we going have some problems, and we don't need to get the Capital cut off again. Just that, Mr. Speaker.

The SPEAKER: Thank you.

Government MEMBERS: No no, no! You cannot speak twice!

Opposition MEMBER: Why not?

Mr. FAGAN: Mr. Speaker, the Minister left when I was about to ask another question, sir, so I am sure he wouldn't have heard the question.

The SPEAKER: Yes, go ahead.

Mr. FAGAN: I just want to find out, sir, the - you know, the Local Authorities have been almost left out of these arrangements.

(Heckling)

Mr. FAGAN: I don't - the fact that I don't even know, Mr. Speaker...

The SPEAKER: (Gavels) Allow him, no, allow him!

Mr. FAGAN: ...the fact that I don't even know what is happening as far as those meetings are concerned, it is clear that the Local Authorities are not very involved. But - and the Minister might not be able to speak a lot about it.

What I want to find out Mr. Speaker, is whether or not the - how the Local Authorities are going to be funded to respond to the emergencies. A lot of the drains in the communities are - and coming - the experience out of Nicole, Mr. Speaker, would have pointed to a number of deficiencies, and so we would know where the problems are.

Are there any funds being made available to ensure that these drains are cleaned, as a matter of emergency?

The SPEAKER: Okay. Thanks, Mr. Fagan.

Mr. Montague.

Mr. MONTAGUE: Mr. Speaker, do I have permission to speak from a seat that is not my own?

The SPEAKER: Yes, granted.

Mr. MONTAGUE: Thank you very much, sir.

The Members of the Opposition raised some points, some salient points. And with regard to the emergency procurement guidelines, what was happening, Mr. Speaker, is that the National Contracts Commission has undertaken a programme to review most of the registered contract, because they are doing 100 per cent audit and therefore, the bulk of our equipment contractors are caught in this audit and therefore are not compliant. And what Cabinet sought to do, for a temporary period to allow an extension of their existing certification, so that the Local Authorities, the National Works Agency, can engage these

contractors to do the very cleaning, and to pre-position equipment, because we could not procure these equipment without the owners of the equipment being compliant with the procurement guidelines. So Cabinet just sought to, within a very narrow window - equipment contractors and those with power saws, to allow an extension on their certificates, NCC certificates, so that the Councils and the NWA could engage them.

With regard to the question from the Member from Portland, in the Junction - indeed, the Junction was blocked on Saturday, but within two hours, because equipment was pre-positioned, they were able to clean the Junction, and have the Junction reopened.

As we speak, Mr. Speaker, three bits of equipment have now been contracted and will be pre-positioned. I think one is in Broadgate, one is in Castleton, and one is in Friendship Gap. They are now, because the owner of the equipment was one of those that was caught in the audit and we now have pre-positioned them.

With regard to the Mandela, that matter is being dealt it. And I have asked the Minister of Information to ensure that the matter - it was raised at the meeting, and I know the NWA is making moves to deal with and to correct it. But to give further relief to the concerns of the Member, we will personally follow it through. And equipment is being pre-positioned, the National Solid Waste Management Authority has activated some 30 crews, power-saw crews that will be moving around to trim large trees that are a danger to life, property and limb.

So that, Mr. Speaker, the last point that was raised by the Member from St. Catherine, two weeks ago some funds were released to the Local Authorities, and I can assure him that a lot of those funds were not utilized because of the procurement thing, the matter with persons' NCC certification. And come tomorrow, we will be releasing additional funding to the Local Authorities so that some of the drains that they had started work on, some of the drains that were not completed, those works can be completed. Because, Mr. Speaker, this is one Government that believes in prevention being better than cure.

(Applause)

We understand, Mr. Speaker - and the programme that the Government and the Local Authorities have been carrying on for a mighty long time, even when the Leader of the Opposition was the Minister - of cleaning drains regularly - because when you do that, that investment in keeping our drains clean and open, it redounds to the benefit of all of us as Jamaicans.

Mrs. SIMPSON MILLER: Mr. Speaker...

The SPEAKER: Yes, Leader.

Mrs. SIMPSON MILLER: ...seeing that the Minister of Local Government - and I presume I get permission to speak from here...

The SPEAKER: Permission granted.

Mrs. SIMPSON MILLER: ...and the Minister of Information - I have a grave concern with the imminent threat of this hurricane. And the fact is that a number of areas, for example, Sandy Park, McGregor Gully, or Burgher Gully, Westmoreland, Chigwell, Hanover, all of those, is whether - I am talking about all over the country. I think all of us must be concerned about the people, and when there is a disaster I think there is

always some national unity around assistance for the people, no matter where or what.

(Applause)

Because there were a number of areas that were affected by Nicole, where the water went in - the people lost everything. Given the resources, I do not believe one person was able to get anything apart from the shelter, when they were removed to the shelters and what they got.

What is it that the Government is going to be able to do now, in terms of preventing a repeat of what happened before - because you might not be able to prevent it but at least could do some things that we do not lose lives. And at the same time, for areas - because sometimes people do not readily want to leave their homes, they are waiting to watch, and sometimes by the time they are ready to leave, it becomes too dangerous. And I think we need to make some serious move to ensure that we do not get a repeat of some of the things that happened in the past, and really to urge - and I am happy to hear the Minister say that a number of the gullies and the drains will be receiving some attention. We look forward to...

(*Sotto voce* comments)

Government MEMBER: Shhh! Only silence.

Mrs. SIMPSON MILLER: You see, Mr. Speaker, it doesn't make any sense after an event if something should happen bad all of us come in here and we cry, and we moan, and we talk, and now when we are to try to see if we could put minds together, and hearts together, to make things, to mitigate whatever could happen, that we are trivializing it.

This is something that is very serious. A hurricane coming, any of us can be affected no matter where we live. But we have a set of people that we need to place more focus on, because our houses are safer than these people and where they are living. And we need to place some serious focus on these people to see how we can mitigate whatever could happen if Tomas should come or even if we should have some heavy showers.

Thank you, sir.

(Applause)

The SPEAKER: What is it? No, I think Doctor Ferguson was before you. Doctor Ferguson.

Dr. FERGUSON: Just to say, Mr. Speaker, in relation to Tropical Storm Nicole, a number of areas and major thoroughfares have been badly damaged. And the question is, as it relates to alternative routes, because I think we really need to be looking at that in a serious way, because there are some areas where if any further rainfall, those roads clearly could collapse, and we need to be looking at the alternative routes. We don't have much time between now and tomorrow or Thursday. But I believe Mr. Speaker that we have to take it on in a very serious way.

Secondly, the Minister of Information spoke in relation to mandatory evacuation. I do not know, and I believe that none of us here in terms of laws that govern mandatory evacuation, I don't believe that those laws are in place. But the time has come when we as parliamentarians must seriously look at the question of mandatory evacuation. There are some areas right now that are presenting clear and present danger. And I know that you could talk 'till you die, as an authority, you are not going to get some of these people to move. And I don't know that in law we have that power.

So, it is something that the Parliament needs to seriously look at with a view of dealing with it. We have seen it over time, requests being made, even the people in Port Royal and elsewhere, and people just decide that they are staying home. So, we need to look at that Mr. Speaker, in dealing with our situation, present and in the future.

Miss HANNA: Mr. Speaker...

The SPEAKER: I think Mr. Charles was before yow you know. Just let... You'll yield to the lady...? (Laughter)

Miss HANNA: Age before.

Mr. CHARLES: Mr. Speaker, I felt obliged to bring to the attention of this House what happened the other morning, after listening to the Leader of the Opposition. If the Prime Minister did not summon all emergency organizations he would be criticized. He did not bring the private sector, the public sector or any groups together. All organizations to do with emergencies were asked to come and be alerted. Lead agencies. We didn't know whether hurricane gwine come. Up to now we don't know if it going to hit. But he said, you were set up under the previous government or under any government healthy social security, whichever, ODPEM, wherever you were from, come, we have a report that a hurricane is coming. Get alert. Prepare yourself Get ready. And what she said we'd expect is going to have to happen. I would expect that now we are two days away or so from maybe a hit that organizations of the other level of leaders must be brought in. But I feel very badly that the Prime Minister is being criticized...

Opposition MEMBERS: No, no, no!

Mr. CHARLES: Well, I feel bad(ly) when I hear that l was not invited to be a part of it.

Opposition MEMBER: You hear? You didn't hear.

Mr. CHARLES: Well, I withdraw if it wasn't a criticism. I withdraw it. (Applause) I just wanted to know. I notice the Press is not up there but I'm sure I'll see it:

(Opposition cries out that they were left out)

I want to assure you, Madam, I want to assure you that the Prime Minister made it absolutely clear that all persons responsible for critical areas of the country's security operations get ready if we have to. Right? And so, the Minister who is not here now...

(Interruptions)...

Somebody represented you. You won't be considered to be one of those people. (Laughter) But somebody represented you.

The SPEAKER: Mr. Charles, finish up nuh.

Mr. CHARLES: Local Government people were there. You were not considered to be important. Mr. Speaker, l want to make one more...

The SPEAKER: Mr. Charles, this is not a debate you know.

Mr. CHARLES: What ah want, one more point.

The SPEAKER: Please, finish up the point, finish up the point.

Mr. CHARLES: Where we all in this House...

Dr. FERGUSON: Tell him he never made the first one.

Mr. CHARLES: ...need to remove the barrier of PNP and JLP is when we think what happened to this country in the past. After

every hurricane, after every disaster, this country has been able to present national leadership at all levels. Not PNP and JLP. In every community, Miss Bertha from that side and Mr. Brown work together for survival. And I want us to get... It's very serious... because if we get a major hit, I will tell you... Again I want to say something for a long time. It's the first that I've seen this kind of preparation for what is likely to happen by Thursday.

Miss HANNA: All right. Thank you.

Mr. CHARLES: First time. And therefore I just want to make it clear as I have done.

The SPEAKER: Yes. Miss Hanna.

Miss HANNA: Mr. Speaker, permission to speak from a position other than my own. This question is for the Minister with responsibility for Local Government.

(Interruptions)

The SPEAKER: Members, please let us finish up. Please. Yes, Miss Hanna.

Miss HANNA: Some of the lessons that we actually learnt coming out of Nicole were actually what many of the Members said earlier and we experienced, the drains, *et cetera.* Some of the concerns that I have though, Minister are with the shelters within the parish of St. Ann. Many of the shelters aren't stocked effectively and efficiently.

(*Sotto voce* comments)

Hang on a second. My concern, Minister, while we all want to assist, what I'm asking you, those funds that are coming to the Local Government Authority, will some of those funds - because I know from experience that they will ask the Councillors to ask their Members of Parliament to give some assistance from their CDF and you and I both know that if the project is not written, then we have a concern with that.

But, Minister, will some of those funds that go for drain cleaning will be made available to put cots, mattresses, basic food items in a couple of the centres? Even if a Councillor can get amenities for a shelter - one shelter in their division, it is extremely important. And we are not clear yet as to how it is we are going to stock some of those shelters, because the people will not actually go if they feel it is not comfortable for them. And we experienced that in one of our shelters up in Pedro, for instance.

The other concern, Minister, is that coming out of Nicole where many of the flood- lying areas were, assistance for persons to get... once the places were flooded... because I know once the rain starts again, Pedro, Chigwell and other places will flood. If you can ask ODPEM to have some of the... I don't know if they have blown-up rafts, but the motor boats were not available. If we can have some other kinds of provisions for transport of people, because we had to be moving boats from South-East to Chigwell, to other places, and it really puts a pressure on the Member of Parliament and on the Councillor. So... Thank you.

Mr. MONTAGUE: Mr. Speaker, I am glad for the testimony of the Member from St. Ann to the goodness of the CDF in an emergency.

We need to assure Members of this House and citizens here that shelters are not supermarkets. And no food is provided in a shelter until after the event and persons who have homes that are destroyed cannot return that is when the welfare committee chips in to provide food.

The rules of the shelter, Mr. Speaker, are that you are to bring at least two days' supply of food, clothing and medication. Two days' supply. But there has been a habit of some persons, they buy out the shops and supermarkets then turn up at the shelters demanding food. The shelters are not a supermarket. They are there to provide shelter during the event.

After the event if you can't go back home, ODPEM is moving to do that but at the same time there is a responsibility of the citizen to proceed to the shelter with certain minimum things. And one of the things we encourage people not to go to the shelters with is bad behaviour.

And we make an appeal, Mr. Speaker, because many schools and churches are destroyed in the process while they are being used as a shelter. We make an appeal that persons leave their bad behaviour.

Mr. Speaker, there is partnership between the local authorities who have responsibility for the Disaster Committee and the private sector.

I know that the Prime Minister has made efforts to acquire six (6) additional boats, Rapid Response boats, to be used in these targeted communities that since the year has begun we have seen rising water, and we expect the waters to continue to rise.

We have had deployed, boats in Hanover and Trelawny and I think they had to move your boat in Moneague to Hanover... (Inaudible comments) ...In Pedro? But he has placed an order for additional boats which l believe should get here, probably some time Thursday or Friday, based on the discussions that were ongoing.

We also make an appeal, Mr. Speaker, because the local authorities are in touch with persons who own boats to be utilized in an emergency because the concept and the convention is each local authority is to be able to deal with disaster communities for at least three days until you can have a national response. So all the Disaster Committees have been activated. All the disaster plans are now in place and we are hopeful that we will not see any loss of lives.

The SPEAKER: Thank you, Mr. Montague.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. 1 have to point out, Mr. Speaker, that the Member from Western St. Andrew, we had slated for him to speak but given the extended debates that we have had, his presentation will be taken when we resume.

Mr. Speaker, being that there is no further business, I move that the House do adjourn for a date to be announced, given the impending hurricane.

The SPEAKER: Members, the motion before the House is that this Honourable House do adjourn until a date to be announced.

Motion put to the House and agreed to.

The SPEAKER: (Gavelling) This Honourable House stands adjourned.

The House accordingly adjourned at approximately 6:24 p.m. to a date to be announced.

THURSDAY, November 9, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.24 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Planning and Development and Defence.

PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security.

OLIVIA ATAVIA GRANGE, (JLP), St. Catherine, Central, Minister of Youth, Culture, Sports and Culture.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister, Minister of Information and Telecommunication.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment.

OTHER MEMBERS

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

MR. IAN DAVE HAYLES, (PNP), Hanover,

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. DEAN ALEXANDER PEART, (PNP), Manchester North Western.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern.

MR. KERN O'MAR SPENCER, (PNP), St. Elizabeth, North Eastern.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 2.24 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKERS: Members, this afternoon we would firstly like to welcome visitors from the Liberty Academy and the National Library of Jamaica. Welcome to the sitting of Parliament.

As you know, Members, each year we celebrate Remembrance Day and on Sunday, November the 9th (sic) we will get that opportunity again. But today in-House at this time, we will rise for one minute's silence and afterwards we will ask Sergeant Williams to do his usual exhortation. So at this time I will ask Members to stand for one minute.

But before I do so, however, could I just ask that the Standing Orders be suspended to allow this remembrance.

Put to the House and agreed to.

The SPEAKER: A minute's silence.

(A minute's silence observed)

The SPEAKER: Please be seated. Thank you very much. The House now resumes its sitting.

BILLS BROUGHT FROM THE SENATE

The Clerk read the following message from the President of the Senate:

"TO THE HONOURABLE HOUSE OF REPRESENTATIVES:

I have the honour to advise the Honourable House of Representatives that on the 5th day of November, 2010, a Bill entitled, "AN ACT to Amend the Criminal Justice (Plea Negotiations and Agreements) Act", was passed in the Senate.

Signed: Oswald G. Harding
President of the Senate"

Mr. HOLNESS: Mr. Speaker, I rise to signify the Prime Minister's willingness to accept charge of the Bill.

Bill shortly entitled:

"The Criminal Justice (Plea Negotiations and Agreements) (Amendment) Act, 2010",

read a first time.

Mr. HOLNESS: Mr. Speaker, on behalf of the Prime Minister I beg to give notice of second reading of the Bill.

REPORTS FROM COMMITTEES

The SPEAKER: Yes:

Rev. THWAITES: Mr. Speaker, may I enquire as to the state of the last Report from the Standing Orders Committee? I am not aware that the findings of the Committee have been dealt with and that the rules which were suggested for change have

been so amended. Where is that process going, please?

(DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern, entered and took his seat.)

The SPEAKER: Rev. Thwaites, I am informed that the matter is still before the Legislative Committee to - Chief Parliamentary Draftsman to provide his with a draft so that we can examine the draft with a view to presentation in Parliament.

Rev. THWAITES: Mr. Speaker, thank you. But is there a timeframe connected with that? Unless it happens very quickly I think it will be part - from the beginning of this Parliament more than three years that it has taken us to make relatively small additions and amendments to the Standing Orders. I don't think that could make any of us happy, least of all you, sir.

(MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central, entered and took his seat.)

The SPEAKER: Rev Thwaites, now that you have raised it I will ask for a full report at the next sitting, which would be next week, when are we getting this draft so we can implement all the proposals that have come forward to us.

Rev. THWAITES: Thank you, Mr. Speaker. And in the meanwhile would the House consider continuing the work of the Standing Orders Committee, because I think there was consensus among the members and indeed in the broader House of Representatives, that the task went beyond the particular items contained in that original Report.

(DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern, entered and took his seat.)

The SPEAKER: Yes, Rev. Thwaites. I think it's appropriate that we should at least have a sitting later on in this month or early next month, to at least consider the draft from the Legislative Committee. Very well.

NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: House Leader.

DISCLOSURE/EXEMPTION

Mr. HOLNESS: Mr. Speaker, I beg to give notice that at the next meeting of the House l will move the following motion:

Whereas subsection 1(g)(i) of section 41 of the Constitution of Jamaica requires a Member of this Honourable House of Representatives to vacate his seat if any firm in which he is a partner or any company of which he is a director or manager becomes a party to any contract with the Government of Jamaica for, or on account of the public service, or if he becomes a partner in a firm or a director or manager of a company which is a party to any such contract;

And Whereas the Member of Parliament for St. Andrew, East Rural will, within the next 30 days, become a director in the engineering firm Soils and Materials Engineering Limited, SME Limited for short, which will from time to time enter into contracts with the Government of Jamaica and its agencies to provide soil and materials testing on government projects;

Be it Resolved that this Honourable House pursuant to subsection 1(g)(i) of section 41 of the connection and in recognition of him having disclosed the nature of such contracts and interests in the companies of which he is a parker, exempt the said Member from vacating his seat for reasons of the conics as aforesaid;

And be it further Resolved that this motion be referred to the Ethics Committee for consideration and Report.

(MR. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern, entered and took his seat.)

The SPEAKER: Thank you, House Leader. Yes, Rev. Thwaites;

Rev. THWAITES: Mr. Speaker, may I use this item to enquire as to the fate of 37 Private Members' Motions which are on the Order Paper? The issue has been raised on several occasions during this calendar year in this House and promises have been made of the scheduling of sittings and the provision of time for dealing with them. None of this has taken place. I believe that of the ones that I am responsible for, not one has been taken for the whole of 2010 so far; and having regard for the schedule of the House, the likely schedule of the House to the end of this calendar year, I don't hold out much hope.

I consider this to be a disregard for the concerns of the people of Central Kingston, and I am sure the other Members whose motions are similarly treated would have the same sentiments.

The concern goes further, because in many cases Members of the House and the public have participated in the deliberations of House committees and spent a lot of time, done research, incurred expenditure to advance the Legislative agenda and the welfare of the people; and several of these motions as you will advert Mr. Speaker, refer to Committee Reports which similarly have not been taken by the House. This is not a good situation and I ask a response and your own intervention.

Mr. HOLNESS: Mr. Speaker, before I address the issue raised by the Member, I would want to complete the procedure for the notice of motion that I gave earlier.

The SPEAKER: Go ahead.

Mr. HOLNESS: Mr. Speaker, I further beg to give notice that at a later stage today I will move for the suspension of Standing Orders to enable me to take the motion, notice of which I just gave.

The SPEAKER: Very well.

Mr. HOLNESS: Mr. Speaker, in response to the Member from Central Kingston, on several occasions we have scheduled debate on the Private Members' Motions listed. In fact, we have identified five (5) critical ones, but on all the occasions that we have slated for their debate, Public Business, Answers to Questions, Statements By Ministers have all extended and overtaken the schedule.

And I agree with the Member that the moons are important, but Members inside the House will have to regulate the length of their speech if we are to get through all the business of the House. As House Leader, Mr. Speaker, I have a duty to ensure that Public Business and the business that falls on the Order Paper that they are given priority and dealt with, as I have done with Questions. And as you can see, Mr. Speaker, we have done very well with

Questions. I would like to be able to do the same with Private Members' Motion, but I can only do that with the limited time of Parliament if Members restrict their speech.

The SPEAKER: Thank you, House Leader. Rev. Thwaites, I think when the Standing Orders met I think there was a general understanding other that on Private Members' Motion...

(Cross talking)

The SPEAKER: Members please, I just ask for your attention on this one, because on Private Members' Motions we basically agreed that the mover of the motion would speak for no more than 15 minutes, and that persons participating would go for no more than10 minutes. So if that was adhered to, we could finish most of the motions within an hour. And indeed, when we had the motion on the Embargo on Cuba we finished in an hour and fifteen minutes because we adhered, as best as possible, to those restrictions, save and except for one or two speeches.

Dr. DAVIES: You can save some time by disallowing Bartlett's contribution.

The SPEAKER: No, that is okay. The point, Members, is that - House Leader, I think we should proceed to have some of these motions with the understanding that we worked out that the mover of the motion would speak for no more than fifteen minutes and all other participants would speak for no more than ten minutes, and I am sure we would be able to get through most of these motions.

Yes, Rev. Thwaites.

Mr. HOLNESS: Mr. Speaker, in defence to the Member's comment, the classic case to demonstrate the point is that we have slated the Member from St. Catherine South Central, her motion to be debated several times, and we have had to postpone the debate because debates overtook the time. Today, Mr. Speaker, the motion by the Member is firmly set on the Order Paper providing of course, that the Member from St. Andrew Western keeps within a reasonable time.

The SPEAKER: But is he here?

Mr. HOLNESS: Well, if he isn't here, Mr. Speaker, then we'll go ahead with the Member from South Central St. Catherine.

The SPEAKER: Very well.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, at Public Business, first I will take the motion of which I gave notice of earlier. Then we will move into the amendment to the National Health Fund Act, by the Minister of Health. Then the Minister of Youth, Sports and Culture will take a Bill entitled "AN ACT to make provisions for the establishment and the operation of National Library". And then, Mr. Speaker, if the Member from St. Andrew Western...

The SPEAKER: Is he here?

Mr. HOLNESS: ...is not in the House, then we will move to the Member from St. Catherine South Central.

A MEMBER: He is on his way.

Mr. HOLNESS: He is on his way, okay.

So, Mr. Speaker, I now move for the suspension of the Standing Orders to enable me to take the motion, notice of which I take earlier.

The SPEAKER: Members, the motion before the House is for the suspension of the Standing Orders to allow the House Leader to

take the motion, notice of which was given earlier.

Motion put to the House and agreed to.

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, I now ask that the motion be approved.

The SPEAKER: Members, the motion is before you as indicated by the House Leader.

Motion put to the House and agreed to.

The SPEAKER: Minister Spencer.

THE NATIONAL HEALTH FUND ACT

Mr. SPENCER: Thank you, Mr. Speaker.

The National Health Fund (Amendment) Bill, 2010. The National Health Fund (Amendment) Bill 2010, seeks to amend the Nations Health Fund Act in order to confirm the Fund the responsibility for procurement warehousing and distribution of pharmaceuticals and other medical supplies to government-owned health facilities, operations which are currently being carried out by the Health Corporation Limited.

This transfer of responsibility seeks to integrate, and strengthen the current system of procurement, warehousing and distribution of pharmaceuticals and other medical supplies within the public health sector, to make them more effective, improve cost-efficiency and allow for the winding up of HCL.

The amendments being sought are in keeping with the recommendations which resulted from a structural review of the existing system in consultation with the relevant stakeholders. The Bill, Mr. Speaker, therefore seeks mainly to amend the long time title Section 3 and Section 4 of the NHF Act, the purpose of and object of the Act and functions of the Fund respectively.

The SPEAKFR: Dr. Ferguson.

Dr. FERGUSON: Mr. Speaker, through you to the Minister. I would like to know, Mr. Minister, how many persons will be made redundant and whether were are any plans for absorption of any of those works as it relates to the NHF and whether there is any counseling that is being arranged for these workers?

That's question one. I have some other questions.

The SPEAKER: But, Dr. Ferguson, since it is a debate, finish your point and then the Minister will respond.

Dr. FERGUSON: Secondly, whether there are any plans for the incinerator service that was once with the HCL, and I believe that - thirdly whether the internal control systems of the NHF have been improved satisfactorily to deal with this present proposed integration.

The SPEAKER: Dr. Davies. Not as yet, Mr. Spencer. Dr. Davies.

Dr. DAVIES: Thank you very much, Mr. Speaker. Through you, Mr. Speaker.

Minister, conceptually I have no problem with this, but I need to - I think the House and the country would wish to be reassured that this integration will not lead to a diminution of the activities of the NHF. And even preceding you, there have been significant sums owed to the HCL by the Ministry of Health which, at various times these sums have been absorbed and taken over by the Ministry of Finance. But this allowed the NHF, given its assured sources of revenue, to pursue the activities it was established to carry out.

My concern is that, because it has this assured, or these assured sources of revenue, that some of the debt or the burdens of the HCL are going to be transferred to the NHF, thus

reducing the capacity of the NHF to carry out those activities for which it was established.

So, I would wish, one, for you to indicate the extent if any, of the indebtedness of the HCL. How much does the HCL owe creditors, if any?

Two, how will that indebtedness be taken care of? And three, what assurance will you be able to give us that the original objectives and activities of the NHF will not be impaired by this integration? What are the clear reassurances you can provide us that the NHF will have - will maintain its independent sources of funding such that it will be able to carry out the original objectives? I would dare say to expand the original set of objectives. So within the context of what is a logical step, this Honourable House would wish for reassurance that the NHF, this expanded and logically integrated entity will be able to discharge the responsibilities efficiently.

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, could the Minister refresh my memory. I seem to recall that the Chief Executive Officer of the Fund demitted office some time ago and that there was an audit to be done in respect of the Fund. I am enquiring as to whether that audit has been completed, whether it will be presented to Parliament and to ask what is the present fate of the officer who was so affected?

The SPEAKER: Minister Spencer.

Mr. SPENCER: Thank you.

Insofar as the staff is concerned, I am to advise the House that over 180 staff will be made redundant after the legal requirements are met.

Staff critical to the continuation of business will be given six months including all DrugServ staff. Nineteen (19) staff be made permanently redundant and taken out of the system. The separation cost will be About $55 Million and notice pay of that amount is $14 Million. A new structure will be developed for the new NHF entity. But I must say that we have had several counselling meetings with the staff. I myself met with the staff on three occasions, and the staff is quite *au fait*. We had an involvement of their...

Dr. DAVIES: *Au fait* or okay?

Mr. SPENCER: *Au fait*. We had the union representing the staff, Dr. Davies, the union representing the staff, the Civil Service Association and MR. WAYNE JONES, they were integrally involved in what we are doing. We had general staff meeting and counselling and sessions of investment how the staff could invest their money.

A joint implementation team has been established and is spearheading the implementation of the integration process. In so far as assuring the House, the NHF will be pursuing specific obligations and responsibilities, warehousing, procurement and distribution, all will be done. And the reason for this is that we believe the National Health Fund is strategically placed to do that.

Some time ago the National Health Fund who used to buy drugs from HCL, the HCL refused to sell them drugs because of credit and within a six month period, all the drugs procured by NHF they made at least 14% savings on them. So we believe NHF is strategically placed to carry out that operation themselves.

Insofar as the incinerator is concerned, I think the services will be managed by waste disposal facility at the

Ministry of Health. It is intended and the purpose is so as to streamline specific aspects of the pharmaceutical system and public sector, create new institutional arrangements to reflect streamline functions, strengthen inventory management, outsource specific functions that are best managed outside of the state entity.

Insofar Reverend - Member from Central Kingston, insofar as the Manager is concerned, yes, they asked that an audit, I asked that an audit be done and that audit hasn't been done yet. But the Auditor General referred to an audit that was done some time ago that had nothing to do with this Manager; it was for different, purposes. And in all instances, what she asked be carried out, in everything.

The officer is back at work because we couldn't keep him out there indefinitely. The Auditor General advised us that she - because she is so overburdened with work; she cannot tell us when she will be able to do an audit of the National Health Fund. But that is still on and we are still expecting that.

The SPEAKER: No, no, Minister, could you ask for second reading. All other questions...

Dr. DAVIES: No!

The SPEAKER: All other questions can be done at the Committee Stage.

Dr. DAVIES: No, no, but I didn't get an answer to my question.

The SPEAKER: No, no, we'll do it at the Committee Stage. Could you ask for second reading, Minister? No, ask for second reading, Minister.

Mr. SPENCER: I hereby ask for second reading of the Bill.

The SPEAKER: The question is that the Bill be read a second time?

Put to the House and agreed to.

Bill entitled

"AN ACT To Amend the National Health Fund Act"

read a second time.

The SPEAKER: The House will now resolve itself into a Committee of the whole House to consider the Bill clause by clause.

COMMITTEE STAGE

The CHAIRMAN: Dr. Davies.

Dr. DAVIES: Thank you very much, Mr. Chairman.

Mr. Chairman, my specific question is, what assurance can the Minister provide to us that the NHF, which has certain explicit and dedicated revenue sources associated with it as explicit expenditure on the selected range of pharmaceuticals which are subsidized, what explicit assurance will be given that these additional procurement responsibilities won't impinge on the NHF being able to carry out its original functions? Because, as I said, even preceding the present Minister, the fact is that the HCL often owed its creditors because resources were not provided from the Ministry of Health to pay the obligations. What explicit assurance can you give us that the traditional activities of the NHF will be protected?

Mr. SPENCER: Member, I can give you an assurance that what we are doing will not in any way impinge on the activities of the NHF, especially, they have demonstrated a capacity to handle the warehousing, the distribution of the HCL. And so far as the NHF is concerned, there are monies owed to HCL and those monies will be collected.

The CHAIRMAN: Go ahead, Dr. Davies.

Dr. DAVIES: Believe you me, I know this matter intimately; and when he says owed, it's Government, either the Ministry of Health or eventually the Ministry of Finance which owes these stuns. The last thing you would wish by integrating them is to transfer that burden to the NHF, which may diminish its ability to obtain credit from - procure goods and pharmaceuticals from its creditors. Is there segmentation between the traditional activities of the NHF...?

Mr. SPENCER: Yes.

Dr. DAVIES: ...and the existing activities of the HCL. Because the HCL is perpetually indebted to its suppliers because the Ministry of Health and/or the regional authorities have not paid for the pharmaceuticals they have received.

Mr. SPENCER: Again, I would like to assure the Member that whilst we are winding up HCL, there will be staff members there for over six months and they are there primarily to ensure that all the activities are properly wound up.

Insofar as the NIIF is concerned - and this is the reason why we must take steps to wind up HCL, because monies are owed to it and we find that the HCL is better able to do some of these things.

The CHAIRMAN: Dr. Ferguson - sorry, Reverend Thwaites then Dr. Ferguson.

Rev. THWAITES: Mr. Chairman, would the Minister - further to the question I asked earlier, wish to comment on the prudence of an officer returning to his subjective position when he left it under the circumstances, that were public knowledge at the time, without the conclusion of the required accounting, for whatever reasons. It's very disturbing to hear that the Auditor General doesn't have time.

And secondly, would the Minister advert to the recently published **Survey of Living Conditions**, and at a time when unemployment is increasing and poverty is increasing, would he take note of the fact that the survey shows, I believe that the majority of Jamaicans are securing their pharmaceutical preparations from private sources not from the government system, and would he care to comment on how this is reconciled. Is it that the supplies are not available or is there some other reason?

Mr. SPENCER: May I first, Member from Central advice, that insofar as that CEO is concerned, the Government did not suffer losses as a result of whatever took place. He paid the money ahead of time. The infringement I believe was that, instead of having the Financial Controller, the bills went straight to him - and so, as to protect the taxpayers of this country, we had an exhaustive discussion and examination of what took place. That is what happened with that.

Insofar as the people buying drugs from other areas other than the Government entity, I must say, that you will recall that we had a serious shortage of drugs, which resulted in our ordering a significant amount of drugs from abroad. Culminating in today, we ordered $275 Million worth of drugs for one, Medical sundries, for gauze and other things.
So, my understanding of the situation is that Jamaican at this point, is not short of drugs and things.

You will also notice we increased the VEN list. The Government Ven list, Member from Central Kingston has been increased so

as to accommodate more drugs for the people.

The CHAIRMAN: Dr. Ferguson.

Dr. FERGUSON: Again, Minister, in keeping with the Public Bodies Estimate of Expenditure, NHF is expected to spend about $4 Billion this year. And against the background of the Public Accountability Act, *et cetera*, are we on track in keeping with the IMF strictures and if we are, how is it impacting on the capacity to deliver services inclusive - although you have spoken about the improved situation with medication, the reading out there in the hospitals and the Health Centres is that they are literally at a standstill at this time. So I really would love to know - and how is it affecting your ability to carry through with projects that you have mentioned in this Honourable House.

Mr. SPENCER: I am glad you raised that question. Insofar as the projects are concerned, Phase I is actually completed and there is to be a Phase Il, which will be taken to this House.

Insofar as the hospitals and all those things are concerned, at this point in time I would not say we are fully satisfied with our inventory, but certainly it is better than what we had before and certainly as the goods come in because the goods are coming in on a phased basis, as the goods come 1, in another four or five months, we will be okay and I'll be satisfied that we have the full requirements of what is needed.

Dr. FERGUSON: Final question. Final question. In terms of the - I know you have signed some contracts round about $2 billion.

Mr. SPENCER: Yes, yes?

Dr. FERGUSON: How is that - what is happening with those contracts? Are they on track, are we getting the medication?

Mr. SPENCER: They are very much on track and they have been coming in from India in batches. I think two weeks ago we had one shipment and another shipment is to follow. We are on track with that.

And insofar as the IMF is concerned, it is my view that we are in keeping with the strictures of the IMF.

The CHAIRMAN: Leader of the Opposition.

Mrs. SIMPSON MILLER: Thank you. Minister, I would like to ask if you can give us a guarantee that pharmaceuticals provided to our senior citizens and persons suffering from any kind of chronic diseases, if this will have an impact on them, if they will be affected in a negative way as a result of this.

Mr. SPENCER: The move itself to take over, as it were, the functions of HCL will not affect them negatively, and I understand the rationale for the question. Reason being, is that, we have - as the Member stated awhile ago - ordered $2 Billion worth of drugs. They have been late in coming, but from about two weeks ago we have started receiving them and I am sure the senior citizens that you are concerned about will be assisted greatly.

But more importantly, and this is of tremendous importance, is that the Ven list have been increased so as to help those poor people.

Mrs. SIMPSON MILLER: Thank you, Minister. And I will ensure that we monitor this particular area because I am very concerned about our seniors who are having a difficult time at this time.

Mr. SPENCER: Thank you very much.

Clauses 1, 2, 3 and 4 put to the Committee and agreed to.

The CHAIRMAN: I put Clause 5?

Mr. KELLIER: Chairman, Chairman,

just a minute. Since we mentioned monies here earned from the carrying on of business and so on, could the Minister tell us…

The CHAIRMAN: You are dealing with Clause 5?

Mr. KELLIER: Clause 5, yes. Could the Minister just tell us whether or not earlier on in the year we understood that there was some $250 Million that was sequestered by the Ministry of Finance from the Fund? Was that money a loan, a one-off-payment, a guarantee, what is the status? How does the Fund relate to having given up that $250 Million, what is the status of it? If that is the figure, the figure may not be so...?

Mr. SPENCER: I don't know that that figure is correct. I think that - we have not been impacted negatively, but I think that question is best suited to the Minister of Finance.

(Mr. Kellier laughs)

The CHAIRMAN: Okay, I put Clause 5?

Put to the Committee and agreed to.

Title and Enacting Clause put to the Committee and agreed to.

The CHAIRMAN: The question is that I do report the Bill as having passed Committee Stage without amendment.

Put to the Committee and agreed to.

RESUMPTION

The SPEAKER: I do report the Bill as having passed Committee Stage without amendment. Minister.

Mr. SPENCER: Mr. Speaker, I now ask that the Bill be read third time.

The SPEAKER: The question is that the Bill be read a third time?

Put to the House and agreed to.

Bill entitled

"AN ACT To Amend the National Health Fund Act",

read a third time and passed.

The SPEAKER: Amendment read and passed. House Leader?

Mr. HOLNESS: Mr. Speaker.

The SPEAKER: Minister Grange.

PASSING OF DR. BARRY CHEVANNES - TRIBUTES

Miss GRANGE: Mr. Speaker, as I take my position to address this Honourable House on the future of one of our most important institutions within the cultural landscape of our country, I crave your indulgence in allowing me to invite the Honourable Members to recognize the contribution of one of our outstanding sons of culture and heritage, himself an institution who passed away on Friday last. I speak of PROFESSOR ALSTON BARRINGTON CHEVANNES, outstanding teacher and researcher, cultural activist and community animator, advocate for the role of the Arts and Culture in social transformation, author and composer, and affirmer of the integrity of Jamaican roots and tradition.

Professor Chevannes was Chairman of the Council of the Institute of Jamaica and of the National Commission on Reparations. I hail his many contributions to national life, through his research and activism in areas such as the Rastafari Movement, National Ganja Commission, Male Gender Sensibilities, Peace Management, among other things.

I know at the appropriate time others would wish to pay their tribute, but I could not

open my presentation without recognizing his role.

I ask that this Honourable House place on record today our appreciation and recognition of the work and worth of this Jamaican son of the soil.

We especially pray at this time for his wife PAULETTA and their two daughters AMBER and ABINA and the battalion of students and cultural workers who have been influenced by him.

May his soul rest in peace and may light perpetual shine upon him.

NATIONAL LIBRARY

Mr. Speaker, it was the RIGHT EXCELLENT MOSIAH GARVEY, MARCUS MOSIAH GARVEY, National Hero, who reminded us of the significance of establishing quality and solid institutions to nation building and to the valuation of the worth of a people, Garvey, who encouraged us to engage our history and heritage as the platform on which to build a mighty nation.

(MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western, entered and took his seat.)

It is therefore quite fitting that I rise today in this Honourable House, to place on the Table for consideration, the Bill to establish the National Library of Jamaica as an autonomous agency with responsibility for safeguarding and promoting the documentary heritage of Jamaica land we love. Fitting, Mr. Speaker, because we stand today on the threshold of what will be a great celebration in 2012, the Great Homecoming. The Golden Jubilee of our Independence as a nation, and the 125th Anniversary of the birth of National Hero, Marcus Garvey. Fitting also, because much of the knowledge of the cause we will celebrate then as **Brand Jamaica** is to be found in the great reservoir of cultural information, guarded these past thirty-one years in the National Library of Jamaica and during its longer tenure, first as the West India Reference Library in the grandest and oldest institution of culture, established in the Western Hemisphere, the Institute of Jamaica.

This will give us occasion in 2012, to open the doors of this august cultural institution to the world, so that Jamaicans here at home, and in the Diaspora, as well as foreigners, who continue to marvel at the glorious heritage of our great country, can access this information on and offline directly and virtually. .

Allow me, Mr. Speaker, to commend my predecessors on their concurrence with the need for an autonomous national library. In fact, this dream has a long history, as the Bill was taken to Cabinet by two Ministers who preceded me, but was never taken to its conclusion of being tabled in this Honourable House. It is therefore left to me to complete this most important task. And I must say that those Ministers who preceded me, working along with me, we have journeyed together, and I now take great pleasure in taking this Bill to the House, and to say to all those who have championed the cause over the years, that what does not happen in a year happens in a day.

Mr. Speaker, the most significant element of the National Library of Jamaica Act, is that it provides specific guidance on the responsibilities, the authority and governance of the National Library of Jamaica.

(MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western, entered and took his seat.)

The Act will legalize the NLJ's present functions, as well as introduce new ones, commensurate with the role of national libraries across the world. It will provide the framework for the future continued operations of the National Library, and place it on a platform to engage global funding support, as well as partnerships and alliances with other libraries in many countries with which we currently associate.

Mr. Speaker, presently the NLJ's legal provision is embodied in the Institute of Jamaica Act. That made sense at the time, given the NLJ's roots, beginning in the first library of the IOJ in 1879, and later as the West India Reference Library, established in 1894.

Mr. Speaker, that model has outlived its time, and it is now occasion for the National Library to enter into the arrangements commensurate with the new age. Of course, the change being prescribed will therefore require certain amendments to the Institute of Jamaica Act.

Mr. Speaker, the call for a national library goes back to 1968, in a UNESCO Report on Library Development in Jamaica, which among other things, observed as follows, and I quote:

> "There appears to be a clear need in Jamaica for a national library. Almost every country, even those with far less substantial histories, social consciousness, scholarly and research activity, and writing and publication, area felt and implemented this need.

And I close quote. Ten years later, Mr. Speaker, in 1978, a publication appeared titled, "Plan for a National Documentation, Information and Library System for Jamaica," and that publication stated - and 1 quote again:

> "The most important and immediate action necessary to launch the national information system, is the establishment of the National Library of Jamaica based on the restructuring and expansion of the West India Reference Library of the Institute of Jamaica."

Soon after, the IOJ Act was amended in 1978 to restructure the West India Reference Library into the National Library of Jamaica which began operation as such on April 1, 1979.

Mr. Speaker, thirty-one years later the NLJ, under the IOJ, has surpassed the 1978 expectations, and is now ready to move on to the next level of best practices of national libraries across the world, which have their own legislation. This move has been sanctioned since 1998 by the Perrera Report of the Review of Instruments Establishing Cultural Institutions and Recommendations for a Cultural Policy.

Mr. Speaker, it is important that this Honourable House is clear of what we mean when we speak of a national library, as differentiated from other public libraries. A national library is a genre of libraries with a specific mandate to collect to catalog, to preserve, to facilitate access to a nation's documented history and heritage. It is not generalist, as is the case of other public libraries, and its collections can only be consulted, not borrowed.

The functions of the National Library are cited in the Act, and these functions can be classified as follows:

(1) Heritage functions;

(2) Library infrastructure development functions; and

(3) Users services.

And I will explain.

First, heritage functions are those which enable the acquisition, cataloguing and preservation of the national imprint, that is, all things published, including non-print material, such as film and audio. This allows the nation to have records of the creativity and innovations of its people, providing the society with material for the construction of positive identities, and also provides decision makers and planners with access to documents within the history of the country, and thereby facilitates strategic and accurate planning.

Two, library infrastructure development function - this involves the promotion of best practices regarding the application of technologies to library management and services, the development of national union catalogues, and cooperation between all types of libraries.

The National Library has led the charge for the promotion of technology in the development of a national network of libraries.

And three, the User Services. These are the reference and consultation services provided by the National Library, allowing the public access to materials within the country's heritage and culture. Their task is also to develop new services for users who are underserved, such as the visually challenged.

While much of the dialogue surrounding the NLJ Act refers to the issue of autonomy, we must focus on the bigger issue, Mr. Speaker. An autonomous national library, which is the goal of the Act, brings the NLJ in line with international best practice, which dictates that national libraries are significant enough cultural institutions, and as such need to have their own legislation and name, such as reflected in other major national libraries, such as in Australia, South Africa, Trinidad and Tobago, etc. Each of these cited examples has its own legislation.

Mr. Speaker, let me list some of the advantages to be gained by the establishment of the NLJ Act.

- It will allow for the establishment of an autonomous Board of Directors with its function, authority, and responsibilities specified;
- it will facilitate the proper operation of a principal legal depository;
- it will provide a research library and information services that promote cultural economic, scientific, technological, educational, political, and social research and development;
- facilitate the establishment and maintenance of a representative collection of documents relating to the Caribbean Community, that is, CARICOM;
- facilitate the development of the national bibliographic data base and publication of the Jamaica National Bibliography;
- it will maintain collaboration with the Institute of Jamaica and other libraries and cultural institutions; and
- it will foster the promotion of the modernization of libraries within the national information system.

I now turn to the clause by clause examination of the Bill.

Clause 1, Short Title. This clause sets out the Short Title: The National Library of Jamaica Act.

Clause 2 sets out the definitions related to the various terms throughout the Bill, such as, National Information System and National Librarian.

The National lnformation system dates back to 1979 and between then and 1991 was coordinated by NACOLAIS, which is The National Council on Libraries Archives and Information System. The overarching objective of the National Information System is to effectively facilitate cooperation and resource sharing among all types of libraries in the public sector.

The bodies which make up the National Information System, Mr. Speaker, are:

(a) The libraries in Government which are grouped into sector networks;
(b) The libraries of the University of the West Indies, Mona;
(c) The Jamaica Library Service;
(d) The Jamaica Archives and Records Department.

Further description of what we call NATIS, can be found by accessing that information through the National Library of Jamaica.

National Librarian is the term used in a number of national libraries for the Executive Director. The term, National Librarian, can be compared to the term, Government Archivist.

Clause 3, the establishment of the National Library of Jamaica names the body being established by this Act as the National Library of Jamaica.

Clause 4 establishes the Board and specifies its responsibilities for policy and general administration of the National Library. And these include:

- ensuring proper and efficient performance of the organization;
- coordinating the development of the National Information System;
- advising the Minister on the general progress and development of the NLJ, including some sources of income and providing library accommodation.

The constitution of the Board is provided for in the schedule.

Clause 5 outlines the functions of the National Library.

Five (1) in subclauses (a) through to (j) speaks to the functions of the National Library.

These include:

- the acquisition and use of the documents published in Jamaica and documents published overseas, either by a Jamaican or about Jamaica;
- the provision of services based on the collection;
- the coordination of the National Information System and the sector library networks; and
- the development of the National Bibliographic Database.

Mr. Speaker, as you are aware, the capacity of the National Library to collect material or to expand its documentation of Jamaica's heritage, must be facilitated through acquisition policies and legislation.

Acquisition and preservation of the NLJ collection has been greatly enhanced by the enactment of the Legal Deposit Act for

documents published in Jamaica. And by virtue of this Act, the National Library receives copies of imprints created in Jamaica, about Jamaica and by Jamaicans.

An annual budget enables the NLJ to collect those overseas publications about Jamaica and by Jamaicans.

And it is of significance that I bring attention to the definition of the word, Publish as set out in the Legal Deposit Act. Publish, by definition in the Legal Deposit Act means:

> "*To release copies for Public distribution or for sale*."

This means that the Act enables NLJ to receive copies of all materials released for the purposes outlined.

Mr. Speaker, I'm proud to say that many of our reggae and dancehall artistes, many of our song writers, our poets and our creative people, willingly deposit copies of their new works in the NLJ. And we want to commend them and encourage them to continue to do so.

The NLJ coordinates and facilitates the development of sectoral library networks by way of being the sole authorized distributor of the International Library Automated Management System used to create catalogues.

These sector networks are the strongest known of the NATIS and provide the infrastructure for the development of information systems across the various sectors of the national, economic and social landscape.

The following are some of the sector networks that exist:

- There is the Socio Economic Information Network;
- The Legal Information Network;
- The Scientific and Technical Information Network;
- The Audio Visual Information Network.
- The Jamaica Agricultural Information Network; and
- The College Libraries Information Network.

Cooperation between public libraries, school libraries, tertiary education institution libraries, *et cetera*, is accomplished by way of the Advisory Committee on the National Information System, chaired by the National Library of Jamaica.

This committee is made up of representatives from the focal point libraries of each of the networks and the committee meets quarterly. So there is definitely a joined-up approach.

The National Bibliographic Database also known as the National Union Catalogue, is already in operation.

This Catalogue, Mr. Speaker, is a Master Catalogue of the holdings of all libraries in the sector networks. The NLJ collects these records and hosts the Union Catalogue which is available from the NLJ'S website at www.nlj.gov.jm.

This has been among the oldest of the National Library of Jamaica operations.

The NLJ law will strengthen NLJ's authority to insist on standards for creation, standards setting and information sharing.

Clause 5 subclause (2) speaks to how the functions set out in subclause (1) are to be operationalized. This includes:

- the operation of a legal depository;
- the acquisition of materials not governed by the legal deposits;

- provision of research services;
- custodianship of all documents in the National Library collection;
- the provision of consultancy services to the establishment of any library;
- provision of International Standard Book Number, the ISBN;
- keeping abreast of advances in information science and the management of libraries; and
- advising the Minister on all matters relating to a National Library and Information Service.

Mr. Speaker, it is commonly expected that a national library in a country should take the lead on new initiatives for managing library resources.

Already, the NLJ is the leader in the management of film and audio resources, as well as digitization, web archiving and developing unlicensed services to the visually impaired and the visually challenged.

This custodial function results in items being consulted but not loaned. Items may be copied within the regulations of the Copyright Act as well as within the Board policies regarding copying.

For example, Mr. Speaker, within the present policy, the NLJ has the right to determine whether a document, even those within the public domain, can be copied. This is particularly important for the management of rare and fragile documents.

In subclause (2)(a) which speaks to operator centre for the deposit, whether pursuant to any law or otherwise, the operative phrase here is, or otherwise, taken to mean that in addition to the things mandated for deposit by law, the NLJ must also acquire newspapers, pamphlets, *et cetera*, by other means.

In other words, this clause is making note of the nature of the resources to be collected by the NLJ whether by deposit or otherwise. This clause would also provide the framework for the NLJ to acquire private archives such as the papers of the late WYCLIFFE BENNETT and LOUISE BENNETT, for example, all in the cultural, technological, historical, educational or national interest.

The international ISBN Agency is located in London England. The regional agency is at the Caribbean Community Secretariat in Guyana. The National Library of Jamaica is the local agency which assigns ISBN on behalf of the regional agency to books published in Jamaica.

Clause 6 makes provision for the Minister to consult with the Chairman of the Board or the Chair of the Board regarding policy to be adhered to by the National Library.

And Clause 7 specifies the qualifications for the National Librarian and the National Librarian's duties as mandated in the Act.

Clause 8 gives the Board the power to employ, sets the terms and conditions of their employment and determine their salaries within the prescribed salary rates. However, ministerial approval is required for the payment in excess of prescribed rates.

Subclause (8)(3) outlines that the Governor-General may, subject to such conditions as he may impose, approve the appointment of any officer in the service of the government to any office in the National Library and any officer so appointed shall, in relation to pension, gratuity or other allowances and to other rights as a public

officer, be treated as continuing in the service of government.

It should be noted that the parliamentary Counsel has advised that this subclause refers to secondments and transfers of public officers from one Government agency to the NLJ and the subclause guarantees the employee the transfer of his or her pension, gratuity allowances, rights, *et cetera*. The Parliamentary Counsel further advises that this is a standard clause.

Clause 9 makes reference to pensions, gratuities and other retiring benefits. And so employees of the National Library are to benefit from pension and other benefits which may accrue from such arrangements that the National Library may enter into on behalf of its employees. Ministerial approval is required prior to the setting up of these Arrangements or regulations.

Clause 10 Funds of the National Library. The National Library will be funded by Parliament and from other monies earned from fees, *et cetera*, and the National Library will meet its expenses from these funds.

Clause 11 gives the National Library the power to invest funds, not immediately required for discharging its functions, and those funds can be invested in securities as may be approved by the Minister.

Clause 12 requires the National Library to submit its Estimates of Expenditure to the Minister.

Clause 13 requires the National Library to keep proper financial records, to submit financial statements and to be audited by the Auditor General.

Clause 14 gives the National Library borrowing powers upon approval of the Minister of Finance.

Clause 15 gives the Minister of Finance the power to guarantee loans on behalf of the National Library, as outlined in Clause 14.

(And the Minister of Finance made his grand entrance just at the right time.)

Clause 16 requires the National Library to submit a yearly operating plan to the Minister.

Clause 17 gives the Board the power to make regulations related to the purposes of this Act, such as, in relation to opening hours, conditions of access, imposition of charges and fees. And the Clause also makes provision for the preservation and the proper economic use of all property vested in the NLJ.

Clause 18, this Clause provides for seamless transition, allowing the employees and assets remain the same when this Act is passed.

Clause 19 outlines the required amendments to the Institute of Jamaica Act, 1978. The action prescribed is to delete Clauses in the Institute of Jamaica Act which make reference to the National Library of Jamaica.

The Schedule - The National Library of Jamaica - Constitution of the Board

The Board shall be comprised of not less than 11, no more than 13 members, and must include the Executive Director, the IOJ, or his or her nominee, a staff representative of the National Library, and a nominee of the Library and Information Association of Jamaica.

The National Librarian is an *ex-officio* member of the Board.

Terms of Office

Members of the Board are appointed for three years and are eligible for re-appointment.

Appointment of the Chairman and the Deputy Chairman

The Minister appoints both.

The Deputy Chairman, in the case of the absence or the inability of the Chairman to act, the Deputy Chairman shall perform the functions of the Chairman. And, in the case of the absence or the inability to act, of both the Chairman and the Deputy Chairman, the Minister may appoint any other member of the Board to perform these functions.

In relation to resignation, any member other than the Chairman or the *ex-officio* member may resign by writing to the Minister through the Chairman.

Termination of Appointment

The Minister can terminate any appointment except the *ex-officio* member of the Board if the member becomes of unsound mind, or is unable to perform his functions by reason of ill health, is convicted, sentenced or imprisoned, fails to perform his or her duties without a reasonable excuse, or engage in prejudicial activities.

There are some members who are appointed to Boards who hardly attend Board meetings, and I think it is important that the failure to perform his or her duties without reasonable excuse is an important element of the Schedule.

All names of the initial and successive members of the Commission shall gazetted.

The Minister may grant leave of absence to any member, other than the *ex-officio* member, upon application.

Provision is made for the compensation of Board members according to established rates, and the Board shall have a seal which shall be affixed to all its decisions.

Provision is made for the Board to meet as frequently as necessary. The Chairman or Deputy Chairman is the presiding officer, and in the absence of either, the member selects a Chairman from among themselves. The quorum of the Board is five (5), and the decisions of the Board are by majority vote. In the event of a tie, the chairman has the casting vote.

Board members, who have interest in any matter being discussed by the Board, must disclose the nature of the interest and shall not take part in any deliberation or decision of the matter. The validity of the proceeding of meetings is not affected by vacancy among the membership.

Provision is also made for the protection of members from action, suit, or proceedings, in respect of any act done *bona fide* in the course of discharging their duties. However, the Board shall be liable to the extent that it would be, if the member was an agent or employee of the National Library.

Board membership, with the exception of the *ex-officio* member, is not a public office as per Chapter 5 of the Constitution.

Mr. Speaker, in concluding, allow me to use this opportunity to express my profound thanks to the Chairman and members of the Board of Management of the National Library; the Executive Director and staff also, for their work in the creation of this Bill, as well as for the service they continue to provide to the people of Jamaica. And I really think you should applaud them for the work they have done.

(Applause)

The National Library continues to be that repository of cultural formation that provides the platform for all of us to learn more about ourselves, and the historic achievements of all who have gone before us. I also want to pay tribute and express great respect to the

Institute of Jamaica family, the Council, the Executive Director, the staff, and everyone, for the nurturing of the National Library over these many years. Members, please show your appreciation.

(Applause)

Special thanks to the Attorney general and the Office of the Chief Parliamentary Counsel, for their great work in bringing this process to fruition. The only time we hear about the Chief Parliamentary Counsel and the Attorney General's Department is when we are complaining that something has not moved fast enough. We should show them our appreciation as well.

(Applause)

I also want to express thanks to the staff of my own Ministry, for their involvement in this process and their oversight of the operations of the public cultural sector, and for their very long hours.

(Applause)

A MEMBER: Very good.

Miss GRANGE: Their lives have changed ever since I became Minister, but they don't mind.

(Laughter)

Mr. Speaker, Jamaica stands tall among nations, for its culture and heritage. The nuturing of our institutions and the ability to provide them with the resources necessary for their expansion will create the necessary springboard for the nation to soar to greater heights of progress and achievement.

At this point l shall end as I started, inviting us to continue to build our institutions, and provide our people with the impulse to achieve greater heights.

Twenty Twelve (2012), Mr. Speaker, will provide us with golden opportunities to excel and conquer the world. It's Jamaica Fifty, and it is Olympic year. What, with the London Olympics and all that comes with that it is only left for me to exhort us as we go forward in the words again of MARCUS GARVEY:

> "*There is a world of opportunities awaiting us, Mr. Speaker, and it is for us through unity of will and purpose to say we shall and we will, play our part upon the great human stage of activity. We shall cause men to regard us as equals in achievements, in industry, commerce, politics, science, art and education. We shall make of Jamaica a mighty nation, cause our children to call look blessed."*

I thank you, and I look forward to the support of Members in ensuring that this piece of legislation that has taken over 31 years, that we support it.

(Applause)

The SPEAKER: Thank you, Minister Grange. Miss Lisa Hanna.

Miss HANNA: Thank you, Mr. Speaker.

Certainly, we on this side support the establishment of the National Library as an autonomous body. It has been a long time in the making, from 1997. And certainly, as legislators we become peeved at the time that it takes legislation to get passed.

Having said that though, Mr. Speaker, it is not lost on us that certainly this generation is a generation that is connected to information, because information is perhaps the most important commodity that all of us seek and all of us try to access. Much of that information, however, is solicited through electronic means, databases, and certainly through a wide gamut of media that has become available. Libraries and books, while

important, somehow have not got pride of place amongst this generation of our young people.

And so, Mr. Speaker, while we seek to pass this Bill, making the National Library autonomous, it is important because it gives them the opportunity to enhance their product, and certainly, get their product in a manner that will become attractive, wider, certainly more influential in communities, and certainly in the communities that surround it, but, it will have the opportunity to extend its reach.

The National Library is an important cultural icon of this country. Not only will it symbolize to many persons what we have achieved, historically, but what we seek to achieve, moving forward, in terms of what is created by our people, and the legacy that will be left.

And so, Mr. Speaker, it is not intended for the Opposition to stall this Bill; it is certainly intended to ensure that it is passed, and that it is passed with alacrity, so that all our people can benefit from the extensive use of information and the body of knowledge that exists in the National Library. And certainly, to propose that we a support the National Library in any way that we can, so that it grows from strength to strength and it is seen as a beacon of hope for young people and generations to come. .

The SPEAKER: Thank you, Miss Lisa Hanna. Mr. Kellier.

Mr. KELLIER: Mr. Speaker, I wish to commend the Minister for bringing this legislation forward at this point in time. Indeed, the library service as we know it in the past has really played a very pivotal role in especially rural communities like where I come from, where there are several branches of the library service all over the parish.

But, the truth is, Minister, in the - since we seek to now establish a legal entity under which the National Library will now operate, we would wish to see that within this new arrangement that we are creating today and passing into law, that as it relates to the infrastructure of the libraries, in many cases and in many places the infrastructure within which the libraries operate is less than acceptable, in terms of its ambience to enhance the reading capacity of students and those who use it mostly. And we need to look at that.

And, we use to have mobile libraries in the past, the Book Mobile I think it was called at one stage, and I think we need to look at some new ways of attracting people to read and to use the libraries, because, you know, a lot of learning is hidden in these things and Jamaicans are not really a reading - it is said, that we are not really a reading people, and if you want to hide something then write it and then nobody will know what is involved.

So, we need to find, in this new arrangement in empowering the - in seeking to empower the service, that we create the conditions that will enhance readership - wider readership of the books that are in these libraries across the island, and that we create the conditions that will attract persons to want to go to the libraries, because believe me, in some instances they are found wanting.

And also, Mr. Speaker, the remuneration of these persons that have been spending very long hours in these libraries over the years, is not very attractive.

And I think that from where I sit as the

Opposition Spokesman on Labour, I would want to encourage the Minister to, notwithstanding all the difficulties we're having with the economic situation, but we even set a gauge for the future, so that these persons who have been in this service over many many years giving yeoman service, and if you don't go there you really don't appreciate the work that they have to do and the hours that they have to spend in those places. We need to do something about the remuneration of the persons who work within the library services, because the salaries are not very attractive, we need to do something about it.

(Applause)

So in commending the Minister once again, Mr. Speaker, I just hope that it will not just be a cosmetic arrangement in creating this new authority and giving them this new autonomy by setting it up by the powers of this Bill, but it will indeed create a new environment within which the people of the country, particularly the young people, will be able to access and to utilise the facilities of these libraries in a way to assist the development of the education system. Once again I commend the Minister.

The SPEAKER: Thank you, Mr. Kellier. House Leader.

Mr. HOLNESS: Mr. Speaker, just a quick intervention. Obviously, Mr. Speaker, I support the Bill brought by my colleague, but just an intervention based on my friend opposite.

The Jamaica Library Service and the National Library are two separate entities, but they work very closely together. And l want to reassure my friend opposite that the Jamaica Library Service continues with its mobile libraries. Indeed, l visited a community and saw a nicely equipped vehicle. The unfortunate…

(Inaudible comments by Mr. Kellier)

Mr. HOLNESS: Well they are not enough, but the lament, of course, Mr. Speaker, is that not many people use the facility, unfortunately.

I want to also endorse the position made by the Member from St. Ann, regarding the digital age in which we live. Now we will be creating this National Librarian effectively and much of our works, much of our culture is digitized and it is out there somewhere in a digital cloud.

The problem is referencing. You will have to now develop a system of cataloguing and referencing, all of this material, which I'm sure the National Library has, and that is one of the grounds on which I give my own personal support to this move. It will certainly help in ensuring that our culture, our national works don't get lost somewhere in a digital cloud and that everything that we do as a country is preserved for the posterity and for the use of generations coming.

With that, Mr. Speaker, I support and endorse this move.

(Applause)

The SPEAKER: Thank you very much, House Leader. Minister.

Miss GRANGE: I thank my colleagues for their comments and I just want to emphasize that with this Act being put in place it will give the National Library the strength and the authority to insist on standards, to insist on information sharing, and as I said earlier there is a sector network. So it would take in the National Library, it would take in all libraries and this network - there is a

committee that is chaired by the National Library.

And so the member from St. James, the concerns you have expressed would also be part of what would be looked at through this Committee, working together closely of course, with the Ministry of Education and the Ministry of Agriculture at the university and all the other entities that have libraries. But I'm extremely happy that they now have the authority where they can exercise that authority to ensure that we maintain standards and we share information and we keep up to date with technology.

You can, in fact, access information already on the National Library's website. The member from St. Ann is making that point and I'll just repeat the website address, www.nlj.gov.jm. And we also pay special attention to the physically challenged and the intellectually challenged and all those who have some kind of disability who would also want to be able to access information.

So at this point I would ask for the - I'd ask for what the third reading?

The SPEAKER: Second, second.

Miss GRANGE: I would ask that the Bill be read a second time.

The SPEAKER: Thank you, Minister.

The question is that the Bill be read a second time.

Put to the House and agreed to.

Bill entitled:

"AN ACT to make new provisions for the establishment and operation of the National Library of Jamaica and to provide for connected matters",

read a second time.

The SPEAKER: The House will now resolve itself into a Committee of the whole House to consider the Bill clause by clause.

COMMITTEE STAGE

The CHAIRMAN: Minister, I think you have some amendment, but can we deal with them when we get to those clauses?

Miss GRANGE: Yes.

The CHAIRMAN: Okay very well.

Miss GRANGE: Seven and eight.

Clauses 1, 2, 3, 4, 5, 6 put and agreed to.

The CHAIRMAN: I put Clause 7. Minister.

Miss GRANGE: Yes, Clause 7 – we have an amendment. We ask that we delete from subsection (1), the words ‘the Board' and substitute therefor the words ‘subject to section 8, the Board'.

The CHAIRMAN: Members, I put the amendment to Clause 7.

Put to the Committee and agreed to.

The CHAIRMAN: I put Clause 7 as amended.

Put to the Committee and agreed to.

The CHAIRMAN: I put Clause 8. Minister.

Miss GRANGE: Mr. Chairman, we have an amendment here. One: Insert in the marginal note immediately after the word ‘officers’ the words 'salary rates'.

The CHAIRMAN: No, that's an editorial correction. Very well, next one.

Miss GRANGE: All right. Insert in subsection (1) immediately before the word 'officers', the word 'other'. Again that’s...

The CHAIRMAN: Very well, Members note that please. Next

Miss GRANGE: And Three: In paragraph (a) of the proviso to subsection (1), insert immediately after the words 'any post', the words..

The CHAIRMAN: Yes, go ahead.

Miss GRANGE: ....'including that of National Librarian'.

The CHAIRMAN: Very well. Members, I put the amendment as indicated.

Put to the Committee and agreed to.

The CHAIRMAN: I put Clause 8 as amended.

Put to the Committee and agreed to.

Clauses 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 put and agreed to.

The CHAIRMAN: I put the Schedule.

Put to the Committee and agreed to.

The CHAIRMAN: I put the Title and Enacting Clause.

Put to the Committee and agreed to.

The CHAIRMAN: The question is that I do report the Bill as having passed Committee Stage with three (3) amendments.

Put to the Committee and agreed to.

RESUMPTION

The SPEAKER: I do report the Bill as having passed Committee Stage with three (3) amendments. Minister.

Miss GRANGE: Mr. Speaker, I now ask that the Bill be read a third time.

The SPEAKER: The question is that the Bill be read a third time.

Put to the House and agreed to.

Bill entitled:

"AN ACT to make new provisions for the establishment and operation of the National Library of Jamaica and to provide for connected matters",

read a third time and passed.

The SPEAKER: Very well, the National Library Act of Jamaica passed.

House Leader. We now continue House Leader.

Mr. HOLNESS: Mr. Speaker, first we want to move for the suspension of Standing…

(Inaudible comment by a Member)

Mr. HOLNESS: Oh, Mr. Hylton, oh!

The SPEAKER: Very well.

Mr. HOLNESS: Mr. Speaker, the Member from Western St. Andrew will now address the House in the continuation of the sectoral debate.

The SPEAKER: Thank you. House Leader.

Mr. Hylton. (Applause)

Mr. HYLTON: Mr. Speaker, I seek your permission to speak from a seat other than my own.

The SPEAKER: Permission granted.

Mr. HYLTON: Mr. Speaker, let me at the outset, Mr. Speaker, thank you for your guidance and the sensibilities with which you conduct the affairs of this Honourable House.

I want to also thank the Leader of the Opposition, Mr. Speaker, in her continued belief in my capacity to make a meaningful contribution to the policy perspectives of the Opposition, in this Honourable House.

I want to thank as well, Mr. Speaker, my constituents of West St. Andrew, and I want to apologise - a number of them who would have ordinarily been here, Mr. Speaker, last week... they were here including my wife and others, but... (Applause) in the nature of the proceedings in this sectoral debate and the uncertainties as to...

A MEMBER: The great uncertainties.

Mr. HYLTON: ...the great uncertainties as to when you'll actually speak, I couldn't and did not insist that they come today, because I couldn't justify that they come yet another time and I'm not able to speak. But there are

some here in the audience and I want to really thank my constituents and the leadership of the constituency for their support.

Mr. KELLER: Hear, hear!

Mr. HYLTON: Mr. Speaker, my constituency is as challenged as any of the inner-city constituencies in this country. The challenges are great particularly at this period where the economic situation is what it is and they continue to struggle as others, to send their children to school, to find employment and to do the general keep and care of their children and themselves.

I want to just mention a few things, Mr. Speaker, concerning the constituency. I am very pleased, and like a number of us, we're very grateful and prayed that - and was thankful that the hurricane or the storm - the weather system did not materialize as we all feared and was threatened.

(The Speaker leaves the seat at 4.08 p.m. and the Deputy Speaker presides)

Because the truth is, Madam Speaker, the constituency would have been hard-pressed to withstand the onslaught of another system, coming on the heels of Nicole.

And it is for the reason, Madam Speaker, that the constituency, the gullies - and I've had occasion to speak about the gullies that affect my constituency, they are well-known. A number of the areas, as soon as there's a threat of rain, arrangements have to be made for shelters.

But in these situations the gullies have simply not been cleaned in preparation for the hurricane season and it remains to that extent Madam Speaker, a threat to the peace and quiet of the community and certainly, a threat to the property and lives to that extent. And I do hope, the hurricane season we are told is at an end or near to the end, but we have - because of the unpredictability of the climate, of the weather conditions, we do not know whether in fact we have seen the last of the hurricane season. And to that extent, I want to appeal to the Government and through the Ministry, through the Government, to address what remains a clear and present danger.

Similarly, Madam Speaker, I would wish to address another matter very briefly to say that it is now general knowledge that the Jamaica Public Service Company, or the Jamaica Public Service is carrying out a metering situation to address the continuing deficit and leakage that it has experienced over the years in the Seaview Gardens community and elsewhere in the Corporate Area. Madam Speaker, I will simply say on that matter at this point, while I have given fulsome support to the idea that the situation must be regularized, that JPS - there cannot be free electricity, I continue to be concerned about the manner in which this programme is being implemented.

I want to bring to the attention of this House, as I have already done, that this matter bears supervision on the part of the OUR, the Bureau of Standards and the Consumer Commission, because it has resulted in some anomalous situations that need to be addressed even with the best intention in the world, all of us in this new arrangement with the GCT imposition, with the continuing high increases in oil and energy sources, in the best of times we are under pressure to pay, everyone, the significantly higher bills in electricity. But in the case of the Seaview Gardens community and other communities, l would suspect, that the situation is even moreso challenging; and I think the

arrangement for the change management affecting those communities must be supervised and to be looked at. And I would want to say that I continue to meet with the constituents to give them leadership and guidance in terms of how we approach the matter, and I hope that JPS itself always, and I believe a company which I have had the privilege of serving as a Director and known to be a company that understands its responsibility, that it will remain responsible and responsive in this very, very difficult and challenging circumstance.

Madam Speaker, I wish with those brief comments to turn to my substantive areas of responsibility in the Opposition and the Opposition Benches.

Jamaicans, Madam Speaker, increasingly are coming to appreciate the fact that the foreign policy is part of the essential infrastructure of our political independence, our economic recovery and sustainable development. They have been exposed, Madam Speaker, to the arguments surrounding the expenditure of the US$400 Million loan from China for the rehabilitation of our roads. They have experienced the benefit of PetroCaribe in ensuring security of energy supplies of favourable terms and conditions and have observed public servants not being able to receive their retroactive salary because the IMF has not approved.

Similarly, Madam Speaker, they have begun to make the link between the increased foreign direct investment and expanded export trade and the resulting increase in employment. The conduct of foreign policy is therefore, Madam Speaker, increasingly being understood by our population as critical to our economic survival.

The Opposition has long understood this linkage between our conduct of foreign policy and success in our domestic policy arrangements. The success of Jamaica's foreign policy, Madam Speaker, can be tangibly measured in its outcomes, and in its contribution to the improvement in the quality of life of the Jamaican people. (Applause) These would include: improved access for the farm produce into foreign markets; the unfettered movement of our people to countries near and far; an initiative led by Jamaica in the United Nations to garner the support of the International Community, such as the initiative to erect a monument in commemoration of the trade in African slaves; or, as occurred a few weeks ago in this Honourable House, when a common policy on the lifting of the U.S. Embargo against Cuba was cemented in support of the heroic people of Cuba.

Madam Speaker, Jamaica has consistently pursued a "good neighbour policy" in foreign relations, by which it aims to have excellent relations with every Member State of the United Nations. This was so during the Cold War period. It was so when the PNP left office. It is in this sense therefore, Madam Speaker, that the Opposition takes the opportunity to state clearly that it is not necessary for our improved relations with China or Cuba (both pioneered by the PNP administrations) to be at the expense of our good relations with the United States or any other traditional partners. We are, Madam Speaker, after all in a rapidly integrating world.

It is in this same vein, Madam Speaker, that the Opposition welcomes the move to establish Jamaica's diplomatic presence in the

Gulf region. We on this side have long conceived of and, indeed, prepared the plans to establish such a presence in that part of the world. Our conduct of foreign policy, Madam Speaker, has been characterized by far-sightedness and based on principle, not one of convenience.

Madam Speaker, the Opposition commends the Government also for its action in continuing to strengthen relations with the countries of Latin American through its individual membership of the Rio Group (of which CARICOM has always been a member) and the Summit of Latin America and the Caribbean on Integration and Development which it hosted in Jamaica recently. Both organizations, Madam Speaker, are scheduled to be merged in 2012 into one entity, to be named the Community of Latin America and the Caribbean States. This we consider to be progressive internationalism (Applause) as it builds on the good neighbour principle.

It is progressive for another reason, Madam Speaker. It brings together, for the first time, Cuba as a member of the hemispheric family and excludes the United States and Canada and, in that sense, does not overlap the membership of the Organization of American States, the OAS. This is significant, Madam Speaker, as it seeks to integrate Cuba into the rapidly globalizing world economy. It also strengthens and diversifies Jamaica's foreign relations in response to the strategic shifts in the global political economy from developed to emerging market economies.

Madam Speaker, I now turn to the ongoing Manatt, Phelps & Phillips saga, which threatened the good relations with our most important trade and investment partner, and was the source of much anxiety on the part of so many Jamaicans.

Our population, Madam Speaker, readily makes the link between their prospects for improved economic prosperity and improved relations with the United States on this issue. The spate of visa cancellation of high profile persons, including entertainers and businessmen served to convince Jamaicans of the urgency of resolving the stand-off between Jamaica and the US. They recognize, Madam Speaker, that battles might need to be fought. We have had our differences from time to time, whether it be this Administration or others, but these should be on issues of vital interest to the country and should be conducted on the basis of fundamental principles we contend, Madam Speaker.

Madam Speaker, it took nearly three-and-a-half years without a top envoy in Kingston for the announcement of a new US Ambassador to Jamaica. This we believe, Madam Speaker, speaks loudly to the tension in the US/Jamaica relations, notwithstanding the assurances by the Government to the contrary.

The Opposition uses this opportunity to welcome AMBASSADOR PAMELA BRIDGEWATER AWKARD and her husband to Jamaica (Applause) and hopes that the appointment represents the drawing of a line under the Manatt/Coke extradition matter, so far as Jamaica/US relations are concerned.

But, Madam Speaker, this is not likely to be the end of this sordid affair from a Jamaican political and economic perspective, as elements are even now not fully explained or understood. The prediction is that more heads will roll before this matter is fully put to

rest. Former Junior Minister RONALD ROBINSON cannot have been the only culpable person in this entire saga, especially when the Prime Minister and the Deputy Prime Minister appear hip deep in this affair. The country does not believe…

(*Sotto voce* remarks by Mr. Holness)

Mr. HYLTON: No, no. That's what you think… the country does not believe it has to date, the country does not believe it has to date, heard the whole truth and to hear it is necessary. (Applause)

The Deputy Prime Minister and Minister of Foreign Affairs and the Chairman of the JLP in answers to questions Tabled in this Honourable House stated that he was aware of the visit to Washington D.C. of former Junior Minister Robinson, who we now know, met with representatives of Manatt, Phelps & Phillips, not only at the Jamaica Mission in Washington D.C., but also at the official residence of the Jamaican Ambassador to Washington. The Foreign Minister must have or should have known of these meetings on official Jamaican properties and that such locations…

Mr. SHAW: Are you going to testify?

Mr. HYLTON: I am just reminding the Commission.... and that such locations would imbue the meetings with official status in the eyes of any reasonable person. The Junior Minister was later to resign his position in the Government and the party, while apologizing for what he termed improper conduct. However, Madam Speaker, both the Prime Minister, who admittedly conceived of the hair-brained scheme, and the Minister of Foreign Affairs and Foreign Trade who authorized the visits and contacts with Manatt, Phelps and Phillips representatives have so far escaped responsibility for their actions.

Madam Speaker, the outsourcing of Jamaica's foreign policy to JLP operatives has greatly damaged the prestige of our diplomacy and undermines our aspect for our much vaunted foreign policy. In so doing, Madam Speaker, this government has diminished our capability to respond effectively to some of the most urgent socio-economic challenges facing our people at this time. Should there be any doubt, Madam Speaker, as to the accuracy of this statement, we need only to listen to the voices of those in our Diaspora who have felt the shame of this entire affair and who have been ridiculed in their workplaces and in their social settings.

We are also reminded, Madam Speaker, by the Narcotics Control Report issued by the U.S. State Department earlier this year and it's near condemnation of this Government's handling of transnational cooperation in drugs, human rights - human and arms trafficking.

Mr. SHAW: You're a trouble maker, no true?

Mr. HYLTON: Madam Speaker, on this side -

Mrs. NEITA-HEADLEY: Hear, hear!

Mr. HYLTON: We believe everything possible must be done to remove the kind and stigma -

Mrs. NEITA-HEADLEY: Hear, hear!

Mr. HYLTON: From Jamaica's earned reputation for honesty, integrity -

(Applause by Mrs. Simpson Miller)

Mr. HYLTON: ...and obedience to the rule of law developed over these many years before and since our independence.

(*Sotto voce* remarks by Member)

Mr. HYLTON: The Honourable Prime Minister is not here, but were he here I'd be saying to him that the manner of his appointment of the Commission of Enquiry and the unilateral establishment of the Terms of Reference represents another missed opportunity to restore trust and faith in his leadership.

(Applause by the Opposition Members)

Mr. HYLTON: And in the -

Mr. SHAW: You going to testify?

Mr. HYLTON: And in the entire –

Mr. SHAW: You going to testify?

Mr. HYLTON: You may not be a Commissioner.

(*Sotto voce* remarks by Member)

Mr. HYLTON: The Commission not only - the Commission must not only be independent. It must be seen and felt to be independent.

Mrs. NEITA-HEADLEY: Hear, hear!

Mr. HYLTON: There is yet another injunction, Madam Speaker - there is yet another injunction - a man cannot be judge, jury and prosecutor in his own cause.

Opposition MEMBER: Hear, hear!

(Applause by Opposition Members)

Mr. HYLTON: This currently appears to be the case and I'm sure the Prime Minister knows how to rescue this situation.

(*Sotto voce* remarks by Government Members)

Mr. HYLTON: Madam Speaker, I wish to commence the CARICOM Section of this presentation by expressing, in this Honourable House, the profound grief of the Opposition, and I suspect that I speak for the entire Parliament, at the untimely passing of the Prime Minister of Barbados, The Honourable David Thompson. This is the third experience or our sister State, Barbados, in which a sitting Prime Minister has passed on while in office; but practice, Madam Speaker, does not lessen the grief that we all feel and so I convey condolences to the family, the Government, and people of Barbados.

(Applause)

Mr. HYLTON: In similar vein, Madam Speaker, let me convey condolences to the family, the Government and people of St. Lucia on the passing of Sir George Mallet, one of the staunch integrationist and possibly longest serving Minister of Trade from CARIFTA to CARICOM. (Applause)

As well Madam Speaker for the loss of life in St. Lucia - some fourteen (14), I gather, in the aftermath of the damage wreaked by Tropical Storm Tomas. We also, Madam Speaker, commiserate with the Government and people of Barbados, St. Vincent and the Grenadines, St. Lucia, Grenada, Trinidad and Tobago and Haiti which have felt the wrath of Hurricane Tomas even as Jamaica was spared any serious impact. For Madam Speaker, we're one family and the pain of one, must be the pain of all; and the success of one, the success of all. This is so, Madam Speaker, notwithstanding any recent comments reportedly made by the Prime Minister of Trinidad and Tobago. I consider that it was indeed an unfortunate statement.

Madam Speaker, the Opposition views as an unprogressive the Government's failure to articulate a clear and coherent policy on CARICOM. This has led, Madam Speaker –

(Applause by Opposition Member)

A MEMBER: Hear, hear!

Mr. HYLTON: To among other things to the unfortunate statements on the CARICOM Court of Justice by some segments of our

region's people. This has occurred despite palpable evidence that the United Kingdom would like to end appeals to the Privy Council from the remaining few of its former colonies and despite the international acclaim of the arrangements to ensure the independence of the CCJ, including the financing and methods of selection of judges as well as the erudition of its opinions supporting its well-reasoned judgments.

The administration, sadly, has continued its ambivalence towards the regional court. But Madam Speaker, the court is at the centre of the CARICOM arrangements. To impugn and weaken any aspect is to weaken the entire edifice: an edifice which Jamaica certainly needs if it is to assure itself of the economic benefits of the integration movement.

As in so many other areas of CARICOM life, Madam Speaker, the Administration continues to disappoint. Jamaica has been the Chair of CARICOM since July 1, and we have seen no initiative, no leadership even as the region continues to be battered by the global economic crisis. Jamaica has provided no leadership especially in the area in which it has specific responsibility namely, the Region's Foreign Economic Policy. Madam Speaker, the movement cries out for leadership. Jamaica's leadership role is indispensable; but this Government has created a vacuum that others will now move to fill.

Madam Speaker, whatever has been the source of historical differences and present day cynicism concerning CARICOM, the Opposition is of the view that while CARICOM is in and of itself not a sufficient condition for assuring sustainable economic growth, nevertheless CARICOM is indispensable to our development prospects, not as an end in itself-

(Applause by Opposition Members)

Mr. HYLTON: But as a means to an end, nor is the statement one of ideology but rather one of reality.

Mrs. SIMPSON MILLER: Hear, hear!

Opposition MEMBER: Hear, hear!

(Applause by Opposition Member)

Mr. HYLTON: Madam Speaker, with the onset of this round of globalization the need for deeper and broader regional integration to provide the platform into the competitive global economy has become self-evident.

(Applause by Opposition Members)

The terms and conditions under which the Jamaican economy is integrated into the world economy is the only issue. We can be passive as we have been in the negotiations with the IMF, or we can be organized and we can organize strategically with others to secure better global conditions. Improved conditions will not be just for Jamaica. They must be negotiated in a wider context. This reality was one factor that motivated the CARICOM governments to seek to deepen the integration process into a regional single market and economy, the CSME, as well as to establish a coordinating mechanism for central-external trade negotiations.

Madam Speaker, a number of our bilateral partners have urged and continue to urge in both subtle and not so subtle ways that dealing with CARICOM is more efficient the dealing with fifteen (15) states most of which are small and vulnerable. Also, Madam Speaker, the CSME was intended to ensure that Jamaica

and the other CARICOM countries begin to engage the arduous but necessary process of adjustment in order to successfully integrate our economy into the global political economy. It is for these and other reasons, Madam Speaker that the Opposition again, affirms its strong stance of standing up for CARICOM in Jamaica and to continue to fight for Jamaica's interest within a reformed CARICOM. But Madam Speaker, we must first make it work. How can we do this?

Madam Speaker, the Opposition welcomes the announcement, the announced review of the revised Treaty of Chaguaramas which would allow for a timely updating of a treaty to among other things include regional security as a fourth pillar of the CARICOM arrangement. The other three pillars being: foreign policy coordination, functional cooperation and our trade negotiations

Dr. BAUGH: Madam Speaker, point of order. I regret that I had to leave and return and I apologized when I was leaving; and I'm sorry I missed the earlier part of your presentation. But Madam Speaker, there is inaccurate information here and I quote page four (4) from the speech that you've circulated, *"However both the Prime Minister who admittedly conceived of the hare-brained scheme*" - that's what you have written -

Mr. HYLTON: Yes.

Dr. BAUGH: "*And the Minister of Foreign affairs and Foreign Trade who authorized the visits and contacts with Manatt, Phelps & Phillips representatives have so far escaped responsibilities their actions*." You're claiming that I authorized these visits to Manatt, Phelps & Phillips.

(Mr. Hylton acknowledges)

(*Sotto voce* remark by Member)

Dr. BAUGH: It is very inaccurate, it is very untrue and I think that you are aware that is so.

Mr. HYLTON: Okay.

Dr. BAUGH: You know, Madam Speaker if you can just indulge me a little bit. It goes also for the statement concerning the Jamaica Labour Party's policies concerning the Caribbean Court of Justice. As has been said several times the original court of the Caribbean Court of Justice is something that we accept and support and it has been in action recently, where I was part of COTED and received reports concerning the Cement Company of Jamaica.

Now, as far as the original jurisdiction of the Caribbean Court of Justice is concerned we fully support it.

(Mr. Hylton acknowledges)

Dr. BAUGH: The question is the Court of Appeal that is one that is at issue for us, (Mr. Hylton acknowledges) so I would like for you to correct your statement because you just made a statement that is inaccurate. Thank you very much.

Mr. HYLTON: Ma - Madam Speaker, let me just say the, the -

Mr. SHAW: Misinformation, you giving.

(Inaudible remark by Mr. Baugh)

Government MEMBER: Hear, hear!

Dr. BAUGH: Sorry, I should - I neglected to ask for you to withdraw those parts of your statement that are inaccurate.

Government MEMBER: He used to work there; he used to work with -

Mr. HYLTON: Madam Speaker, I have -

Government MEMBER: He used to work with -

Mr. HYLTON: Madam Speaker, the statement that has been issued -

Opposition MEMBER: And you were his bearer.

(Cross talk)

Mr. HYLTON: Please, please! The statement that has been issued the Minister would see on page three -

(Inaudible remark by Member)

The DEPUTY SPEAKER: Just a moment, Member. I am going to ask, the Member is delivering his Sectoral Debate. He has a right to speak. The Minister has got up, he has made a point. I'm asking us all to behave as responsible Members of this Parliament and do not throw words across like that. It does not look good to the public. It is irresponsible and I don't want that in Parliament.

Government MEMBER: Hear, hear!

Mr. SHAW: No manners but one.

Mr. HYLTON: In fact, Madam Speaker,

(Cross talk)

Mr. HYLTON: In fact, Madam Speaker, please. **Hansard** will reflect that what I read and I thought the copy that was sent to you that was changed to authorized -

The SPEAKER: Member -

Mr. HYLTON: Authorization was struck to mean to put -

The SPEAKER: Member, I'm sorry also. The Member's time for speaking has expired.

Mr. SHAW: What you over there mumbling you way through now. You said it! You said it!

(Mr. Hylton laughs)

Mr. HYLTON: You didn't hear it?

Mr. HOLNESS: Madam Speaker, Madam Speaker, I move for the suspension of Standing Orders to allow the Member sufficient time to complete has presentation.

The DEPUTY SPEAKER: The question before this House is that the Member be given sufficient time to complete his presentation.

Put to the House and agreed to.

The DEPUTY SPEAKER: I'm really asking the Members of this House because it's a poor reflection on all of us, from both sides, when we behave in a certain way and I'm really asking us to adhere to the rules of this House.

Mr. HOLNESS: Madam Speaker, before the Member resumes his presentation, may I suggest, Madam Speaker, that you ask for **Hansard's** record of the particular statement referred to by the Foreign Minister.

Mr. HYLTON: Yes!

The SPEAKER: May I have the statement from **Hansard.**

Mr. SHAW: And ask him to withdraw the statement.

Mr. HYLTON: Madam Speaker, **Hansar**d will reflect what it reflects, eh? So may - I'll proceed, Madam Speaker.

Madam Speaker, the Opposition welcomes the announced review of the Revised Treaty of Chaguaramas which should allow for timely updating of the Treaty to among other things include Regional Security as a fourth pillar of the CARICOM Integration Arrangement. However, Madam Speaker, the Opposition makes clear its intention to resist any disguised effort or intention to undermine or to weaken the CSME.

In this regard, Madam Speaker, the Opposition urges the Government to use the opportunity of a review to clearly establish a regional energy policy which unequivocally puts an end to the discriminatory pricing of

energy and energy products by Trinidad and Tobago, which provides unfair competition in the single market for goods and services from other Member States including Jamaica. This Madam Speaker, has been a bone of contention between the private and public sectors in both Jamaica and Trinidad and Tobago.

But, Madam Speaker, the Opposition views this matter as primarily one for the CCJ to address. It should not be the basis of continued screaming and shouting at each other. The matter can and properly must be settled by judicial means. (Applause)

Similarly, Madam Speaker, the Opposition takes this opportunity to support efforts to establish a proper governance structure for CARICOM, which will address the implementation deficit in a fundamental way. The Opposition has stated previously, its disagreement was the latest proposal for a 15-Member Ambassadorial Council as an appropriate response to the acknowledged problem of the non-implementation of decision of the Conference of Heads of Government. The proposal does not solve the problem, Madam Speaker; it merely adds another layer of bureaucracy.

The Opposition serves notice, therefore, that it will be taking the greatest interest in this review process to ensure that CARICOM moves forward in its effectiveness as a tool in support of national and regional development and, to aid our intention into the global political economy. Likewise, the Opposition urges the private sector, the media and civil society to closely follow this review

HAITI - DEVASTATION

Madam Speaker, something on Haiti. We must, Madam Speaker, frontally address the issue of integrating Haiti, the newest and largest Member State of CARICOM. This is more urgent and vital after the devastation arising from the January 12, 2010 earthquake and the several misfortunes that have befallen the proud and heroic people since then.

CARICOM made an important decision in appointing the former Prime Minister of Jamaica, a proven veteran with deep international experience, as its Special Representative on Haiti. The tragedy of January 12 provides a unique opportunity, not only to build a new Haiti, but to integrate CARICOM itself.

In a recent Eric Williams Memorial Lecture in Miami, Madam Speaker, the Most Honourable PJ Patterson advanced the view that planning for Haiti's development, drawing on and deploying the full resource base of the region including the Diaspora, could provide a template for the development of CARICOM. (Applause) We have long held the view that the revised Treaty of Chaguaramas provides that, the resources of Member States should be seen as a common resource for development.

The Opposition hopes that the Government of Jamaica will take a frontline position in encouraging the Jamaican private sector to come together and invest with others to take advantage of the opportunities which could open up in Haiti.

We have always held that Jamaica has skills in areas such as construction, agriculture and agro-processing, tourism, education and training. The Government must now encourage our private sector to invest in ways that will be beneficial to Haiti and to Jamaica.

Let me now turn to the EPA, Madam Speaker. Madam Speaker, the Opposition

warned against the signing of an Economic Partnership Agreement with Europe at the beginning of this administration's tenure in 2008. We were ridiculed for being tardy in concluding the negotiations of what is by any measure, a very complex and necessarily time-consuming arrangement involving 27 European countries, each at a more advanced stage of development than CARIFORUM States. I recall, Madam Speaker, that the view was advanced at the time that there was great benefits to be had from the arrangement and that the trading opportunities were unparalleled. The country and the region were warned that we stood to lose significant trading benefits if we did not sign up immediately with Europe then, as demanded by the then European Trade Commissioner. But what has happened since CARIFORIM countries including Jamaica signed the Economic Partnership Agreement? What has happened?

The answer, Madam Speaker, is hardly anything positive for Jamaica, or CARIFORUM. No other ACP region has signed an EPA with Europe to date; no other ACP region has signed an EPA Agreement with Europe to date. Nor has there been any loss of benefits or sanctions imposed on ACP regions which have refused to sign EPA in their current form. The former commissioner, Mandelson, who prevailed on CARICOM countries to sign the EPA, immediately resigned this position from the EU Commission, and resurfaced in London in the Gordon Brown Cabinet but with no ability to deliver any of the promises to CARIFORUM States, no ability to do so.

Madam Speaker, I leave the audience to draw its own conclusions as to the real purpose of the hard-sell and brinkmanship and as to the reason why Jamaica which had the responsibility for leading CARIFORUM, capitulated. Madam Speaker, it was therefore not surprising that the Opposition, along with the rest of the country, heard the Prime Minister offering what can be described as a *mea culpa*, when recently he bemoaned the obvious lack of process being made in the implementation of the institutional arrangements, which conditioned the access of the promised benefits under the Agreement.

In the meantime, Madam Speaker, the three-year moratorium on EU goods and services flow into the region at reduced or reducing tariff levels, thus increasing competition and reducing - the Minister of Finance may want to hear this. It will reduce your tax take, the tariff reduction begins, it commences on January 2011 next year. EPA, watch your budget watch your tariff and your custom collection.

Jamaica is yet to receive its promised benefit, Jamaica has yet to receive its promised benefit but the real costs of the Agreement begin to accrue in 53 days counting today.

In local parlance, Madam Speaker, *the chicken has now come home to roost*. (Applause)

(*Sotto voce* comments by Members)

Mr. HYLTON: We will see. Madam Speaker, the threat to our fragile and unprepared local producers from sophisticated EU producers is clear and present. The EU producers are not only large and experienced; they are the beneficiary of significant amounts of stimulus or subsidies from well-resolved EU Governments, in a period of fiscal consolidation and recession in the IMF

supervised Jamaican economy.

(Applause)

It is against this background, Madam Speaker...

(*Sotto voce* comments by Members)

Mr. HYLTON: It is against this background, Madam Speaker, that the Opposition calls for an extension of the moratorium from the current three years for at minimum a further five-year period to 2016. And Minister you need it, believe me you need it. (Applause) This, we believe, is fair and reasonable in all the circumstances, including the continued failure to conclude the Doha Development Round of global negotiations, which was intended to be a development round for our benefit. They have refused and they cannot now conclude the arrangements and we are left suspended.

(*Sotto voce* comments by Members)

(The Speaker returned to the Chair)

Mr. HYLTON: But you rush and you conclude the EPA, you rush and concluded EPA. You should not.

Mr. Speaker, should the EU refuse, should the EU refuse to grant the extension of the moratorium requested, the Government must then consider the application of safeguard measures in order to mitigate the likely impact of any surge of imports from the EU which may threaten our fragile local producers.

Another of the much heralded benefits, Mr. Speaker, was the protocol, for the cultural industries, which would allow musicians and other temporary service providers to access the EU market and to provide their services across Europe. The reality, Mr. Speaker, the reality, Mr. Speaker, has been that our musicians, artists and other service providers have experienced major diminution in the access to the markets, rather than the promised expansion of access. This is so, Mr. Speaker, because there has been a tightening of the immigration rules, restricting the movements of the service providers into the EU markets, and an increase in the cost of visas.

The situation is exacerbated by recent tightening of UK immigration laws applying to Jamaicans, and other Commonwealth citizens that previously enjoyed unrestricted access to the UK, which also serve as a gateway into the rest of Europe.

Indeed, Mr. Speaker, the UK has gone even further in requiring that Jamaican nationals transiting the UK into the EU and elsewhere must now obtain **transit visas** at considerable time and cost.

Mr. Speaker, the matter is now front page in the media that the UK is now contemplating, unilaterally sending prisoners to Jamaica. I have said in this House before and I have mentioned it to the Minister that this issue of migration is an issue that governments in Developing Countries must begin to take very, very seriously. (Applause) Because, Mr. Speaker, even as the Developed Countries are targeting the professionals in Developing Countries, our critical and key development resources and making special - creating special regimes for attracting them into their economies, they are at the same time deporting those of our countrymen who have - for infractions large and small, have run afoul of their laws and are sent back unceremoniously. Now we have the prospect of not only a consultation, we have in place an agreement, we have in place currently an agreement and the Government of the United

Kingdom is now - if what is being said is true - is now contemplating that it will move unilaterally to deport prisoners, if what is reported in the media is correct, but that is what is reported in the media.

Dr. BAUGH: Mr. Speaker, can I just, again on a point of order, because of information that is not accurate.

Mr. HYLTON: It's in the media.

Dr. BAUGH: We have had assurances from the High Commissioner here.

Mr. HYLTON: I didn't know about that, the Jamaican people don't know about that.

Dr. BAUGH: But you see, this is the problem, in that, a statement is being misinterpreted. There was a discussion yesterday on the radio, I mean, it's part of the news media that you heard this information from by Minister Nelson.

Mr. HYLTON: Like all of us.

Dr. BAUGH: Yes, and I am sure you heard it. And - well certainly I can tell you that I have had the reassurance of the High Commissioner here, who has been in discussion with the Prime Minister himself, to give clarity to what was said and they have emphasized that they have no intention of taking any unilateral action at all. But there is an agreement, as you said, there is an agreement and that agreement is being followed. However, there will be meetings between the Prime Minister, the High Commissioner and myself tomorrow concerning this issue.

Mr. HYLTON: Mr. Speaker, I feel very reassured, I feel very reassured

(*Sotto voce* comments by Government Members)

Mr. HYLTON: I am very reassured, Mr. Speaker, by the statement from the Minister, but let me say this, let me make this point. It still does not detract from the fundamental point that I make about the necessity to come to grips with this whole issue of migration and its negative impact on our development process.

(Applause by Opposition Members)

Mr. Speaker, the situation is untenable, it represents - I mean the situation of the - the in-transit visa is a recent imposition. The in-transit visa is a recent imposition, yes, that's what I am talking about. It represents a glaring contradiction. Mr. Speaker, this situation the in-transit visa, in the context of a trade agreement represents a glaring contradiction that must be addressed diplomatically as a matter of urgency. The UK and indeed Europe generally, have moved this far because successive small and seemingly unimportant moves in this direction have gone unchallenged. I repeat a demand made earlier, that the matter must now be taken up by the Government, along with its CARICOM partners with the support of the business community, especially those organizations representing small and medium sized enterprises throughout this region.

Mr. Speaker, a somewhat similar situation exists with regard to the free movement of Jamaican nationals, including service providers within CARICOM member states. This too, represents a diminution of benefits under the revised Treaty of Chaguaramas and must be taken up immediately for the benefit of our law-abiding citizens. It must be addressed, Mr. Speaker.

Mr. Speaker, I dare not close without speaking to the issue of climate change, which is now a major foreign policy and national survival issue.

For only the second time since hurricanes are being named and recorded, we approach the end of our alphabet. Both have been within the last five years. It is now November and Caribbean countries are picking up the pieces from Hurricane Tomas. October is over, but the hurricane season is not.

Mr. Speaker, 18 years ago the International Community decided that action should be taken, led by the industrialized developed countries to reduce greenhouse gases and hence, climate change and climate variability. These changes were leading to stronger and more frequent hurricanes and storms in the Tropics, less predictable rainfall and more severe droughts and lower crop yields. Industrialized countries simply increase the carbon emissions to protect their unsustainable lifestyles instead of cutting them.

Mr. CLARKE: We don't have any problems with that.

Mr. HYLTON: In 2007, the respected UN International Panel on climate change said that unless there was very strong action within a short period, many small islands and low-lying coastal states would be inundated. We here in Jamaica have already begun to see and feel the effects of climate change. We only have to see what is happening at the Palisadoes peninsular as a concrete example of what is occurring.

The International Community, Mr. Speaker, set a two-year timeframe to negotiate a schedule for Developed Countries to meet agreed targets and to facilitate developing countries adaptation to impacts, which have already been set in train, like the greater number and stronger storms. The deadline was December 2009 in Copenhagen.

Mr. Speaker, on a matter of such critical importance to Jamaica and its development, the question arises as to why the country and the Parliament is not being better informed on these critical negotiations. In fact, the negotiations begin later this week, later this week in Cancun. I am assuming that the Minister will be representing us in Cancun at the negotiations.

(Inaudible comments by Dr. Baugh)

Mr. HYLTON: While Jamaica – I hear you Minister. While Jamaica does not have the responsibility for climate change negotiations, as such, these negotiations are now a matter of foreign policy. We urge the Government to provide further and better particulars on the negotiating positions to be taken to Cancun in December, on the scheme to be adopted for the reduction of carbon emissions. This has serious implications for the future of our economy and society.

Mr. Speaker, in conclusion, the Opposition calls on the Government to be proactive in articulating a coherent, foreign economic policy, inclusive of a trade policy that guide our local entrepreneurs in their effort to withstand the threats resulting from global recession and compressed domestic market conditions. Without their properly articulated foreign and trade policy, our local producers will not be able to survive, let alone prosper in this hostile economic environment. The *nexus* between our foreign and domestic policy is even more palpable, even for the less discerning among us.

Mr. Speaker, delay is indeed danger. Our margin for error or inaction is little or none in these harsh and unforgiving global and economic conditions. The time for action is now.

BRAZIL

Mr. Speaker, Mr. Speaker, I indulge you just to say, that I could hardly have sat without recognizing that there has been an important change in one of our closest neighbours, good relations, in Brazil, where a new President has been elected.....

(Applause by both sides)

...and we look forward to Brazil's continued leadership in integrating the rest of the Americas.

Thank you, Mr. Speaker.

(Applause by both sides)

The SPEAKER: Thank you, Mr. Hylton.

Opposition MEMBER: Hear, hear! Well done, Tony. Put it into perspective.

Mr. HOLNESS: Mr. Speaker, Mr. Speaker, the Member from Central Kingston pointed out earlier that we have not been able to take any of the Private Members' Motion. We have had a Private Members' Motion on crime on the Order Paper for many months now. Finally, Mr. Speaker, we are now in a position to take it. So Mr. Speaker, I now move for the suspension of Standing Orders to allow us to take Private Members' Motions.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the House to take the Private Members' Motion?

Put to the House and agreed to.

The SPEAKER: Mrs. Hay-Webster.

(Applause by Opposition Members)

Mrs. HAY-WEBSTER: Mr. Speaker...

Mr. SHAW: The Member from Central Kingston is never here at 5.00 o'clock these days.

(Laughter by both sides)

Mrs. HAY-WEBSTER: Mr. Speaker...

Mr. SHAW: Tek up im bag by 4:30 and im gone.

(Laughter)

Mr. BUCHANAN: Withdraw that! More Jamaican than you!

(*Sotto voce* comments by both sides)

Mrs. HAY-WEBSTER: When my colleagues are finished.

Mr. Speaker, I rise today.....

Mr. PICKERSGILL: Shut yu mout, you a anti Cuba Shut yu mout!

(*Sotto voce* comment by Government Member)

Mr. PICKERSGILL: You want a lick in a yu head bout you?

Mr. BUCHANAN: You speak of the Jamaica Labour Party?

Mrs. HAY-WEBSTER: You think they are finished now, Mr. Speaker?

(Laughter)

Mr. PICKERSGILL: You hear Belafonte, "Go away, gwaan go look a poo poo day".

Mrs. HAY-WEBSTER: Mr. Speaker, I rise today as an elected Member of this House, as legislator and as a concerned Jamaican.

(Applause by Opposition Members)

This, as the House Leader has pointed out, has been on the Order Paper for quite some time. And whether or not it has been on the Order Paper, I believe, based on reports of my activities as a Member of Parliament and the critical challenges that we face in our first capital, I know that most Jamaicans understand my involvement in respect of the fight against crime.

Mr. Speaker, one year ago, November 14 next week will make one year since I nearly

lost my own father, who was beaten and left for dead ostensibly by criminals. My own family has been touched in many ways; I lost my uncle two years ago. I could put up my own sign and cry for justice, you know. That case has not been completed.

Hay's Enterprise, Member for North East St. Catherine has been struck seven times and to date the police has not resolved those attacks, including one within which the Assistant Commissioner of Police had come to commiserate with the family, and as Commissioner gone, the whole place was torn down again.

Why I raise this issue, Mr. Speaker, is that I too could have my cry about wanting justice, but being a Member of this House, and at the time of the whole upsurge and concern seemingly, and I say seemingly amongst Jamaicans about the incursion in Tivoli, and our constant mouthing of this term "a defining moment", I thought it was important enough for us as the elected leaders in the House who people have an interest in seeing how we come to solution on this issue. And you yourself I know, Mr. Speaker, we have had so many discussions as to where solutions can take us.

Mr. Speaker, I believe that, post the comments that our Prime Minister made at the G8 Meeting in June, earlier this year too, it's important for us as legislators to have the discussion in respect of the social causes and solutions towards fighting crime, because he can't go to G8...

(*Sotto voce* comment by Government Member)

Mrs. HAY-WEBSTER: ...Not so, Member from Western St. Andrew - and put forward a point and be able, House Leader, to say to colleague leaders there, the Members of my House of Parliament in Jamaica have feeling about how we should take social solutions forward, because these are the matters raised.

And I raise it because I looked at an on-line news report coming out of Turks and Caicos in 2008, it wasn't even something that was just recent, but it speaks about an attitude that many people have towards Jamaica and crime. And the letter reads, I will read a paragraph from it. It says:-

> *"Besides your beautiful country and "what-not ", Jamaica is known for crime, that is, murder and drug dealing with the added menace of social and societal degenerators such as financial calamity, poverty, political corruption and crookedness".*

That's an attitude that many of us have to face who travel across the world, when we come into contact with our colleagues and other persons who we have to share solutions with, and economic, social and political issues. And this is a time, Mr. Speaker, when I really believe we need to sit, as leaders, and try to work through how it is we can find solutions to the serious problems face.

Opposition MEMBER: Hear! Hear! (Applause)

Mrs. HAY-WEBSTER: We can't just keep speaking about strong action to be taken in respect of fighting crime.

I must commend the joint Police and Military action, where they have worked. In a sense, let me tell you why. Before - and many of us who have inner- city communities where the police are looking for persons of question, know what it is when police are looking for

people and they can't be found.

Now, we have seen a change, Mr. Speaker, recently where when the Commissioner issues a list that says persons of interest, people turning themselves in. We have had some unfortunate incidents recently, too, we have seen that, but for the most part - and part of that is because the persons in question understand that this is a time when the public is not going to be backing them up. But even if we are not backing them up you see, Mr. Speaker, we, who must approve budgets, who must look at what is formulated when it's presented at Finance Committee and taken forward in respect of supporting legislation and programmes, must look at how we are finding the social solutions, and we have to look at the issue of joined-up governance. We can't keep agencies trying to find and fight to own their own spur, so to speak. It can't work any longer. This is a time - and I am sorry my colleague from Central St. Catherine is not here, because she has responsibility for two particular agencies that I believe have a major role to play in how we can begin to reorganize our communities, and that's the issue of the SEF, InSport, and the Social Development Commission.

In my own constituency, I can speak of the fact that in three terms, Mr. Speaker, I have seen the difference it has made when you have put the social agencies to work with leadership, and where you build out community leadership. I can use Central Village as a simple example. I used to live in Spanish Town, and in 1996 l had to move, because many an evening I didn't know that I could get home to my children after driver had taken them home, or if I had taken them home first because Village used to block regularly. Is a regular thing, I don't know how I going get home, what time I going get home to my children, and they were young at that time. And one of the things that I committed to do, in coming into this House as a representative, was to ensure that we were going to cut political tension and provide the kind of leadership that can effect social change. (Applause)

And what we have seen in Central Village is a critical cut down in any road blocks, critical. And we have had a major cut down also in political tension and a consummate - also building of the community leadership. And we know that Central Village represents almost a 50/50 divide between PNP and JLP there. You have from Andrews Lane up to Big Lane on the left, going to Spanish Town, and then you have from China Town to McBride Hill, as a strong belly of PNP votes there, and they each have their own internal difficulties in there. I have even had police come for me in there, Mr. Speaker, to go to the JLP side of the road, you know, because them say if I don't come the road going block. I was amazed the day.

But it speaks to - Member from St. Andrew East Rural...

Mr. PICKERSGILL: Don't listen to him.

Mrs. HAY-WEBSTER: No, because he was near my MP - that political leadership be elected or selected, must provide sensitive leadership so that we can cause difference to be cut down in respect of the tensions. (Applause)

And why am I raising this? Because, Mr. Speaker, Peace Management - and at this point I would want to put my own condolences on the Table for PROFESSOR CHEVANNES, who passed just recently. Someone whose

wisdom and activity was really a touchstone for me, as a leader. Many times just his quiet questioning. He wasn't somebody who carved solutions for you, Mr. Speaker, but he explored ideas with you. And one of the comforting things that I had from him was that he was a man who had belly and courage to deal with the most difficult, negative social situations that we had, and trust me, we have them to deal with. And I would want to put on the record my own sense of loss, certainly as a student too, at the University, having had exposure to him. But also through the Violence Prevention Alliance, through my sittings in the House here with the Ganja Commission, and also the Peace Management Initiative. What a wonderful man and the kind of leadership he provided. (Applause) We really have lost.

And I believe that for those of us who have really gained from exposure with him, and the kinds of programmes he has been associated it, we need to honour that by facilitating the kind of social change that is very, very necessary in our country. It's not something that we as leaders in this House can walk away from, be it Rocky Point, Lionel Town, May Pen, Spanish Town, Guys Hill, August Towns there are many communities that we know are in need of immediate social change that we have to sit and encourage. It doesn't mean that we must carve it out, you know, but we must be able to build the leadership that allows it to be carved out.

And I come back to my Central Village again. And why I am coming back there, in 1998, after I had been sworn in here on January 15 - I don't forget that, Mr. Speaker - Social Workers told me, and former political workers within Village told, look here, you can't do nothing 'bout Windsor, you know. At that time it was called Sufferer's Heights. For one thing, I said we are going change the name, you know, because we nuh have no suffering thing here no more. We have something to look at where we are going to try and build out leadership and cause change.

To cut a long story short, I tell you this, one community in the whole parish of St. Catherine benefited on the PSDP Programme, and it was a Small business group in Windsor Heights. Over a million dollars that they had as a grant towards the building out of their Small Business group. And just these past two weeks they have been able to submit again further projects and help another community, March Pen, to build out their own project documents. And why I raised these two as examples because we know also from the reports and the experience we had - even during the Tivoli incursion - of what March Pen meant when criminals in there decided to launch out on the society.

But we can't keep our backs against the wall and then just keep that as the focus. We have to be able to give the decent law-abiding persons within there, room to exercise the training that they have been exposed to, and look for the opportunities where they exist. And it cannot be that the Member of Parliament is to come with a gift to them. What must happen is that you are enabling them to access programmes that exist so that they have a pride and own what it is that comes to them.

(Applause)

And I believe that what I have done and I would really like to thank Grace Kennedy Limited. And I note a comment that former

SENATOR DOUGLAS ORANE made when he was speaking, coming home after the Tivoli incursion. He said:

> "As a corporate entity, my company, **Grace Kennedy**, clings to the belief that we have a responsibility to strengthen Jamaica, not only financially, but also by investing in our young people. Since 1979, **Grace Kennedy** has been involved in community outreach through our **Grace and Staff Community Development Foundation**."

And it goes on. I would like to thank them for the work that they did with us recently, too, in March Pen, by facilitating a workshop that allowed March Pen to craft three programmes to apply to the REDI under the JSIF, for a grant to do some project funding.

Mr. Speaker, there are four (4) focal points that I would want to look at, for us in this conversation that we are having on seeking anti-crime solutions. One is the issue of resettlement. I am sorry that the colleague and Minister for Water and Housing is absent. This is something that I had had some discussion with him on, in any case.

Mr. PICKERSGILL: Him campaigning.

Mrs. HAY-WEBSTER: Campaigning, you say. Alright, well, I wish him all the best and I look forward to...

Mr. PICKERSGILL: No, Tufton won't like that.

Mrs. HAY-WEBSTER: Well, we know what the politics and internal thing is like, but I still wish him all the best, he is a good Minister.

Mr. BUCHANAN: You nuh see him in a boat!

Mrs. HAY-WEBSTER: Look here now, work with me, work with me!

I am looking at the issue of resettlement, and why so? Almost 25 per cent of the communities in our country are noted as informal and not recognized. It means people have no access to title, people have no certainty of their occupation of land. And that kind of instability doesn't allow you to build out the community as family, and also allow the individual families within the community to have space to grow and develop as quality Jamaicans. And if we are not focused on the development of quality Jamaicans, we cannot find solution to the anti-crime problem, we cannot. (Applause)

So if we were to focus on the issue of resettlement, and ensure that this quarter of our country - wherever they are all over the country - becomes stable and settled, we would have quarter of the problem solved, Mr. Speaker. Because in that time, what you are doing now is, you are building out to my point two, which is a massive national programmed in respect of social change.

And how you are doing that? You are getting joined-up government. You are ensuring that SDC, NIS, NYS, SDF, National Youth Council, InSport, are at the table together and looking at what are the community resources, and enabling the development of - yes, our CDF programme too, yes, but boy, CDF can't do everything, you know, Member, it's not possible. What we need is to make sure that Government agencies are not fighting against each other, but are working together at the table... (Applause) ...with a vision or the development of quality young Jamaicans.

Opposition MEMBER: Hear! Hear!

Mrs. HAY-WEBSTER: I can tell you

something. In my section of Portmore, in the Gregory Park Division, when I was on the ground with my SDC officer, every competition that Gregory Park entered we won. Why? Because the leadership of their community felt a sense of ownership of their space. (Applause) Every Citizens Association was working and had a difference. But you see since SDC had no more responsibility for Youth - and I would have to quarrel with my own Government for that, I am not taking that out of the play - we really need to look at how we are ensuring that agencies have responsibilities and are meeting the mandate that is required of us, as elected leaders to find solutions, because people expect it April us. It can't just come out of the sky just so, you know. We have to be able to negotiate and nudge the kind of change we want.

One critical point in all of that, too, is to stem the rural/urban drift, Mr. Speaker. We now that we face it in the KMTR Area here in Kingston and St. Andrew, and in St. Catherine, particularly the member from North West, from Linstead, Bog Walk, back into Spanish Town, and from Old Harbour, and at Free Town back into Spanish Town back in - almost a half of Jamaica in a sense, is within that space. We can't leave the rest of the country occupied in a sense, without adequate use of the land space. We are losing economic and socio-economic development which we critically need.

One of the things I think we need to consider is, do we need to set up an equivalent of the UDC, and set up an RDC, as in a Real Development Corporation, where this agency is their only focus. Yes, there is RADA, but what you are doing is ensuring that infrastructure within rural areas, yes, economic activity, yes, and social development in collaboration with the social agencies, is taking place with a plan which is responsive to what the citizens identify as their need. So it's a participatory approach. Because you can't come with the solution, they won't own it if they are not part of casting that solution.

The other issue, Member from West Central St. Andrew and House Leader, is that of tackling education and training. I want to commend you for following through on what we had been undertaking already, in respect of the basic schools and primary schools. And I know you are taking a beating on the tertiary matter. But hear the other approach that you need to look at with your colleagues.

The persons who are leaving university who are bright and committed with ideas and really just want opportunity. You see those same lands that we are surveying down in Oracabessa and we just finished in Portland and that we are looking at for St. James and St. Elizabeth, why aren't we looking at all the work that the Scientific Research Council has done?

There's a lot of work that they have done in terms of looking at opportunities that many of the people who are coming out with a double degree like bio-chemistry can be looking at, here's the business plan, here's the solution, here's the land. These are funds that you can have access to, which would allow you room to go back to your Hanover, back to your St. Elizabeth, back to the Hills of St. Catherine and create within those rural areas, opportunities that would facilitate the leadership of these young people and also give them something else to work towards.

If we are not tying those ends together,

you are going to get those same young people whom we see every day, the images that we have ensured that they have access to, to the 150 channels of FLOW or whoever else, because we have ensured that people have access to the world, so to speak, but they're being given visions that they can't touch. They are working hard to reach and the only way they see to reach it is to go away. So when all the quality has gone, what are we left with? And how do we facilitate growth of who is left here? You can't do it without a plan. And that plan cannot come from the heads of us in here because we can't relate to their space. We have to facilitate them working through their space.

So, Mr. Speaker, those are my four critical points: resettlement, the issue of crafting and implementing a participatory programme of national social change, stemming the rural/urban drift and dealing with education and training.

Mr. Speaker, one of the things what we have to look at, is the causes of crime. In my resolution, it makes the point that there are some 35 reports that have been done since 1974. l want to thank the four (4) interns who PROFESSOR MUNROE hired through the Clerk's interventions who assisted me with doing the research in terms of looking at these reports and also looking at the last four (4) presentations of the Ministers of National Security, and reviewing also the work of TONY HARRIOTT, with his work in respect of crime. And there are some critical points that have come out: inter-generational poverty, social inequality, corruption, poor education, unemployment, the same rural/urban drift that I have been speaking about, political tribalism and limited use of technology.

lnteresting, the SLC last week, when I looked through it, it says there has been no change of access to computers in the last year and a bit. I spoke about the four (4) critical steps but just in closing - In beginning this conversation, Mr. Speaker, one of the things that we would certainly want to do is to encourage the police to improve their intelligence-gathering in respect of where criminals are, and how they can work with the social agencies, to cut some of the tension, because we've seen it with the Community Policing programme. I've seen it in Village, and in some aspects in Portmore, in Portmore Villas, and in Gregory Park itself some limited success, but we've seen that there is room for it. But through agencies such as JSIF and the Inner-City Basic Services programme, what we need to do is stop using force and begin to use intelligence to fight crime.

And I want to put this on the table, too. I faced it when I just came in as MP and I ah still seeing it happening. And I'll raise it again for the commissioner's attention, publicly. It cannot be that because you know you have two set ah man in jail who belong to two separate groupings that you refer to as gangs, that you set them up to fight each other inside, yes, and get beaten inside because you want them to continue the war and kill off each other outside. Because what you are doing is (1), facilitating more pressure for yourself on the road, and (2) facilitating the continued breakdown of families within communities, and further tension. And l really want to make an appeal that we start cutting this.

I have seen in the past, Mr. Speaker, where police pick up persons from De La Vega City, question them, and you know

where they take them offer drop them onto come back home? Outa Homestead, and say, walk go home. What you doing? You nuh setting up people?

You can't do that. And you do the same thing. You pick up people from Ellerslie Pen and Homestead and you carry them to Port Henderson Road, right in front of De La, and say, walk go home youth. You cannot do that. We can't have the police force which must secure, exposing people in that way.

I know many of us are uncomfortable and really don't want to contend with this thing, but I can't walk away from it 'kaus I face it continuosly and I kyan ignore it. So I ask us in this House in fighting crime to take a structured approach. And I would hope - and I pause - I would hope that enough Members in this House have courage and testicular fortitude... Is that a good term to use?

Mr. PICKERSGILL: Yes, yes!

Mrs. HAY-WEBSTER: I can't use the street term, I would say testicular fortitut...

Mr. PICKERSGILL: Bartlett turn around and say it, testicular fortitude.

Mrs. HAY-WEBSTER: ...to face, to face... You think him have that?

A MEMBER: No!

Mrs. HAY-WEBSTER: ...with August Town and.... (Inaudible) If you have enough testicular fortitude let's have the discussions as to how going to deal with crime because too many of us step away from the table and leave it for police to solve it. Police cannot solve crime. Cannot!

We need to accept what the social research has put forward. And as the leaders who've been elected within our communities to follow through on that mandate... Not so, Western St. Mary? ...follow through on that mandate and with them, craft the kinds of solutions that give us change. So we don't come back to see this kind of comment continuing about Jamaica. We don't need that coming from any other country within the Caribbean.

And what strikes me more is, just this past week with the swearing in of the new Prime Minister of Bermuda. What is Miss Scott speaking to? That they have to deal with anti-gang legislation, and beginning to look at how they going to cut this thing of crime. Since we raised it at the G-8 and since we've been on the international pages in respect of the crime and violence, let's change that conversation and begin to show that we as leaders in this House can find solutions.

That's where I'd like us to go, Mr. Speaker, and that's why I put this resolution forward. And I hope and pray that the men in this House - because I know that you men have the belly to deal with it because those of us who are here have to do it. We can't step away from it. Ah hope you have the testicular fortitude to face the factors that we must consider and let's find the appropriate solutions that can allow us to change the face of Jamaica and cut the level of crime and improve the quality of life and raise our head high on the world stage.

I thank you, Mr. Speaker. (Applause)

The SPEAKER: Thank you very much. Mr. Mullings.

Mr. MULLINGS: Thank you, Mr. Speaker.

Mr. Speaker, this motion is one that suggests itself, unfortunately. And by that I mean, the fact of crime, the fact of the challenges we face as a nation, and that efforts have been made over the years to study it.

Some would argue study it to death and yet we are still bedevilled with the problem.

Indeed, we have seen a dip in major crimes, but this I believe, after 2005, some five (5) years. And it has taken us - and yet, even that is being perceived as a lull. Hopefully, it isn't. And I believe that we ought to commend those in the security forces and the Government who have made this dent.

But this discussion, or this debate, is dealing with a fundamental problem that confronts not only developing societies but developed societies. Indeed, in governing, you must have the support, the agreement of the governed. And some things you are expected to do, to provide security, to facilitate wellbeing a sense of self-worth for your citizens.

But it seems that over these many years, what we have, Mr. Speaker is a hodge-podge in dealing with this problem. And l believe that this debate will allow us to at least put forward and agree on a template as to how to deal with this problem of crime.

Indeed, in furtherance of that covenant, I'd like us to think initially of legislation and how it's falling short, looking at our justice system and how it's falling short and what we ought to do to rectify that and how we marry that with the social intervention of which we speak.

And you know, Mr. Speaker, we have to create space in dealing with the problem of crime. You can't just have social intervention without creating space. And we have to create that space for the measures to take effect. And you have to enforce the law and the law must be enforceable.

In other words, Mr. Speaker, let us take the issue of ganja. I'm firmly of the view, and I don't believe that there ought to be smoking. I believe that you ought to ban public smoking. But we have persisted over these many years where persons caught with small amounts of ganja are given a criminal conviction and you pay a fine.

A MEMBER: And condemned for life.

Mr. MULLINGS: I'd like to suggest that it is now high time that we decriminalize small amounts of ganja for personal use. (Applause) And I don't want to be mistaken. I don't believe about legalizing. I'm not saying that. You can impose a fine. But day in day out you have persons coming before the courts - young people - and then they have a difficulty in life because they are stigmatized. They can't travel because they have a criminal conviction for drugs. It's time for us to do that. And we can do that in this House. And I believe that we have spoken about it and studied it long enough. And it's important because when you decriminalize you are allowing the space so you don't have our young people starting off with this impediment.

Mind you, they may very well have got involved out of youthful exuberance. I mean, Presidents have indicated that they have smoked it, not inhaled and not exhaled something like that. And quite recently he was here.

(*Sotto voce* comments) (Laughter)

Can you imagine, if he were arrested and had this criminal conviction?

A MEMBER: Exactly. Him couldn't come here!

Mr. MULLINGS: He could not come here.

Mr. PICKERSGILL: You'd be surprised. (Laughter)

Mr. MULLINGS: But the fundamental

point is essentially this that we have to retrieve our young people from the abyss. And in doing that, it is time for us to inform our legislation, take account of what is happening, the fact there is this acceptance in the wider society, you go to public places, notably musical shows, and you see it being sold. Now, that's not right. But I think we ought to impose a fine. But the point I want to make here, Mr. Speaker, is this: In looking at the legislation, we make the mistake of passing legislation believing that it will solve crime.

A MEMBER: Hear, hear!

Mr. MULLINGS: It doesn't work like that. There is a big gap that we are not filling. And, Mr. Speaker, and others who have practised the law, know fully well. What are some of the problems we have? You can't get the certificate from the Forensic Laboratory because they are overwhelmed, so cases are put off. You have a situation where statements are not collected on time, so cases are put off. And so, you have a mountain of backlog, literal backlog that you can't clear.

I think it is time for us, in looking at the laws we pass, to make those laws enforceable. Therefore, one possible solution to the forensic laboratory's challenge is to have an understanding arrangement with overseas Forensic Laboratories that can help you to clear that backlog. We have done it before. Unfortunately, we are still at the point where we are overwhelmed.

And so, in doing that you begin to enhance your own forensic capabilities because, quite frankly, we rely too much on I see evidence. And we know what is happening in Jamaica because we are getting less and less of it. And, in fact, it is proven to be highly unreliable. So, we have to lengthen the capacities of our systems.

One other suggestion I will put on the table is DNA legislation...

(*Sotto voce* comments by Members)

Mr. MULLINGS: DNA legislation; it is time to do this. It is time to do it (Applause)

A MEMBER: Hear, hear!

Mr. MULLINGS: And, I am sure that the Chief Parliamentary Draftsman would be able to avail himself of the many pieces of legislation that exist in similar jurisdiction as ours. Let us move forward with that because that can go a far way with the police investigating cases.

Another suggestion that has been put on the table, but I believe ought to be handled very carefully, in terms of its sequence is this: the proposal to abolish preliminary enquiries. But, if we do not increase the number of our Courts and our Judges, we are just going to move the backlog from the Resident Magistrate's Courts to the High Courts.

Mr. PICKERSGILL: Yes.

Mr. MULLINGS: So, we have to think it through and put the resources where necessary.

One of the good things we have done thus far is, in terms of the minimum mandatory sentences for drug dealing and for guns, because that will help us to create this space. Because make no bones about it, when we have the interventions, there are those in the communities who have a vested interest in it not working, and will bring their influence, illicit and criminal as it is, to undermine and frustrate those efforts. So, we have to ensure that we are able to deal with those challenges if and when they do come.

Another thing we ought to look at, Mr. Speaker, and this is for policing purposes. I believe that all divisions ought to be linked *via* a computer network. It's very important because you can have someone who is detained in Halfway Tree, but there is a warrant out for him or her in St. Mary, but because there is nothing on them in Halfway Tree, you release them, only to be told later on, but, I am looking for Mullings because we have a warrant for him in St. Mary and then the person in Halfway Tree will say, yes, but I had him here a few days ago or, you have someone in custody and you are phoning around to see if there is any warrant outstanding for them. We need to have that regularized.

So, we need to commit the resources to allow for that free flow of information amongst the law enforcement agencies so that we can move matters and at the same time create the space for social intervention activities to work.

The Member from Southwest St. Catherine indicated about joined-up Government, and she is right, that we have to have an inter-disciplinary approach. I would like to suggest in looking at the issues of Justice, Education, Culture, Youth, Sports, and Health, that you create that cadre, drawn from those Ministries, so that they will be able to deal with communities that are challenged. And that if we have that type of template, which every regime is presently occupying office that they follow through with that template.

So, what it does, it allows for moving out that learning curve, you take out the repetition, you see the models, so you can actually move into a community and engage that community in a meaningful way. And it has been done in many countries; in France, they have done it.

They have what they call Community Courts or *Maison de Justice*, Houses of Justice, essentially. They have done it in New Zealand. They have done it in Brent in England. And it is important because what you want is for policy to have immediate effect or as best as possible.

(Applause)

Too many times, the social intervention fails because it if got done in a cohesive way, or it just takes too long to happen.

Mrs. HAY-WEBSTER: Or not in a participatory way.

Mr. MULLINGS: Indeed. And so, with this, template, this connectivity - and, need I say that subsequent Ministers of Finance will already have agreed that this is the way for the country to move, so that when there is a pressure, as there will be on Budgets and on the economy, there are some areas that remain sacrosanct that you don't cut, in going forward.

A MEMBER: Hear, hear!

Mr. PICKERSGILL: Not under the IMF.

Mr. MULLINGS: And so, Mr. Speaker, the - and in fact, an enlightened view, which I believe the IMF is now understanding, is that when you have the social component as a critical part of your economic platform, then it is a surer way to get a success for that economic platform, because if you don't deal with your social component, it is going to - when the challenges face a country, it is going to explode.

And I think that we have not sufficiently been careful about the possibilities, God forbid, of unrest, and it is happening in the world around us. We are not immune.

(Applause)

And it is important for us to understand that possibility for us to have a government that cares for its citizens. Because what you don't want is for a disconnect to continue to mushroom, where government is now seen as Babylon and we have a righteous cause to fight against Babylon. Because what it means, is that we won't have social cohesion; we will have implosion. And this discussion, this debate, taking account of those possible pitfalls, ought to look very carefully at how you work this template from now on going forward.

And you know, Mr. Speaker, I am going to raise two issues. I raise them because I believe that a small society which goes through tremendous turmoil will not heal and go forward if we don't look carefully at what happened to cause that turmoil. And I speak about the 74 Jamaicans who died in Tivoli at the hands of the State. In any society that would demand an enquiry, it must.

(Applause)

It must, because those who don't have a voice, if they feel a sense of wrong, will persist in that feeling, and it can carry from generation to generation. If we don't do that, the immense power of the State will be seen as the hands of Babylon, and we may very well find that a generation may come up that doesn't see government as part of the solution to their problems but as the enemy.

I go further. The death of KEITH CLARKE raises serious questions. We gather that it is being investigated. A lot of time is being spent on that investigation. I venture to suggest that if it is not dealt with fulsomely, this social cohesion will not hold, be it West Kingston, Halfway Tree or Uptown...

Mrs. HAY-WEBSTER: Or Spanish Town.

Mr. MULLINGS: ...wherever, because we, in a small society have a great sense of injustice.

I also fear that if the arms of the State have done things which are illegal, they may very well be emboldened and see that as a precedent and take unto themselves this greater sense of power. And thereafter, where will the boundaries be?

Mr. Speaker, this is something that requires us - us, I mean the State, us as Leaders, to not only set the bar, but to insist on those who breach the standards that that bar requires, be held to account. And I say that because we cannot see crime as just something to fight. It is part and parcel of a society in crisis. And therefore, when things happen, whether in response to that crisis, or whether coming out of that crisis, if it is not dealt with, but seen as a byline in a country's history, we make a have mistake.

And so, I would implore us, in looking at this motion, to see how everything connects especially in a small society. If we don't do that not only will we continue in being piecemeal, we will be frustrated and the problem will get worse.

Look at your statistics. It is time for us to take a step back; no longer time for us to do any more reports; it is time for us to apply ourselves, do those things we can do now.

(Applause)

Do it now.

And I believe that if we continue, both Opposition and Government, to sign off at the very least as to how we are going to apply this template, then I believe that we are making

one small step which is critical, but can make all the difference for a country going forward.

So, I want to commend the Member for raising this issue in a way that she has, asking for suggestions, albeit at no provided timelines, but at least for us to think now about what has been discussed, what has been studied, and for us now to implement it. As the NIKE ad says, *'Just do it'*.

Thank you very much, Mr. Speaker.

(Applause)

The SPEAKER: Thank you, Mr. Mullings. House Leader.

Mr. HOLNESS: Mr. Speaker, I want to first of all, start by commending the Member from St. Catherine, South Central on...

A MEMBER: For her patience!

Mr. HOLNESS: ...for her patience and for presenting a key comprehensive Private Member's Motion. The motion was placed on the Order Paper, Mr. Speaker, at a time when we were going through a very difficult period. Undoubtedly, I can say a very difficult period in the history of Jamaica as it relates to crime fighting.

So the motion itself mentioned the limited State of Emergency. The motion also calls for a special sitting of the House before the limited State of Emergency expired, and for a full debate on crime fighting measures.

Mr. Speaker, I would want to do this debate justice when we have a better attendance in the House, and when the Prime Minister and of course, the Leader of the Opposition and other Members who would want to contribute. Notedly, the Member from St. Andrew East Central and Central Manchester would want to participate in such a debate.

Just to say, Mr. Speaker, that since this motion was placed on the Table of the House, the greatest measure, the barometer that we use to judge crime and violence would be murders. And from January to May of this year…

MEMBERS: Nuh badda wid it!

Mr. JACKSON: Don't bother go down that path.

Mr. HOLNESS: Hold on, hold on! From January to May of this year, Mr. Speaker...

(Cross talks)

Mr. MONTAGUE: I want to know.

Mr. JACKSON: The Minister said it on the weekend.

Mr. MONTAGUE: Walk out of the Chamber if you like, follow the Chairman.

Mr. JACKSON: It doesn't belong to you, it belongs to us.

Mrs. NEITA-HEADLEY: The measures...

Opposition MEMBER: I don't want to hear!

Mr. HOLNESS: You don't want to hear? You don't want to hear?

(Inaudible comments by Members)

Mr. HOLNESS: I don't understand, I thought you wanted a crime debate?

(Inaudible comments/cross talks)

Mr. HOLNESS: No, but it's useful, it's useful.

(Cross talks between Members)

Mr. HOLNESS: Hold on, hold on. It's useful, it's useful.

(Inaudible comments by Mr. Henry)(Laughter)

Mr. HOLNESS: From January to May, Mr. Speaker, of this year - in 2009, there were 637 murders. Today, Mr. Speaker, from

January to May in 2010, there were 745 murders. So between January and May, between last year and this year, murders increased by 17%. From June to October, Mr. Speaker, in 2009 - June to October - there were 733 murders. From June to October this year, there are 444 murders, a 39% decrease in murders.

Mr. SHAW: Still too many, but going in the right direction.

Mr. HOLNESS: Still too many, going in the right direction.

From year to date, Mr. Speaker, in 2009, we had 1,409 murder; in 2010 we have 1,211; year to date, 14% decline.

So, Mr. Speaker...

Mrs. NEITA-HEADLEY: What's the point?

Mr. HOLNES: No, the point is that since this motion was brought we have seen improvement in the management of the crime situation as reflected in murders.

Mr. SHAW: Hear, hear!

Mr. HOLNESS: We want to therefore, Mr. Speaker, support the motion, it's a very important motion. And l would want to suggest to the mover of the motion that seeing that many of the players of the motion no longer exist, particularly this limited State of Emergency, that we make an amendment to the motion, and I would suggest a very short amendment.

> Be it Resolved that the Government tables in Parliament a full report on crime fighting measures since the beginning of the year.

And I think the tabling of that report, Mr. Speaker would then allow all Members in the House to speak on the motion from a position of knowledge and information as to what has actually happened.

Mr. Speaker, I therefore commend this.... (Inaudible comments by some Members)

Mr. HOLNESS: That's it. I am therefore, Mr. Speaker, recommending to the mover of the motion that this amendment be made to the motion.

Mrs. HAY-WEBSTER: Mr. Speaker, in responding to the House Leader, I would want to indicate that, or ask, is he intending that we close today?

The SPEAKER: No.

Mrs. HAY-WEBSTER: Because he did acknowledge that there is the clear indication from the Members from East Central St. Andrew and Central Manchester, for their inputs on this debate. I accept his suggestion of change because of the time - devolution of time - but I would want to reword that amendment to reflect more of the tone of what my intention was for the discussion. And I would make this suggestion subject to acceptance by the House.

> Be it Resolved that Government gives a full report of its plans and proposals to vigorously address Jamaica's internationally acknowledged crime and violence challenges, in order to address critically necessary socio-economic change.

Mr. JACKSON: I so move.

Mr. HOLNESS: Mr. Speaker, the Government has no difficulty with that proposed amendment.

The SPEAKER: Is this coming as a new motion?

Mrs. HAY-WEBSTER: No, no!

Mr. HOLNESS: Mr. Speaker, I'm making a proposal, I'm not even moving an amendment to the motion. I'm proposing that the Member amends her own motion, which would make it easier for the House.

The SPEAKER: So when we resume we will debate the amendment.

Mr. HOLNESS: Well what I'm suggesting, Mr. Speaker, what I'm suggesting is that the motion as it is worded, asks for some specific things. It asked for a special sitting of the House…

Mr. SHAW: Yes, and we agree to it.

Mr. HOLNESS: …and the amendment that I'm proposing, whilst it would not give a special sitting, but one there is a Report before the House then the special sitting which you would require for Members to be able to participate...

Mr. SHAW: Debate that Report.

Mr. HOLNESS: ...you would debate that Report and at that time you would have a Report in front of you with facts, which we can easily compile. And we could do it either before the year is out or early next year, which would then facilitate a more comprehensive and certainly, more significant participation than what we could accomplish here in a debate that is usually on a Private Members' Motion, which usually comes at the end of the sitting.

Mr. JACKSON: Mr. Speaker, just on a point of order and clarification.

I think it would make for good order, in light of the exchanges from both the House Leader and the mover of the motion, that given that it had intended initially - the motion as originally tabled, had asked for the full sitting of the House *et cetera*, that the motion be now, this evening, referred to the Internal and External Committee of the House. At which point, the set of recommendations, proposals *et cetera*, as was suggested by the Member, could be presented there, discussed and debated, come back to the House and then allow for the full participation of all Members who so wish to contribute to that final phase of the discussion.

And of course, in closing the debate this evening, the mover of the motion could then adopt the amendment, as you have suggested and she has embraced, as part of the resolution going forward, to the Internal and External Committee.

Mr. HOLNESS: Mr. Speaker, we have no difficulty in referring the motion to any of the committees. You specifically want it to go to the Internal and External Committee, but I still think, Mr. Speaker that it would help Members, if there were a Report coming from the Government as to exactly what it has done. I think that would certainly inform the debate in a much greater way. So I will accept the suggestion, Mr. Speaker, that it goes to the Internal and External Committee and at the same time the Government should also present a Report to Parliament on the measures it has taken to fight crime.

Mr. KELLIER: Mr. Speaker, I think we want to try and sort out this cobweb. The debate has reached a certain level, Mr. Speaker, a proposal to amend the motion, exactly amend the motion to the point that has been expressed by the Member... (Applause) I think the motion has the acceptance of everyone, for the Government to bring a comprehensive report on all of those matters so that we can then refer that report to the committee, because as it stands now, we would have nothing to refer to the Committee

in terms of information on issues. So we need to have a firm data period, and when l say firm you know what we are talking about, we can get information properly coming back, where everybody can participate. So this debate would have to close now.

The SPEAKER: Well this is it...

Mr. HOLNESS: The proposal, Mr. Speaker, this motion is trying to get a full debate on policy on fighting crime. Now the Government is not averse to that debate. We would want to do it on a substantive Report, which we could circulate, all the Members could look at it and then you would have something on which to debate.

The proposal from the Member from St. Catherine, regarding sending the motion itself to a committee, I have no opposition to that but I agree with the Opposition, Leader of Opposition Business, that there may not be enough substance from this debate to refer to that Committee. It is - at the end of the day, Mr. Speaker, it is the mover of the motion who would adjust the resolution to what is satisfactory to her.

The SPEAKER: My understanding though, House Leader, and from what the Leader of Opposition Business has said, is if the motion was amended, which would include - I'm asking the Government to bring the Report, say by a certain time and then when it comes the matter would just be referred to the Internal and then when the Government reports to Parliament a full Report on the crime fighting measures, that Report would be sent to the Internal and External Committee, who would then report back to the House, at which point there could be the full debate.

Mr. HOLNESS: Well just thinking to expedite it, Mr. Speaker, there probably wouldn't be any need for a referral to a committee of the Government's Report. We could very well, as the Report is tabled, we could debate it the following week to give the entire House a chance to review it. So that would expedite the debate instead of having it trapped in a Committee for a long while.

The SPEAKER: No problem, okay.

Mr. HOLNESS: My commitment would be that we could either take it probably on the last sitting of this year, so we would do it in December or we could do it in early January, but it is something that we'd want to do very quickly.

Mr. KELLIER: That would more or less satisfy the - all of us.

The SPEAKER: Everybody.

Mr. KELLIER: Mr. Speaker, it's just that we want to make sure that - granted the Minister of National Security doesn't sit in this House, but as part of the Government's apparatus the responsibility is there for them to coordinate all these matters. And we would want to make sure - and the House Leader to make sure that all the information is gathered in time and they don't unduly try to rush it and then we have a problem, but to get everything together. And I think by the latest mid-January we should have it...

(Inaudible comments by Mr. Holness)

Mr. KELLIER: ...bearing in mind that there is a holiday period and we know you're going to be distracted by conference and all those things.

The SPEAKER: But which one of the Report can have the date before mid-January?

Mr. HOLNESS: The realistic proposal, Mr. Speaker, is for us to have the Report before the year is out and then when we

resume in January, then we take it as the first item of the sitting.

The SPEAKER: Okay, well could we then ask the mover of the motion to...

Mrs. HAY-WEBSTER: Mr. Speaker, in closing, I take it then as a signal to close the debate and by...

(Inaudible comments by Mr. Holness)

(Laughter)

Mrs. HAY-WEBSTER: I would like to thank the Member from St. James for his contribution - his very supportive contribution and also in bringing forward the legislative considerations that we need to take some of us. We have collaborated on some of those matters on some committees already. So the issue of decriminalization of ganja, the issue of looking at that of DNA and also just crafting the social templates of change, including culture as you rightly pointed out. The most important message I believe that must emanate from this conversation - just put it that way - is that the site must take charge of its space, must take charge of its space. It cannot be that we're ceding grounds to whosoever may come to provide leadership. I think that's the clear message that our constituents want from us. The State needs to take charge, and not in an abusive confrontational manner, more in an engaging and partnered manner.

And as you said leadership must set the bars and hold breaches to account including those of us in here, although it's the public that's going to hold us to account, but we need to understand what that means. I thank the Members for, I would say the spirit of support if all the Members haven't spoken, I believe the attention and the lack of the small committees is good.

(*Sotto voce* remarks by Mr. Mair)

Mrs. HAY-WEBSTER: Don't bother. That we have had fairly good attention on the matter.

And in closing, Members, I really look forward to progressive discussions that we can have in the interest of our people, really do. And I don't want you to take that progressive in a political tone. I really want us to understand how we are moving forward, never backward. Yes? (Applause)

And therefore considering the matter of time and the changes that have taken place since the tabling of this Motion, I would want to put forward the amendment as agreed, as compromised between the Government and Opposition and read as follows therefore:

> Be it Resolved that Government gives a full report of its plans and proposals to vigorously address Jamaica's internationally acknowledged crime and violence challenges in order to address critically necessary socio-economic change.

This Report then would be put forward for debate and we would hopefully begin to effect the kind of socio-economic change that is really so necessary for our country in our citizens' interests.

Thank you.

The SPEAKER: Thank you, Mrs. Sharon Hay-Webster.

Members, I therefore put the amendment to the motion.

Put to the House and agreed to.

The SPEAKER: I now put the motion as amended.

Put to the House and agreed to.

The SPEAKER: Very, well. Thanks, Members.

Mr. HOLNESS: Mr. Speaker, I move for the recommittal of the item 'Announcements'.

The SPEAKER: The Motion before the House is for the recommittal of the item 'Announcements'.

Put to the House and agreed to.

ANNOUNCEMENTS
(Recommitted)

The Clerk by leave laid on the table of the House a copy of the following:

Ministry Paper No. 88

Cabinet Agenda Issues for October 25, 2010

Mr. HOLNESS: Mr. Speaker, the request from **Hansard** was granted. We now have the **Hansard** document, but the Members to whom this matter relates, they are not present in the House. So at our next sitting, Mr. Speaker...

The SPEAKER: At an appropriate time in the next sitting I will bring the matter.

Mr. HOLNESS: Mr. Speaker, some Members have already made note of the passing of PROFESSOR BARRY CHEVANNES, Mr. Speaker, I personally would like to add my own note to the passing of Professor Chevannes. I did not work with Professor for a very long time, but in the brief time that I had working with him, I found him to be, Mr. Speaker, a man of great knowledge and a man who understands the culture of Jamaica. Mr. Speaker, his passing for many of us is untimely and he will be greatly missed in the education fraternity and particularly, at the University of the West Indies.

It was only a few months ago that I worked very closely with him in planning the funeral for the late PROFESSOR REX NETTLEFORD MOST HONOURABLE REX NETTLEFORD, and so soon now to have to be paying honour to the passing of another great Jamaican.

Mr. Speaker, I would ask that the necessary courtesies be extended to his family.

The SPEAKER: Thank you, House Leader. I am sure that all of us wish, you now, and would certainly like to send condolence to the family, not only of PROFESSOR BARRY CHEVANNES, but also to the University Community that he served so well. And therefore we will ask the Clerk to just send the usual card of condolence to the University, on behalf of the University Community and his family. And the Parliament takes note of the passing of PROFESSOR BARRY CHEVANNES.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. I therefore move that the House do adjourn until November the 16th when we will resume our business.

The SPEAKER: Members, the motion before the House is that this Honourable Parliament do adjourn until Tuesday, November the 16th, at 2:00 p.m.

Put to the House and agreed to.

The SPEAKER: (Gavels) This Honourable House stands adjourned.

The House adjourned at 6:15 p.m. until Tuesday, November 16, at 2:00 p.m.

THURSDAY, November 16, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.28 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister, Minister of Information and Telecommunication.

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central.

DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern.

THE MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition.

MR. ERNEST AUGUSTUS SMITH, (JLP), St. Ann, South Western.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 2.28 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKER: Members, this afternoon we would like to welcome to the sitting of Parliament students from Hampton High School and Munro College and their teachers. (Applause) We would also like to welcome members of the Optimist Club of Cane River, accompanying students from the Bull Bay All-Age School. Welcome to the sitting. (Applause)

Just to urge some of you, the students and teachers and others in the Gallery to just check on your cellphone and make sure that the cellphone is on off or vibrate so that you do not disturb the sitting of Parliament. But please enjoy; and especially from Hampton and Munro College, safe journey home after you have enjoyed the sitting of Parliament this afternoon.

House Leader.

Mr. HOLNESS: Mr. Speaker, before you move ahead with the Agenda, at our last sitting the Member from St. Thomas, who is not here in the House today, the Opposition spokesperson on Foreign Affairs...

MEMBERS: He's here, in the back.

Mr. HOLNESS: Oh. He was not in his seat, Mr. Speaker, so forgive me.

Mr. BUNTING: St. Thomas on your mind.

Mr. BUCHANAN: Yuh worried 'bout St. Thomas?

(Cross talk)

Mr. HOLNESS: The Member, Mr. Speaker, made certain comments in relation to the Minister of Foreign Affairs and Foreign Trade regarding a certain matter and we had asked that **Hansard** be checked to verify the statements that were made, and if the statements turned out in the affirmative, Mr. Speaker, then we ask that the Member duly withdraw them.

The SPEAKER: Yes, Mr. Hylton, the **Hansard** reported exactly as you had in your prepared text and it seems to me that the comments that you had and also made in the House are inaccurate. So in the circumstances

we ask that you withdraw them at this time.

Mr. HYLTON: Mr. Speaker, permission to speak from a seat other than my own.

(HON. PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security, entered and took his seat.)

The SPEAKER: Permitted.

Mr. HYLTON: Mr. Speaker, in the circumstance I did believe that I had conveyed something else but in the circumstance I will withdraw the statement.

The SPEAKER: Much obliged, Mr. Hylton, Thank you.

(Applause)

Mr. VAZ: Very decent. Unlike the previous one.

Dr. DAVIES: Just be gracious.

(DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture and Fisheries, entered and took his seat.)

ANNOUNCEMENTS

The Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 89**
  Cabinet Agenda issues for November 1, 2010
- **Ministry Papers 90 and 91**
  Annual Reports and Audited Financial Statements for the Agricultural Development Corporation for the years ended March 31, 2008 and March 31, 2009
- Tourism Enhancement Fund (TEF)
  Annual Report and Audited Financial Statements for the year ended March 2008
- Report of the Public Administration and Appropriations Committee of the House of Representatives on the Review of **Green Paper No. 1 of 2010**
  Recommendations for the Restructuring of Ministries, Departments and Agencies
- The Public Broadcasting Corporation of Jamaica (Amendment) Regulations, 2010 under
- The Public Broadcasting Corporation of Jamaica Act

Rev. THWAITES: Mr. Speaker?

The SPEAKER: Yes, Rev. Thwaites.

Rev. THWAITES: Mr. Speaker, is the Report from the Tourism Enhancement Fund and The Broadcasting Regulations before us?

The SPEAKER: Repeat.

Rev. THWAITES: The Tourism Enhancement Fund, a very important piece of accounting information and the Regulations to The Broadcasting Corporation equally significant, I don't have those.

The SPEAKER: Rev. Thwaites, you will receive them momentarily.

Rev. THWAITES: Thank you, Mr. Speaker. Would it be a practice in the future if they are not here, prevent an interposition, just say they are coming.

The SPEAKER: No, to be fair Rev. Thwaites, the Clerk of Parliament very often has the documents before her. And the only issue is whether or not they are before you.

(HON. JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy, entered and took his seat.)

Rev. THWAITES: But that's the whole point.

The SPEAKER: But to be fair, Rev. Thwaites, there is no doubt that they are available…

(Papers put before Rev. Thwaites)

The SPEAKER: Is it now before you?

Rev. THWAITES: No, sir.

The SPEAKER: And in any event, Rev. Thwaites, please...

Rev. THWAITES: The Broadcasting one has just been placed and the Tourism Enhancement Fund.

(HON. ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Defence, entered and took his seat.)

I don't want to be difficult Mr. Speaker.

The SPEAKER: I understand, Rev. Thwaites.

Rev. THWAITES: The purpose of announcing them is to advise Members of the important public business that we as Members are responsible to our constituents for; and if it is not before us just tell us it soon come or tell us it's on the website. But don't announce it as being here and it's not here.

(HON. LAURENCE GEORGE BRODERICK, (JLP), Clarendon, Northern, Minister of State in the Ministry of Energy and Mining, entered and took his seat.)

The SPEAKER: Rev. Thwaites, with due respect, once the Clerk of Parliament announces the tabling of these Reports it means that they are available; and even if they are not before you Rev. Thwaites it means that you can pick up one from the desk.

Now I do agree that it would be appropriate that every Member should have one before them. But as you are aware, Rev. Thwaites, a number of these Reports we have asked that they be - rather than being before you in hard copy, that they should be available on the e-mail or on the website. And once it is announced, Rev. Thwaites, the Clerk of Parliament has copies before her.

Now these two documents which you have requested, we will let you have momentarily.

Rev. THWAITES: Mr. Speaker, thank you for answering my question, sir, but that was not what I asked. All I want to know is where it can be found.

The SPEAKER: Right here.

Rev. THWAITES: Tell me then the Clerk and it on her desk, tell me it's on the website or tell me it's on my desk. Mr. Speaker, respectfully, we pay far too little attention to these things that are laid before us, you know. They involve the recording of the business of this country that we have passed and we are supposed to know where they are, we are supposed to read them and we are supposed to have an opportunity, which we do not have yet, of commenting on them. Otherwise we are not carrying out our stewardship correctly. And you, Mr. Speaker, know what the Bible says about poor stewards.

The SPEAKER: But, Rev. Thwaites, I can assure you that the Clerk of Parliament has it right before her. You will get it momentarily. Very well.

Members, may I just - one slight correction. I did say in my introduction of the students it was Hampton High School. It is actually Hampton School. So I hope the correction is accepted. It's Hampton School rather than Hampton High School.

(Applause)

(DR. HON. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Foreign Trade, entered and took his seat.)

(HON. ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister, entered and took his seat.)

REPORTS FROM COMMITTEES

Dr. McNEILL: Mr. Speaker, I beg to lay on the Table of the House a copy of the Report of the Public Administration and Appropriations Committee on the Review of the **Green Paper No. 1 of 2010** – Recommendations for the Restructuring of Ministries, Departments and Agencies.

The SPEAKER: Thank you very much, Dr. McNeill.

(MR. DERRICK CHARLES SMITH, (JLP), St. Andrew, North Western, entered and took his seat.)

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: Mr. Bunting.

Mr. BUNTING: Mr. Speaker, I beg to give notice that at the expiration of 21 days I will ask the Prime Minister the following questions:

Question 1: Is the Prime Minister aware of the convictions of David Smith as principal of Olint and related entities, in the Turks and Caicos Islands, related to the fraudulent operation of an illegal investment scheme, specifically, conspiracy to his defraud and money laundering?

Question 2: Is the Prime Minister aware of the indictment in the Florida Middle Court of David Smith on twenty-seven (27) counts related to the operation of this fraudulent investment scheme?

Question 3: Given that David Smith commenced his operations in Jamaica and thousands of Jamaicans are victims, and that legal and other regulatory action was commenced against David Smith and/or Olint and related entities by the Financial Services Commission during the previous administration, will the Prime Minister provide an update on the status of this matter with the various Jamaican authorities, whether regulatory, investigative or prosecutorial.

Question 4: Will the Prime Minister explain the slow pace of Jamaican proceedings on this matter general and particular, relative to the aforementioned two jurisdictions?

Question 5: Will the Prime Minister confirm whether or not David Smith attended a function of appreciation for contributors to the Jamaica Labour Party held following the 2007 general election?

The SPEAKER: Thank you, Mr. Bunting.

Dr. McNEILL: Mr. Speaker, I think you jumped over Notices of Motions Given Orally.

The SPEAKER: Very well. So you have another?

Dr. McNEILL: No, Mr. Speaker. On the Agenda I think you jumped over Notices of Motions Given Orally.

The SPEAKER: I am very sorry.

(MR. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern, entered and took his seat.)

NOTICES OF MOTIONS GIVEN ORALLY

Dr. McNEILL: Thank you, Mr. Speaker.

Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it Resolved that the Report of the Public Administration and Appropriations Committee of the House of Representatives on the Review of **Green Paper No. 1 of 2010** - Recommendations for the Restructuring of Ministries, Departments and Agencies, which was laid on the Table of the House on the 16th day of November, 2010 be approved.

The SPEAKER: Rev. Thwaites.

Rev. THWAITES: Mr. Speaker, may 1 enquire as to the process in respect of the scheduling of the Private Members' Motions. The issue was raised last week and I understood that despite a disclaimer, efforts would be made to indicate how and when these could be taken.

Mr. HOLNESS: Mr. Speaker, the Member was not in the House last time we sat when I indicated which motion would be taken today. I appreciate the Member's strident views on the taking of the motions. And we on this side believe that the motions ought to be taken as well.

Mr. Speaker, it is not for want of scheduling why the motions have not been taken. Motions are being scheduled, but we in this House have to regulate the length of time we spend on matters and the number of persons who speak. The Member from St. Catherine whose motion was scheduled to be taken had to be postponed on several occasions because other matters overtook it.

If it is that we want to discuss and debate the over 30 motions that are on the Order Paper, then we in this House, Mr. Speaker, would have to exercise control over how we respond in our debates.

Mr. Speaker, today we will be taking a motion brought by the Member from Westmoreland and that will be joined by the Member from St. Catherine. The Member from Central Kingston Mr. Speaker, I am glad to announce today that if he wishes he can open the motion that he has a particular interest in, which is the motion for Members to declare their citizenship. The government has no objection if the Member is willing to open that motion for debate today.

The SPEAKER: Mr. Kellier, you wanted - I just want to say, House Leader, and to the Leader of Opposition Business - Members, I think there is a general understanding even though - the position is that when the Standing Orders Committee met there was a general understanding that Private Members' Motions, that the mover of the motion would speak for 15 minutes and other .contributors would

speak for 10 minutes. If that was adhered to then there should be no difficulty in finishing most of these Motions within an hour, which has been the case in quite a few of the Private Members' Motions. So if that is the case we could get through quite a number of these motions during the course of this year.

Mr. Kellier.

Mr. KELLIER: Mr. Speaker, the fact of the matter is that for the smooth running of the business of the Opposition and the Parliament in general, the majority of the motions on paper have been put there by Members of the Opposition to get certain information to the public as to our stewardship in here and to find out exactly what is happening in Government.

We were supposed to have settled on a schedule so that Members could be advised ahead of time on both sides so that the Ministers, who are to be the primary responders, would prepare themselves and be in Parliament when the Motions were being debated. We have not yet settled that thirty-odd Motions scheduled. What the House Leader is doing now, he has started the process, but it is a snail-pace process that we have started. We need to get it out of the way, so that people can know in advance of time and prepare themselves.

The SPEAKER: Mr. Kellier, may I –

Mr. KELLIER: And even with your caveat, Mr. Speaker, about the 15 minutes and the 10 minutes, once we have a schedule I don't think it will be a problem.

The SPEAKER: But may I urge –

Mr. KELLIER: But we still need to have a ful1 schedule.

Mr. HOLNESS: Just for clarity. The issue, Mr. Speaker, is not so much a schedule. We have set schedules before. But for example, Mr. Speaker, at Statements by Ministers we have an extended question time. When it comes to Question and Answer, we have an extended question time again then we have to go through Government's Business. By the time we move to deal with matters set for Private Members Motions the time...

The SPEAKER: No -

Mr. HOLNESS: ...for the sitting of the House would have expired.

The SPEAKER: Though you know House Leader, and Leader of Opposition Business, I'm going to urge Mr. Kellier that you insist that some of these Private Members' Motions go forward even if we have to sit until midnight or after midnight. You know it just seems to me we should just be able to debate these motions whether they take half an hour or 5 hours, we go to midnight and we just try and get them of the Order Paper. So House Leader I'm urging you to please-

Mr. HOLNESS: Mr. Speaker, your suggestion is welcomed.

(*Sotto voce* remarks by a Member)

Mr. HOLNESS: I would like it to be known clearly, Mr. Speaker, that the House Leader and I'm sure the members on this side are willing to stay here.

The SPEAKER: 'Til midnight.

Mr. HOLNESS: ...until 12 o'clock to clear the Order Paper of the Private Members' Motions.

The SPEAKER: Yes, yes, Mr. Thwaites.

Rev. THWAITES: Mr. Speaker, I indicate my willingness to proceed with any motion that is on the Order Paper in my name at any time preferably, however, with a days' notice. But Number 14 will be quite proper today. As regards the timing of the sittings, there is another option. While you may be

quite correct, and it is in your power to keep us here until any hour, after about 9.00 o'clock at night I think that it is appropriate to either pray, sleep or make love.

(Laughter and Inaudible comments by Members)

A MEMBER: Amen!

Rev. THWAITES: And the –

One MEMBER: In that order, in that order!

(Applause)

Rev. THWAITES: And the other alternative is, there are other days in the week which the Standing Orders provide for Parliament to meet. When anybody in any job the most menial or the most exalted in this land can't get through their work in the normal working hours, Mr. Speaker; what do they do? You come back on a weekend or you stay later. Much obliged, Mr. Speaker.

The SPEAKER: House Leader and Leader of Opposition Business, I think we have done in relation to Questions and Answers. We now need to clear up the Motions and we want to do it before March of next year. Okay, very well.

Mr. HOLNESS: Mr. Speaker there is – oh, sorry. Well, no Mr. Speaker before you proceed to Questions and Answers…

The SPEAKER: Notices and Motions.

Mr. HOLNESS: Yes, there are two motions.

NOTICES OF MOTIONS GIVEN ORALLY

Mr. HOLNESS: Mr. Speaker, on behalf of the Minister of Finance I beg to give Notice that at the next meeting of the House I will introduce and have read a first time a Bill entitled: "An Act to Amend the Urban Renewal Tax Relief Act".

And Mr. Speaker, on behalf of the Prime Minister I beg to give notice that at the next meeting of the House, I will move the Public Broadcasting Corporation of Jamaica Act.

The Public Broadcasting Corporation (Amendment) Regulation and Resolutions, 2010.

Whereas by virtue of Section 3 (2)(a) of the Public Broadcasting Corporation of Jamaica Act (hereinafter referred to as the Act) the Minister may make Regulations prescribing the constitution and function of the Corporation.

And Whereas on the fourth day of October 2010, the Minister made the Public Broadcasting Coloration of Jamaica (Amendment) Regulations, 2010 amending the Constitution of the Corporation;

And Whereas it is provided under Subsection (3) of the Act that Regulations made under Section 2 shall be subject to affirmative Resolution;

And Whereas it is desirable that the Public Broadcasting Coloration of Jamaica (Amendment) Regulations, 2010 should be affirmed by Resolution;

Now therefore be it resolved by this Honourable House as follows:

1. This Resolution may be cited as the Public Broadcasting Corporation of Jamaica (Amendment) Regulations Resolutions, 2010; and

2. The Public Broadcasting operation of Jamaica (Amendment) Regulations 2010 which were laid on the table of the House on the 16th day of November 2010

Are hereby affirmed.

QUESTIONS AND ANSWERS TO QUESTIONS

Mr. HOLNESS: Mr. Speaker the Minister of Transport and Works has a question on the Order Paper. He is not in the House but we have followed the procedure set out in the Standing Orders for the request for extension of time.

The SPEAKER: Very Well.

House Leader;

PUBLIC BUSINESS

Mr. HOLNESS: Mr. Speaker, we have a fairly light schedule today for Public Business - for Government Business rather. The Prime Minister will take item Number 5 on the Order Paper under Government Business. That matter, of course, Mr. Speaker, deals with the Independent Commissioner of Investigations, the emoluments of the Commissioner. We would then move to deal with the Member from Hanover Eastern who will make his presentation in the Sectoral Debate and then we will move Mr. Speaker to take the Resolution from the Member from Central Kingston so he could start his Resolution - open his Resolution and then we will take the Resolution on the Order Paper, Resolution 29 brought by the Member from Westmoreland Eastern.

Mr. Speaker, we also have under Public Business a Report from one of our Joint Select Committees - from our Sessional Committees rather, the Report of the Infrastructure and Physical Development Committee. That should be brought by the Member from St. Catherine North Western. The Member is not here as yet, Mr. Speaker. We will recommit should the Member turn up in the House.

So Mr. Speaker we will start with Government Business the Prime Minister will be dealing with Item Number 5 on the Order Paper.

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, it is a relatively simple and straightforward matter. The House is being asked to approve the emolument for the Independent Commissioner of Investigation. I think the House that this is a position that was created by statute very recently, where we sought to establish the Office of the Independent Commissioner of Investigation to assume the functions of the Police Public Complaints Authority, to assume the functions as well, of the Bureau of Special Investigation, today an independent authority that would investigate instances of abuse by agents of the State, notably the Security forces, the Correctional services and so on.

Now, the salary that is proposed for the Commissioner, Mr. Speaker, is set out in the Resolution. It provides for Salary of just over $5.7 Million, as basic, but a Housing Allowance of $2 Million; Entertainment Allowance of $85,817.00 *per annum*; Library Allowance of $204,326; Leave Passage Allowance of $400,000 *per annum*; and Security Allowance of $21,000.00 *per annum*; And a Motor Vehicle allowance of $796,500.00 per *annum.* .

I should point out that this is not a

discretionary fixing of salary. The salary of the Independent Commissioner is prescribed by law, prescribed by the - I think it is Rule 6 of the Schedule to the Act, which stipulates that the Commissioner must receive a salary no less than that paid to a Judge of the Supreme Court. And what is set out here is in line with the emoluments of a Judge of the Supreme Court.

There have been just two areas of adjustment.

One: A Judge of the Supreme Court is entitled to a Robing Allowance. I can't remember what the figure is. But in the case of a Commissioner, since he would not be appearing in court that would not be applicable. In the case of the Commissioner as well, he will not be provided with an official motor vehicle but will be provided instead with a motor vehicle allowance, which is the standard practice within the Public Sector for persons being employed at this level. I should mention as well that there is - we're still in a transitional period because the Commissioner has assumed the staff that was previously engaged in the Police Public Complaints Authority.

Although the Commission which will be oversighted as you know by a Special Committee of Parliament, has the authority under the law to recruit its own staff. But in the initial stages the staff has been taken over and over time I imagine whatever adjustments are to be made in the posts and so on, those will be made.

At the same time, Mr. Speaker, the Bureau of Special Investigations has not been wound up or wound down. The – I believe that efforts, arrangements have been made in the Supplementary Estimates to transfer some of the resources that were voted for this year for the Bureau of Special Investigations to the Independent Commissioner, at which time that part of the transition will proceed.

The Police will, of course, still have an interest in investigating instances particularly where they involve homicide because that would be a crime that would have to be investigated. But that investigation, I presume will be done in the normal course of criminal investigations.

The matter of investigating specifically for the purpose of determining whether abuses have taken place, that function will become - will be the remit and exclusive responsibility of the Independent Commissioner.

It may be a little - I don't want to make any statements prematurely. There is a particular incident recently in Negril that has attracted not only a great deal of attention locally but has attracted attention internationally that involves the killing of a businessman and the matter is under investigation. The Independent Commissioner has already indicated the steps that are being taken.

I just want to underscore what was said when we debated the Bill to establish the office, that it is important for that office not only to be vigilant to be active and to be very meticulous and thorough in its investigations of any alleged abuse by any member of the security forces, but it is important as well for the public to be satisfied that those investigations are being pursued with the seriousness that they deserve because ultimately it is the level of public confidence that will strengthen and validate the performance of this office. That matter as I indicated is under investigation.

We had in fact built into the legislation a requirement for reports to be made up to the public on a periodic basis. We wouldn't have reached that threshold yet. But I make that point to indicate that the legislature felt that it was important for public perception and for building public confidence, and for transparency, to ensure that the public is kept informed as to the status of these investigations. And I can only express the strong hope that the newly appointed Commissioner is seized of the intention of the framers of the law, and will ensure that in the discharge of his functions, that those intentions and those objectives are carefully observed and preserved.

Mr. Speaker, with those few remarks, I ask the House to approve the resolution formalizing the package of emoluments to be paid to the Independent Commissioner of Investigations.

The SPEAKER: Mr. Bunting.

Mr. BUNTING: Thank you, Mr. Speaker.

Mr. Speaker, we have no objection to the package of emoluments. But I was concerned at the point the Prime Minister made about the transitional arrangements. Because as he mentioned, what may well become the test-case for the Independent Commissioner of Investigations is this relatively high-profile Negril case, which has attracted a lot of international attention. And I know we have - the Prime Minister, the Minister and myself, others, have been the recipients of loads of e-mails of concerns, particularly from overseas persons who are watching this case very closely.

Therefore, that's why I was particularly concerned at the transitional arrangements to absorb, so to speak, the functions of the Bureau of Special Investigations, not having been completed at this time. Became I don't believe the staff of the Police Public Complaints Authority were trained in the same sort of criminal investigative capacity that you would need in order to respond or investigate the allegations of these extra-judicial killings. And I would urge that if there could be maybe a secondment of the personnel from the Bureau of Special Investigations during this transitional arrangement, Prime Minister, so that the Independent Commissioner of Investigations can do his work quickly, given the international attention that this case is receiving. I think that would be very important to establishing, in a sense - I don't know if this is the first case, but certainly the first case of this profile, in terms of establishing the Office as one that is credible.

And the second suggestion is that there needs to be, outside of - and you know, Prime Minister, it's a new Office, so we will learn as we go along - but I think it is important that outside of the periodic reporting, that the Commission - the Independent Commission of Investigation makes - they could probably give public information, bulletins as they take up a case, not only to say they have taken up a case, but as the case progresses. Because in this age of instant communication, the reputation of the country is being scrutinized. And I think it's important for the success of the new Independent Commission, that in this first, perhaps test-case, they are able to distinguish themselves in their performance. So that's really the suggestion I would make to you. Prime Minister.

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, the arrangements for the Independent

Commissioner can't come too quickly. Since the legislation was passed, as l think every Member knows, there has been a rash of killings by members of the security forces. And indeed, I would like to underscore my friend from Manchester Central in - and the Prime Minister - in indicating the need for public - for periodic reporting.

Is there a Committee of this House Mr. Speaker that is responsible for public or Parliamentary Commissioners? And could that Committee be enjoined to meet regularly and be the forum for monthly - if possible - updates from a Commissioner of this sort, certainly in the first instance; in order to earn the credit that my friend from Manchester indicates, this will be necessary. And it is much better that it pass through the prism of a Parliamentary Commission rather than a simple exposure which may be complete or not, without any disrespect at all by the press. Mr. Speaker this is something I recommend.

Mr. Speaker, mention was made of a particular high-profile case in Negril, which is the test-case. I cannot rise - and I think every Member will support me, that there is going to be a grave sense of continuing and chronic injustice on these matters until the case of KEITH CLARKE is laid to rest. That is a critical issue... (Applause) ...and it is a shame - it is a shame that there has been no Coroner's Inquest, that there has been no report yes. I could mention others that might be more controversial - as controversial, but Mr. Speaker, this was a man who incontrovertibly was killed, shot in his back, among other places, in his bedroom in front of his family, in the sanctity of his home.

(HON. KARL GEORGE SAMUDA, CD, (JLP), St. Andrew, North Central, Minister of Industry and Commerce, entered and took his seat.)

(HON. EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism, entered and took his seat.)

And I do not believe that the sense of outage that goes to the very core of our humanity, of our civilization and our democracy, has sufficiently been expressed by this Parliament. And I am grateful for the support of the House. And it will only be meaningful when in fact those who are responsible for that investigation know that they cannot trifle with the representatives of the people... (Applause) ...but must come and give a report. (Applause)

Mr. Speaker, the other matter has to do with the structure of this salary.

Mr. Speaker, aren't you surprised at this item of leave passage allowance? What is this, sir? The banana boat mentality of the 1950s, when the Judges had to go home every summer, and had to have their passage paid on the **Royal Mail Line**? (Laughter) What is this, sir? Is this list of items on a salary package - Mr. Speaker, not one penny of it is begrudged the Commissioner, not one penny. But the way it is structured, are we, the Parliament simply to say yes to something which is a clear attempt at tax evasion? That's what it is.

Mr. E. SMITH: Well, why don't you oppose it then?

Rev. THWAITES: That's exactly what I am doing, My Lord.

Mrs. HENRY-WILSON: Exactly!

Rev. THWAITES: And I am asking that in fact in the future that we really make the process of Public Sector Reform - Public Service Reform it's a very important aspect of it - that we simplify all of these allowances

and exclusions. The former Prime Minister, the Honourable Edward Seaga did an effort at this in the 1980s, I remember well, and we would well have taken his advice. Let's make a simple package, and let's make a lower rate of tax applicable, and let's have things simple and routine, rather than these effete things about leave passage allowance, Library allowance, and entertainment allowance.

This doesn't send a good signal towards efficiency and modernity in the public sector. May it please you.

(Applause)

The SPEAKER: Can the Prime Minister...

(The Prime Minister rises)

Dr. McNEILL: Mr. Speaker....

The SPEAKER: Sorry, Prime Minister. Dr. McNeill.

Dr. McNEILL: Mr. Speaker, I would just like to support what was said by the Prime Minister and the Member from Manchester. The newly-formed Independent Commission - one of the things that has to be done, there has to be a process by which this sort of public education of what they are doing is out there, and there must be some formal - there must be some way in which they operate. And I am wondering if the Committee that's supposed to provide oversight from Parliament, of this Commission, if they are going to set something in place to set the format on how they are going to give this public education.

The reason I say that is that in the case in Negril, I wrote a letter on November the 7th, to date I have not gotten a reply from the Independent Commissioner. They have issued a press release, but at the same time the question is, having issued a press release, I am getting calls from persons, not only here in Jamaica but internationally, asking what is going to happen. I think we need to have something formal in place that says how they are going to give us the information, in what sort of timely manner, so that we can answer the questions that are asked of us, as political representatives.

So I think that in this new Commission, going forward, we, in Parliament, have to also determine how they are going to operate, so that they can succeed in getting the information out there so that people can feel that justice is being done and is seen to be done. (Applause)

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, there are a couple of issues that have been raised that require a response. The Member for Central Manchester raised issues about the transitional period, in terms of the utilization and the control of staff.

As I indicated, the staff - the entire staff of what used to be the Public - Police Public Complaints Authority, was assigned, not on a permanent basis - I am not sure of the technicalities in terms of how they were assigned, but I know that it is on a temporary basis until the new Commissioner has been able to establish his own procedures and recruitment policies, and so on. That staff includes - I believe the number is twelve investigators who, to the best of my knowledge are all former police officers trained in criminal investigations. Some of them I think are retired police officers at fairly senior level, who have been employed at the Police Public Complaints Authority.

This is going to have to be a work in

progress until the complete absorption of the function of the two agencies that it is replacing is complete.

Insofar as the salary package is concerned, it's locked in, as I indicated, to the salary off Puisne Judge. I am told that the question of leave - what is it called, leave passage allowance, really is part of the emolument package. It's an entitlement, as I understand it, whether or not you jump on a plane and travel to a particular place, as might have been done in the days when the boats used to dock in the Kingston Harbour. It is a negotiated, accepted part of the salary package. Perhaps we need to look more at the nomenclature than to look at the quantum of money that is involved.

I want to say one final word, though, because I get a sense from the two - the three Members who have spoken, a concern about the alacrity of the response and the level of activism of the office. In fairness, the office is new, the appointee is new, and I think the jury still has to remain out a little bit.

But I want to say this, we can design and structure these offices as carefully as we may feel the functions require. We can invest in that office tremendous power and authority. In many instances the effectiveness, and certainly the public perception is influenced to a great extent by the holder of the office, and how that holder performs.

I will give you an example. The current Contractor General, for example, has stamped a different kind of personality on his office than any of his predecessors.

One could draw a comparison, for example, between the posture of the current Director of Public Prosecutions and some of her predecessors.

So, the point I am making is, that a lot depends on just the approach that an individual takes and the extent to which the Office is energized and public perception of it is that this is a serious man or woman of business who is taking the business seriously. Which is not to say that in the absence of this public display, the business is not being taken seriously. But it certainly gives the public a greater ability to assess, and perhaps a greater level of comfort when they can see and hear and feel that this is an Office that is serious, that this is an Office that is aggressive in the prosecution of its duties.

And I express that view and hope that the Commissioner is mindful of the expectations that the public have of his performance and the necessity, the necessity and importance of this Office functioning effectively in the discharge of its responsibilities.

With those few remarks, Mr. Speaker, I ask the House to approve the Resolution.

The SPEAKER: Members, before you is No. 5 on the Order Paper, which has been moved by the Prime Minister and which the debate is completed.

Put to the House and agreed to.

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, the Member from Eastern Hanover will now make his contribution to the Sectoral Debate.

(Applause by Opposition Members)

Mr. BUCHANAN: Hear, hear!

The SPEAKER: Dr. Duncan.

Dr. DUNCAN: Thank you very much, Mr. Speaker.

Colleague Members of Parliament especially the Leader of the Opposition, who has guided this side of the House for the last

three years and more, (Applause) in a way that has contributed significantly to the democratic process in this country.

Mr. BUCHANAN: Leadership!

Dr. DUNCAN: I want to say a special thanks to be Leader of Opposition Business, for having assisted in seating me behind that Leader of the Opposition to watch her back....

(Applause by Opposition Members)

…because we are very critical to maintain the uprightness of that stature for the two years that are ahead of us before the change of the present Government.

(Applause by Opposition Members) (Laughter

Mr. BUCHANAN: Sey dat again!

Government MEMBER: You were doing very well up to that point.

Dr. DUNCAN: Mr. Speaker, I stand here with a sense of trepidation because the last time I spoke in this debate was two years ago, I didn't speak last year. A number of Members of Parliament have not spoken this year and I am sure don't intend to speak, because most of us feel that this section of the debate is not worth the paper it is written on in **Hansard**. We achieve very little in this section of the debate, other than, if we can mobilize our constituents either to come here, as I tried to do in the last 15 minutes to call them to say, 'watch I might speak'.

The purpose of this section of the debate, I am almost at a complete loss as to what it is about. But, it has to be about something, and it says:

> Be it resolved that this House of Representatives approve the plans and programmes being pursued in the areas of production, commerce and infrastructure and further approves the policy projections as announced for the financial year 2010/2011.

And notice was given of this Motion on the 21st of April, 2010.

And this is, I think, November 2012 - 2010, it might as well be 2012, because we are going nowhere fast.

It gives, however; the Ministers a chance to speak to their portfolio.

(Power outage)

Dr. DUNCAN: Thank you, Mr. Speaker, for your intervention in relation to the power.

(*Sotto voce* comments by Members)

Mrs NEITA-HEADLEY: Power! (Applause)

Dr. DUNCAN: I say, Mr. Speaker, we could make more and more observations about this session of the debate, but usually what is required is really to say, what else, what would we do differently. And I must confess, I am at a loss as to what to do. I would therefore suggest that maybe you could think, Mr. Speaker, of a Committee of the House or something or a present Committee that deals with these matters to look at this debate again and see how productive it really is and what can be the best use of the time of the members of this House in relation to this exercise.

I say that, Mr. Speaker, because I said the same thing two years ago, two years ago. I said that the format that has evolved of having this protracted Sectoral Debate may need to be evaluated to see what improvements can be made to make it more public-friendly, including reviewing the time allotted to it.

Now I hope I got to my constituents in time for them to watch PBCJ or JNN as the case may be. But most of them in certain parts of Hanover East don't have PBCJ on

their schedule. And therefore being not a Minister of Government nor an Opposition spokesperson, I am losing the advantage of audience participation outside of this House.

So, therefore, I could sit at this stage in terms of outcomes, positive outcomes for a Member of Parliament participating in a serious debate in this Parliament. But I'll suggest that maybe the Members could think about it and maybe either informally or formally, sit down and really examine this thing that we are doing and see if it is getting us anywhere.

I have had the opportunity to speak to a member of the Press about it and they are so disgusted with it, it's not funny. They don't say a lot on it, but I am sure the time will come when they are going to really lambast us for this exercise.

Mr. Speaker, nevertheless, I take the advantage of - since I am on my feet - (laughter) to say some of the things that all of us say, hoping that we will get some publicity, some press that is reasonably positive, so that we may look good for the next election.

As a consequence of that point I also want to make reference again to something I said two years ago in my presentation in this debate when we - in the just year. I did not speak last year because I could not speak consistent with the criticism I had made the first year, but I rise because I say it's time to say something, because when I go into the constituency people say, 'but yu nah sey nutten'. (Laughter) So, I stand up today to say something, hope that...

(*Sotto voce* comments by Messrs. Mair and Gallimore)

Dr. DUNCAN: .....somewhere out there, somewhere out there in one of the boats, in one of the boats in Chigwell, somebody is watching.

(Applause by Opposition Members) Maybe somewhere out there in some of the break-aways, as a result of the last set of rains, either in Jericho, Kew or Buxton, somebody is watching and says, I wonder if the MP will say, I had a breakaway at Buxton and they think that something can be done about it in this House. That I want to disabuse their mind that anything can be done about it from this platform in this House. What you do, you have to follows every one of the Ministers, be very nice to them and hope that one day manna will fall from that side.

(Mrs. Neita-Headley laughs)

Dr. DUNCAN: So, therefore, that brings us to the other twin question, Mr. Speaker: the role of the MP. I spoke to it the last time I spoke about the need for quality representation, right because part of the.....

And I would like to make a systemic point here, but in a very simple way I hope. Part of the reasons why a significant number of persons go through the agony and the trauma of election is to come to this Parliament hopefully that you would have won office, even if you have no power, you would have won office and you can sit on the Government side and sit, hoping one day, that the Prime Minister is going to bequeath you with a little Parliamentary of State work or a Minister of State work, or maybe even one day a Minister work. That is a prime hope deep in the bosom of a lot of MPs who come in on the government wings. Because the path to quality representation, a career path to make a significant contribution to the politics of this country does not rest here, does not rest in this House. It rests in the Executive branch of the

government.

And, I am not quarrelling with it I am just observing once again, that's where it rests. And that is part of the reason why this exercise called the Sectoral Debate becomes a farce, because nothing happens to anything that you say here. Right. (Applause)

(*Sotto voce* comments by Government Member)

Mr. JACKSON: You are a historian.

Dr. DUNCAN: Now, a Member raises the question, and quite correctly, that the CDF plays a role or assists the Member of Parliament to do some things. Originally, as I understood it, it was set out to be what it was called Constituency Development Plan. But all of us in this House knows - I would like the Press, if they are kind enough just to follow a little bit that the pressures out there in the constituencies are so great that that noble concept of development, gets a blow when it bucks up with the reality on the ground on a day-to-day basis. (Applause by Opposition Members)

And a significant case in point of how the problems develop and we get caught up in such a way where people lose respect for Members of Parliament, is the case of the Member from East Central St. Catherine. Right.

Here is a situation where, there is a CDF, a Fund for development. Here is a continuing situation which happens almost on a daily basis, but in her case, in this case study, a critical problem presents itself, the community mobilizes itself around that problem, the MP responds to that problem, the JLP Councillor responds to the problem, the Parish Council responds to the problem, but the State can't respond to the problem.

(*Sotto voce* comment by Mr. Witter)

Dr. DUNCAN: It cannot.

And we are the representatives of that part of the State that is supposed to give the rapid response. (Applause)

So, in that context when you strip it of everything else, and you say okay, the Contractor General is correct, rules must be followed, procedures must be followed, but how do people get help quickly in the situation and the system in which we work? (Applause)

How do we get it? So we have to look very seriously, Mr. Speaker, at ourselves, at ourselves and how (a) we behave one to another and to each other.

(Applause by both sides)

Because as that body of people in this country, who are at the lowest of the totem pole when it comes to respect, MPs or parliamentarians, we have to go back in a wi self and see what is happening. (Applause)

We cannot respond to every newspaper article and run for cover. If you know that you have integrity, and if that integrity is being inpugned without just cause, stand up and fight. (Applause) The duty of the Press. - not so much the duty. Part of the responsibility of the Press is to make some money so the business can prosper.

Mr. CHARLES: Politician ah help them.

(Inaudible comments by Mr. Mair)

Dr. DUNCAN: But we sometimes let down ourselves. Not just..... How we speak across here to each other. (Applause) What we say out there on the streets about each other. (Applause) We have to develop some minimum standards that will begin the process of rehabilitating... (Inaudible comments by a Government Member) Yes... the perception that the people have of us as a group. So, Mr.

Speaker, we have come a very far way.

Government MEMBER: Too much hypocrisy!

Dr. DUNCAN: In the Parliament, in response to some of the demands, the Prime Minister at the beginning of this session instituted the Opposition persons being chairpersons of Parliamentary Committees. (Applause) Prior to that, the People's National Party opened the committees to the public scrutiny. The actual chairpersonship came after. (Inaudible comments by a Member) The PAC was always that, but that was an exception rather than the rule... (Inaudible comments) No, I'm not here talking partisanship. I'm talking to a point on this. Those of us who know deep down in our hearts that we come to this House to become Minister in the first instance. We need to look at a system where...

Mr. JACKSON: Not all of us.

Dr. DUNCAN: ...Members of Parliament, especially when you are a little on the Government side, but right throughout, can see a clear career path for themselves in the political process which makes you don't have to focus on the one prize but on other prizes. And one possible way, there are a lot of thoughts on this. But I'll just mention one possible way. That the committee system could be so organized that we really, really present ourselves as an oversight chamber for the executive in a genuine way, rather than partisan support on one side and partisan against the other side on all issues. But look at issues and see if we can develop a system where Committee chairmen, for example, who perform well over a period of time, that path takes you to somewhere where that post or a similar kind of post is respected, respectable and also pays you. (Applause)

Because I come to the last point about MPs and how people react to us. They think that we earn money. We don't earn nuh money. And I ask the Press and invite them to come with me to Hanover any weekend, from Thursday to Monday, and see what takes place between Hopewell, Sandy Bay and Chester Castle on any weekend. And bring some money wid yuh, because we are going to borrow it in order to beat some genuine needs of some genuine people. (Applause) Come wid us into Jericho. I'm sorry the Minister for Water is not here now, but I know that the Member for South West St. Elizabeth hasn't got anything to do with it, his absence. (Applause) (Inaudible comments)

Mrs. NEITA-HEADLEY: Hear, hear!

Dr. DUNCAN: Ah haffi touch it little. Ah haffi touch it little bit.

Mr. BUCHANAN: Ah see the headlines, Tough Times Ahead!

Dr. DUNCAN: Come with us. Mr. Speaker, ask the Press to walk with us to Jericho, a place called - with a place close to a place called Claremont, Claremont, to Jericho, to a Cascade, where for decades people have been without water. And for decades the National Water Commission has been saying, next time. Reminiscent of a great political leader. Next time. And when you get there, Mr. Speaker, you are given a letter which says: Member of Parliament.... It could be any of us, but for the time being it's DK Duncan.

> Dear Sir, Thank you for the fulfilled promises made to us the 'dead people' of Jericho. Dead people in inverted commas. Dead because the National Water Commission's slogan, Water Is Life, makes us all dead people since for many

years we do not have that precious commodity, water. Now with the severe drought on us, we are really in crisis. Now with rain, there is still no water!

What I'm saying, these are real life problems that you meet out there. And this is at a higher level of representation.

Walk with us over to Ramble where the Minister of Health, when he had a certain aspect of his portfolio stay intact, came to visit us at a... where is the Member for Western St. Mary? He likes to refer to the Royal Rest Cemetery where people make representations and you have to respond.

Now, the State responded, both before, in the previous administration and also in the present administration. And the people are happy. But they are left with a sense of insecurity because nuh papa nuh sign. Because the process of getting things done are so slow and so cumbersome that I'll have to win another term in order to see through. (Applause) So I therefore remind the Prime Minister and the Minister for special response, who is now I think... I think he is now the Minister of Information. Does he do special projects still?

A MEMBER: Everything. Everything!

Dr. DUNCAN: ...to get the - to lay the Royal Rest Cemetery to rest with a document which says, the people are safe.

But I'm only giving these as examples, Mr. Speaker. You know them. You go Barbican Square and you see it. You are faced immediately with the short-term problems, the medium-term problems and the long-term problems. So whether it is water, whether it is cemetery, whether it is road, there are problems.

How do you explain to people the truth that you are not going to get a road fixed for the next 40 years?

(Inaudible comments by Mr. Clarke)

Get …and the way to prove it is to see if the Ministry of Works, through the NWA would provide us with a list of all the roads in our constituencies or parishes, so you can really have dialogue with your constituents and tell them the truth and prioritize. It has taken me three months and I still can't get the list. (Applause) We are supposed to have a Constituency Development Fund. Infrastructure is a critical part of development. But you now have to play ketchi shubi with the programming.

Mr. CHARLES: Boy, you're ungrateful.

Dr. DUNCAN: But nevertheless, in Eastern Hanover it has been reasonably successful. First year, $17 Million spent on one particular road which, apart from transportation for school children and workers, it also leads to a tourist resort, the Mayfield Falls, you know, so you try to marry the thing. Leading to developments, day-to-day needs of the people. But when you've spent Seventeen Million out of...

Mrs. NEITA-HEADLEY: Twenty!

Dr. DUNCAN: The first one was forty ...out of forty in the first year, what is left, because the pressure is on us for the back-to-school. The passed is on us. No matter how they look down on their noses at us, the pressure is on us for the special employment at Christmas time to ease the little pressure and have a little bit of enjoyment and some rum cake when Christmas comes and brighten up their Christmas.

But we, for some reason, sit there and allow them to give us the impression that we are crooks for helping people to have a little

Christmas. Stand up and fight!

(Applause)

I didn't need to speak last year, Mr. Speaker. I didn't need to speak last year, Mr. Speaker, because the Minister then, Minister of State in the Office of the Prime Minister, who is not here at the moment... I think she is hoping to return... spoke for me in her budget debate. And I'll read very quickly and quote from her. In giving a report on the CDF, the much maligned CDF. I'm asking the Press come walk with me, come we go look on the projects.

Bring yuh water boots because there's plenty water in Forest, Pierce's Village and Chigwell. And bring some bully beef and some kerosene oil because yuh gwine stay overnight where there's no electricity and yuh gwine drink and stay wid me next day and don't have nuh pipe water fi drink. And then yuh have to come with me to the pit latrine. But come with us, because we are the endangered species, because we dare to hope to represent people and to represent Jamaica.

(Applause)

(Inaudible comments)

What did she say last year, Mr. Speaker, in Hanover in relation to the CDF? And this is the God Almighty truth. The whole truth and nothing but the truth.

Government MEMBER: I believe you.

Dr. DUNCAN: As spoken by the Honourable Shahine.

> "A revolving Goat farming project is being carried out in Eastern Hanover, Mr. Speaker, where individuals receiving benefits must sign a written agreement with RADA and commit, not to the MP, with RADA, the State agency responsible for these things ".

Mr. BUCHANAN: Tufton do that.

Dr. DUNCAN: We facilitate, we represent and the State agency is supposed to deliver and commit to giving over at least two of their young goat kids after the goats produce its first drop to new farmers in the programme.

Now, the set a man dem in the society who is more concerned and are correctly so, with the balance of payments, the inflation rates and the whatever it is, gives two goats to the next farmer from the first goat, nuh balance a payment nuh come in a fi him argument. Because that's his development.

> "Thanks to the CDF" she said, “farmers are learning new techniques in creating cottage industries from products derived from unsold farm produce that would have otherwise gone to waste, and the excess utilized in the household, thus assisting the farmers in enhancing their food and income security". (Applause)

And she goes on to complete...

> "The Cascade to Cash Hill main road",

That's the one I tell you that now leads also to Buxton where you have a big breakaway for the last five years. It can't fix, because they say there's no money to fix anything, right, and it goes to Mayfield Falls. She says,

> "was the first infrastructure project for the Eastern Hanover constituency”.

The project cost $17 Million and was implemented by the National Works Agency. We recommended that they don't bother give it out to tender because we were hoping that what they call **force account**, the agency do it

themselves, cut out the middleman - might mek a little profit - and the road could go little further.

So, we are trying. But nobody in the Press is going to read that and say, some thought has gone in to saving some money. But mek them ever go down there and see two man in a orange shirt or two man in a green shirt working, them gwine say the politics gone to the dogs.

Come with us and walk to Cash Hill where the Minister said the members of the community, through two major community-based organizations... Those two major based community organizations was not the PNP or the JLP. They were CDOs, run by the SDC, non-partisan, but committed citizens with PNP and JLP in it.

Mrs. NEITA-HEADLEY: That's correct.

Dr. DUNCAN: And proud of being PNP and JLP, too, but in it for the road, because the road is not PNP road or JLP road. Admittedly, ah get more votes there than the JLP man. This has been a major resurfacing of the road and additional works are being undertaken to put in the requisite drainage. Overall, the project has impacted positively on the communities of Cascade, Cash Hill and the adjoining districts of Buxton, Patty Hill and Smithfield.

Dr. DUNCAN: Now, Mr. Speaker, I dwell on these points because I really feel that the time has come for us to...

(*Sotto voce* comments)

Dr. DUNCAN: …have a response to the perception that we who sit in this House...

Mrs. NEITA-HEADLEY: We are thieves.

Dr. DUNCAN: ...are all thieves.

Mrs. NEITA-HEADLEY: Yes.

Dr. DUNCAN: ...that we who sit in this House only come in here for our own personal benefit.

A MEMBER: True!

Dr. DUNCAN: Any one of them want my salary next month, and I beg them come with me and spend it, I will give them. Because after PNP take out what they must get - because the party haffi run...

(Laughter)

...the $200,000 that leave caan manage the giveaways on the three or four weekends before the next one come. So, fortunate for me, I am a professional...

Mrs. NEITA-HEADLEY: That's it.

Dr. DUNCAN: ...and I can have an office. But what about all those people who don't have a second income, and a third income to back up? No income, which is what we get in here. They cannot enter the political process, and sooner or later, it is only certain type of people swine come into Parliament.

Mrs. NEITA-HEADLEY: That's it.

(Applause/*Sotto voce* comments)

Dr. DUNCAN: Stand up and fight but fight with performance, fight with respect and fight with accountability...

Mrs. NEITA-HEADLEY: And integrity.

Dr. DUNCAN: ...and integrity.

(Applause)

Fight with participation, accountability and responsibility. Those three letters are called, in the PNP's Progressive Agenda, R.

Mr. BUCHANAN: Tell them again.

Dr. DUNCAN: So, Mr. Speaker, I make those points in relation to the role of the MP, how we see ourselves and how others see us. What is the relevance of us, as MPs in a debate like this which goes no further than PBCJ, and if I can mobilize my constituents in

time to have a good look at the Member of Parliament.

So, I then go to some of the problems that we have here. And this will be very familiar to most of the Members on that side who have at least three years of recall. The big problem, as everywhere else, but all of us see it as you leave here, the sanctuary of the Parliament and go down to your But, we face that problem as genuine constituencies, jobs, jobs, jobs.

(*Sotto voce* comments)

The SPEAKER: (Gavels) The Member's time for speaking has expired.

Mr. HOLNESS: Mr. Speaker, the Member had promised me that he would spend 45 minutes. His speech is entertaining, Mr. Speaker, so will, will...

MEMBERS: Informative... and incisive!

Mr. HOLNESS: ...informative, and incisive and entertaining, so we will therefore, Mr. Speaker, allow the Member sufficient time to complete his presentation.

(Applause)

The SPEAKER: The motion before the House is that the Standing Orders be suspended to allow the Member sufficient time to complete his presentation.

Put to the House and agreed to.

The SPEAKER: Dr. Duncan.

(Applause)

Dr. DUNCAN: Thank you very much, Members. Thank you very much, Mr. Speaker.

I raise that not for the propaganda value, but it does have a little propaganda value, to remind us of the jobs, jobs, jobs!

But we face that problem as genuine representatives...

Mr. KELLIER: The jobs man quiet.

Dr. DUNCAN: ...that we have to - what role can we play in the creation of those jobs, one way or the other facilitating, or whatever? It is a challenge. Is that only the job of the Member from North West...

A MEMBER: North Central.

Dr. DUNCAN: North Central St. Andrew, or do all of us have a role to play?

Mr. JACKSON: Or Red Hills Road.

(*Sotto voce* comments/Laughter)

Dr. DUNCAN: Consistent with my... consistent, Mr. Speaker, with my concern about the role of the MP, the system that we operate in, which, after a while you bow to the system, and you stop fighting it and say, *let me see what I can get out of it*, and you know it is not working.

So, I make reference to the thing about the - a career path for MPs, other than Ministers who would then have a career. I make reference to that because I see, on both sides of this Parliament persons who should not just be sitting here listening to speeches, and once a year you get a chance in the Sectoral thing to parade yourself There are some other things that we should be able to do to really influence policy. And I made this suggestion two years ago, and I repeat it to see if maybe, something could be done about it.

As I understood it, in my time when I was... twenty-odd years ago before I returned to this Parliament and when I was, for a short period, involved in governance at a particular level, that each year there is a Budget call - South St. Andrew MP, that still goes on - there is a budget call...?

A MEMBER: It doan look suh to me.

(*Sotto voce* comments)

Dr. DUNCAN: ...that they the Ministers

or the Permanent Secretaries send out a call to the ministries to say put in what you need - what's going to happen for next year, recurrent and whatever, right - a budget call as the first part of the budget cycle, which is the preparation of the Budget. I am saying again can we find ways and means of getting this Parliament and its representatives involved from the beginning of the budget cycle in being part of that call, to give us an incentive...

(Applause)

..to really do, which we do from time to time - like, if I hear... last year when the Minister for Works had no money, I hardly went over there to sit beside him, but when I heard 'bout the China money, almost every sitting of the House, I go and sit beside him. (Laughter) Now, I would much prefer if I could make those representations collectively here through the budget call; it goes into the budget cycle, and is reflected hopefully, when it comes finally, to the Executive, and then you return to Parliament. So, when we looking through that big old book, all of us every year, do so quick, quick, quick, run through, to see if East Hanover in there; Knockalva High School get a little $5 Million; this get a that and you close the book and then we come here and we go through the Standing Finance Committee; and we find a way to ask some questions, most of them irrelevant.

(*Sotto voce* comment)

Dr. DUNCAN: Is there a way for us to be integrated into the process of that budget cycle?

(Applause)

So that, if we now want to feel that there are lands - State lands in our constituency, government lands, like the list that was sent to us by the Office of the Prime Minister two years ago, and I went and asked for it, we can just sit down now and we can really say, these are some lands; these lands are suitable for a particular kind of production; this is suitable for that; suitable for that; the backward linkages, if you have tourism in your thing, what the farms can do to produce, *et cetera*, we know the drill. But the key is, if you feel that when you do that at the end of the cycle when those Estimates of Expenditure are presented here, that you have been given a fair deal in relation to prioritization of projects, then you would feel as if it is worth it but right now we have to follow back a Minister...

Mrs NEITA-HEADLEY: True!

Dr. DUNCAN: ...on either side when either side is in office, and see which Minister will say, I will try look after you. It is demeaning to me...

(Applause)

...but I will continue to do it as long as we have the interest of the people at heart, and the outcome is to get the roads, the water, the light and the jobs, so that they can be satisfied with our representation.

The Minister of Education knows that there are two high schools in Eastern Hanover, 21 primary and All Age schools, 35 Early Childhood Education institutions. How is it that a Member of Parliament can, other than just straight PR business, you know, where you go to the school and say let me talk to the PTA, let us talk to the grade, whatever, nine, whatever you want to talk to... other than that PR to keep in touch, how can I meaningfully relate to these 58 institutions to see if there is something that can happen in that parish or in that constituency in relation to when they leave school and finding some opportunities for jobs.

(HON. AUDLEY SHAW, (JLP), Manchester, North Eastern, Minister of Finance and the Public Service entered and took his seat.)

Since I don't have all day, I am just throwing out all of these things - the challenges that we have.

Mr. Speaker, in the middle of the presentation, I am asking the members of the Press to walk with us through the constituencies. I am only using mine, not selfishly or in my own self-interest, for today, as the case study. But, I think everybody can identify with it.

Dr. BARTLETT: You might be disappointed.

Dr. DUNCAN: So, if we start from Elgin Town - Mr. Speaker, that's in the West, neighbouring West Hanover constituency, where in Lucea the perennial problem of drains, drainage continues. So, you don't have to speak in this debate because I have said it already.

(Laughter)

So, as we move to Elgin Town and you turn right up to go to Jericho, there is a big breakaway, not caused by - what's the latest breeze-blow we had - Nicole?

A MEMBER: Tomas!

Mrs. NEITA-HEADLEY: Tomas never come at all.

Dr. DUNCAN: Not Tomas, Tomas became a... well, the less said about Tomas at this point, the better. Let's stay with the other lady - Nicole, the lady. Walking up that road, there is this breakaway which existed before...

Dr. BARTLETT: Yes, 18 years ago.

Dr. DUNCAN: Myself, the Minister, was kind enough to visit that breakaway - Minister from Central Clarendon and his colleague, who are now in a subcommittee meeting, Mr. Speaker, to look at it. And I hope I live long enough to see that breakaway repaired.

A MEMBER: Hear, hear!

Dr. DUNCAN: Because, as you know, Mr. Speaker, I am getting on, but I hope I will live long enough. He saw it; I saw it. The need is clear...

Mr. HENRY: And you will vote for me after that.

(Laughter)

Dr. DUNCAN: ...and the priorities - we continuing up that road. Minister, if you had continued with me, we would have continued up the road to Jericho where the Post Office - the Postmaster General - I got a call on a Friday to say the Post Office was going to be closed down, on a Friday.

(*Sotto voce* commence by Government Member)

Dr. DUNCAN: I had to spend over $100,000 to relocate the Post Office, and so engaged the people down there, to let the Post Office remain. This is a place that...

Dr. BARTLETT: What if there was no CDF?

Dr. DUNCAN: No, no, that is not CDF, that is D. K. Duncan money - personal money... (Applause) ...because that CDF, Mr. Prime Minister, could not respond. If I responded with the CDF I would run into the trouble that the Member for East Central run into. An immediate response was needed. You can't do it through the State. The CDF which was there put for rapid response is not capable of responding quickly in those things. So, I had to do it myself.

(Applause)

And then now you cannot retroactively tell the Head of the CDF that I did that, so reimburse the money because the Contractor General

would then have a headline in the paper to say '*Duncan Once More a Thief*'. That is the headline that would come.

A MEMBER: Yes. Talk up the things!

Dr. DUNCAN: So, let us grin and bear it. Hopefully, our reward will be somewhere. Heaven... …wherever it is.

(Laughter/*Sotto voce* comment)

Dr. DUNCAN: No, but we are now in Jericho and we are at this Post Office, because Friday they are closing it; Monday morning we are opening it after the citizens come together, help paint up, put on the burglar bars, put in the this, put in the that and the cooperation of the Post Office officials who were closing it in the first instance. And the people were satisfied.

Remember now, you know, that same community don't have no water for thirty-odd years, neither Claremont Jericho nor Cascade. But you going up the way, so you stop at a refreshment centre - Mr. Prime Minister, you know those centres where, I think they sell things that are on the back of the thing? And a man say, *a long time we nuh see you*. You might have been there the week before, you know, but the persons who are now in that community, they didn't see you two weeks ago. So, both of you are true. Alright, they haven't seen you for a long time although you had been in the community two weeks ago, and then you become now the subject of abuse - abuse!

We have to find a way where people see their representatives once again, having integrity, and therefore, your word counts for something. So, if I tell you that I was there last week, somebody can verify that, you don't have to cuss me. But the abuse, members of the press, is through you, Mr. Speaker, that we get out there on the road for not being in everybody's house every day and the night – every weekday, is unmanageable.

(*Sotto voce* comments)

Dr. DUNCAN: But nobody did put on handcuff pon we hand and say tun MP.

(Laughter)

So we spread the bed, we have to lie down in it, but mek we get some new chenille sheets and some other things to spread the bed.

(Applause)

Mr. Speaker, I will complete soon, in a few minutes.

I just want to say in ending that we could go across the constituency and show - and I hope we can get the opportunity for other people to do this, not necessarily in here, but members of the Press who write some of these articles, some of them with more than grains of truth. But there is another side to representation and Members of Parliament and we need to show that side, the caring side, the real representative side, the leadership side, the side that takes the battering and the bruises that should go to public servants who sit in their offices and expose us... (Applause) ...when things are to be done on time and they are not done on time. But they are not the ones on the frontline, we have to face it. But we sit there, and if appears to be an advantage to one side, we don't back up the other side. Let us understand that the system is going to bring down all of us...

Mrs. SIMPSON MILLER: Amen!

Dr. DUNCAN: ...if none of us can find the generosity to support some of us. (Applause)

Mr. Speaker, as I said those were mainly a journey in a small part of the life of a Member of Parliament. A journey in a short - in some

of the impediments that we have in this Parliament to feel that you really mean something and can make a difference. Right, rather to sit down here hoping that one day l will be the Honourable DK Duncan, Minister of....

Dr. DAVIES: Your honor.

(Laughter)

Dr. DUNCAN: Just a quick word, Mr. Speaker, that it is not that when I make these comment, it is not out of any hurt or bitterness, it is out of years of some experience that I have had. I have had the good fortune to get two bites of the cherry in this Parliament separated by a period of time in which there were vicissitudes and other kinds of tudes...

Dr. DAVIES: What is the word?

Dr. DUNCAN: Vicissitudes and attitudes. So, I will be able to look at life from more than two sides, three and four sides. And I feel from time to time if I can make a contribution to the narrative that goes on, I will try without trying to be overbearing.

There are some questions that I would like to expand on but I would only mention them in closing because I don't want anybody especially the Press to feel that Duncan is a little parochial politician and don't understand big concepts and big idea. Right? And I say this, because I see how they treat some of the speeches, some of the comments that are made by representatives. I am willing right here, Mr. Speaker, to sit right here watching the Opposition Leader's back and don't say much because we have spokes-persons like dirt, who can speak for hours and days, and will be speaking from that side in two years' time. (Applause) But for now, we have some important things to do in the next two years; for two years to tidy up parts of our image, especially for young leaders just elected.

Financing of election campaigns has to be a priority because that is part of the root of the perception that we are corrupt, that we go in and dem think sey we have the money for the - all the money for these contracts that we give out and a get 10% of the top. It is a feeling out there. We have - if it is not so let us demonstrate it (Applause)

In the - the Charter of Rights is outstanding, it is on track. We need for the people of Jamaica to feel safe and secure in their citizenship. (Applause)

The CCJ, it is time that our patrimony and our sovereignty and our self-respect, (Applause) which is now agreed upon on both sides, be consummated. Commission of enquiries if they are to be done, must be done with dispatch and with the kind of respect for all the opinions so that the outcomes can then be respected, the consultation was there.

Debates and term limits coming up cannot be seen in isolation from a wider range of constitutional things, especially how we separate power in going forward so that they can be responsibilities of oversight and implementation separately. And we also have to face this other thing which may cost us some money in terms of referendum, but it is really time now that we stop having the Queen. I mean, I was in Parliament 40 years ago when these arguments were being raised, and 40 years later it is not being raised anymore, but she is very fine where she is on top of us. So, Mr. Speaker there are a number of issues, a number of issues like those which are on the Table, which are on the Table and have to be discussed.

I promise you, Mr. Speaker, that if this House feels that I have any contribution to

make; based upon my experience, learning from mistakes as well as being proud of certain things that were done; as proud as I am when I heard the Minister for Foreign Affairs and Foreign Trade give this House a dissertation on Cuba in the debate on blockade, I said to myself... (Applause) ...there, but for the Grace of God goes D K Duncan. (Laughter)

Dr. DAVIES: And creng creng opposed it!

Dr. DUNCAN: No, but I don't want to be facetious, I really want to thank - to say that your presentation, not only, I noticed it not only about just the superficiality of just the blockade, but the...

The SPEAKER: The context.

Dr. DUNCAN: Not just the context, the substance of it. And this might sound like a little foolishness, but when you spoke about the micro dam, I said to myself and I sang quietly in my head, "I must have the Saviour with me..." you know, because...

(*Sotto voce* comments by Members)

Dr. DUNCAN: You know why? No, no you know why? Because it might have been presented badly, it might have been presented at the wrong time ahead of its time, but just that little thing, I am not talking about the big things now like the Cuban doctors and the health thing, I am not even talking about those, just little things that could have made so much of a difference, if at those times we were able to isolate and move some of these out of the wild tribalism and the partisanship. But give thanks and praises we are now here, we are one on that question. (Applause) And that is what - and that is the essence, Minister of what the People's National Party calls a progressive agenda. (Applause)

So therefore, Mr. Speaker, I want to thank you and the Parliament for allowing me the extra time for going down this road. We may not get this opportunity in this way, for a little while. But as I said, I have a lot of experience, Mr. Speaker, I have seen many things. There are some things that a lot of other people out there can offer to the redefining of the process that we are now in. And believe you me, Mr. Speaker, this process needs help, it needs help. (Applause) From whichever of these. We need the young people, those newly elected and those to be elected in the future, all of us. But remember that experience sometimes teaches wisdom. (Applause) And let not age be wasted on the youth. Let the youth understand that one day, you too shall walk down that road of Damascus and shall see what you shall see. Thank you, Mr. Speaker. (Applause)

The SPEAKER: Thank you, Dr. Duncan. House Leader.

Mr. HOLNESS: Mr. Speaker, I now move for the suspension of the Standing Orders to allow us to take Private Members' Motion.

The SPEAKER: The motion before the House is for the suspension of the Standing Orders to allow Private Members' Motion to be taken.

Motion put to the House and agreed to.

Mr. HOLNESS: Mr. Speaker, Private Member's Motion No. 14, standing under the name of the Member from Central Kingston, will be taken now. The Member will open the debate and other Members may participate. But we will not go beyond three speakers on this motion today.

The SPEAKER: Rev. Thwaites?

And before we start the Private Members' Motion, Members, remember we agreed that

we would try to keep within 15 minutes to move the motion and other Members try to keep in 10 minutes within their contribution.

Reverend Thwaites.

DUAL CITIZENSHIP - MEMBERS TO DECLARE

Rev. THWAITES: Mr. Speaker, thank you very much.

This motion has had a gestation period of six hundred and three (603) days longer than any species known to human kind in antiquity or modernity. It reads:-

> Be it Resolved that every Member of this Honourable House declare in this Chamber his/her citizenship or permanent residency in any country other than Jamaica;
>
> And be it Resolved further as a matter of urgency, the Honourable House debate under what, if any, circumstances citizens with dual nationality ought to be excluded from parliamentary membership.

Mr. Speaker, during the life of this Parliament over which you preside, we have had a cloud of unsettled membership. We have, as a nations undergone the ague of challenges to membership based on allegations of dual citizenship. Tens of millions of dollars have been expended on legal costs, on election campaigns, by-elections. There have been many distractions to the business of this country... (Applause) ...which ought to have been dealing with public affairs rather than this dispute; when there was a simple solution open to us from the beginning, a solution of candor and of honesty, that each of us stand up and state what is the status of our citizenship. And since we have found, Mr. Speaker, laterally because it was not ever apprehended before or taken seriously if apprehended, that in fact, there was a constitutional bar to many who put themselves forward and indeed, were chosen by the people to be Members of the House on the basis of their dual nationality, that we should have dealt with the issue of whether in our 48 years of Independence this still is a matter, still is a principle which is essential to the integrity of being Jamaican and of governing in Jamaica.

Mr. Speaker, it does not reflect well on this Parliament, that we have taken such circuitous and dilatory routes to get to the point where we simply declare the truth about ourselves, deal with the issues and either clear up any ambiguity or difficulty that may exist, or retire from this Chamber.

Mr. Speaker, I wish to set the example as the proposer of this motion by declaring, as I trust every single Member will do in his/her turn without delay, it will not take long, ***that I have no citizenship or permanent residency in any other country than Jamaica land we love***.

I expect that before this sitting rises today, Mr. Speaker, you and the House Leader will ensure that a date is set, and I don't see why it cannot be accommodated at once, for every other Member present to do the same. It is a simple act.

Mr. Speaker, the other element of the resolution is of considerable importance. It reads:-

> Be it resolved that as a matter of urgency, the House debate under what if any, circumstances citizens with dual nationality ought to be excluded from parliamentary membership.

Mr. Speaker, I'm entirely sensitive to the

controversial issues that are involved here. What I shall advance is a personal view. I do not know that there is a settled view yet taken by the Opposition or indeed, by the Government side on this issue. I advance personal views.

I take the point that is made by many, that if you are in this Chamber, or if you are occupying other sensitive posts as defined by the Constitution, and there are others who would want to add to that list you know, Mr. Speaker- that if you have the divided loyalty of a parallel citizenship, that you are in fact less of an impartial arbiter over law and regulation, because you have an escape route, rather than and in comparison to the remaindering have no dual citizenship.

I take that point, Mr. Speaker, but I do not believe it is insuperable and I believe that the changed circumstances of our land warrant a change in the Constitution to remove the absolute prohibition of persons who are citizens of other countries, not members of the British Commonwealth, from holding office in this House.

We've had a changed demography since Independence, Mr. Speaker. In 1962, the British Commonwealth of Nations emerging from the Empire on which the Sun never set, had a different cordon, a different significance than it does at the present time. The Commonwealth, while not simply a collection - a nominal collection of previous British colonies, simply no longer reflects the geopolitical reality of our circumstances. It does not reflect the trade relations, the personal affectations that govern our people's lives and they should have an influence on our democracy.

Mr. Speaker, a person from a Commonwealth country, from Bangladesh or from Fiji or from Mauritius or from Australia, can come to Jamaica and satisfy a residency requirements as I understand it, and occupy this Chamber and occupy the hallowed seats of Government in this House. Whereas a person who by virtue of their birth or by virtue of circumstances, from education, offering conditions of improved healthcare in circumstances of personal need, but who has become a citizen of the United States, is prevented from so doing.

This country depends upon such persons for loyalty, for remittances, for aid and comfort in distress, for investments, most crucially in time, like these. And while I believe that the issue of divided loyalty has to be dealt with in other ways, which I will suggest, I believe that the absolute prohibition thought wise by our constitutional Founders and Drafters needs to be reconsidered. I believe that it can be addressed by other means. We do not have a large enough pool of talent to exclude the one million or so Jamaicans who would like to migrate to the United States and to other countries - that is the results of surveys and polls - it is the truth that there are more Jamaicans living abroad than there are on the island itself. And it is not sufficient to take *ipso facto* the reality of their being becoming citizens, to exclude them from the kind of integral involvement that we will require from time to time. And it is a contempt, I believe, for the human person and the goodness of the Jamaican spirit to say that because one, for whatever reason, has adopted the citizenship of another country, yes, that that automatically makes that person so

subject and so ineligible as not to be able to rival in loyalty and commitment, any of us, who are Jamaicans only.

It will not be an easy resolution, Mr. Speaker, and one which no doubt we should deliberate on for some time. I believe that in other instances where conflicts of interest and divided loyalties arise, in the legal system and indeed in our own parliamentary practice, we have found ways of individuals recusing themselves when any conflict of interest arises. We have, ourselves, established a basis in this Parliament where a committee looks at the involvement of Members in engagement with government where a conflict of interest may arise and to determine whether this is material or not material.

I would suggest that length of residence, yes, that evidence of engagement and involvement in Jamaica while abroad, all are material factors which far superimpose in importance, the accidents of birth, or the convenience of circumstance, which might have led to citizenship.

MEMBERS: Hear, hear!

Rev. THWAITES: At the very least, at the very least, we have to create the anomaly - pardon me, we have to correct the anomalies of our Constitution at present. And I urge this Honourable House to begin a discourse with the nation, where we look in a liberal way and in a realistic way at this issue. We need the best talent possible for every aspect of governance in this country. We need persons who, whatever their background, provided that they fulfil the conditions of Jamaican citizenship, ought to be able to offer themselves and rely upon the choice of the people.

If I'm a citizen of another country my electorate will take a view as to whether I am sufficiently committed, in order to be able to hold office. We have done too much, it seems to me, to preserve the old without facing the realities of the new. The Constitution stands as it is for the present and it is incumbent upon each of us to be compliant with it.

And it is for that reason that we should have then, and even at this penultimate hour now, to declare ourselves simply and unpretentiously and do what we must, according to the law of the land. That is non-negotiable. And it doesn't require the arcane procedures of the Supreme Court and this motion and that Sally and this dance, all expensive and unsettling. We should be ashamed of ourselves for having put ourselves through that, when we have a simple honest mechanism such as we are essaying today to absolve the issue. The broader issue, the broader matter to do with capacity to sit in the Parliament and the issue of dual citizenship is for discourse. I have essay, I have given a few principles that I think should apply in the circumstance.

There are many complications. One is whether the other country to which a potential member may be a citizen or allows one to hold dual citizenship and to occupy public office, in those circumstances where that is in doubt or compromised, or is offensive, then clearly the answer would be that the person could not be so permitted and they would take that decision.

We in Jamaica must look forward to a new day, where the realities of the clear interchanging our people at all different levels, with many, many countries of the world,

where we are a receiving country and a giving country, should not exclude us from the highest elements of government. And I commend that as an opening in what I hope will be an intense and a prompt debate by the House on this matter.

May it please you, Mr. Speaker.

(Applause)

The SPEAKER: Thank you very much Reverend Thwaites.

Members, as you know, this is the opening contribution from the Member from Central Kingston. Other Members can participate when the debate continues later on. I suspect between the House Leader and the Leader of Opposition Business, we need to work out if there is some undergirding as to how Members can declare their position, if they so wish.

House Leader?

Mr. HOLNESS: Mr. Speaker, this is a very important debate, Mr. Speaker, and it has far-reaching implications. The House therefore, Mr. Speaker, will continue the debate next week and we probably will have to reserve space in the following week as well. So I would want to place all Members on notice, that they should be prepared to carry on this debate next week and the following week as well and if necessary, to the close of the sittings for this year.

Mr. Speaker, we now move to Private Members' Motion 29, brought by the Member from Eastern Westmoreland. But, Mr. Speaker, there's also a similar motion brought by the Member from South East St. Catherine. And I believe, Mr. Speaker, No. 33 that both Members could join their motion and have one debate.

The SPEAKER: Who will be the mover?

Mr. MONTAGUE: Countryman.

Mr. HOLNESS: I believe, Mr. Speaker that the Member from Eastern Westmoreland agreed that he would be the mover of the motion supported by the Member from St. Catherine South East.

The SPEAKER: And both motions, that is 29 and 33, will be taken at this time.

Mr. HOLNESS: They are similar motions, Mr. Speaker...

The SPEAKER: Okay, very well.

Mr. HOLNESS: …dealing with the same matter.

The SPEAKER: So we will - at least we will open with you, Mr. Buchanan and then Mr. Fagan following. Very well. Mr. Buchanan.

J.D.I.P.

Mr. BUCHANAN: Thank you, Mr. Speaker.

I rise in relation to the motion standing in my name, as it relates to the JDIP Programme.

Mr. Speaker, I'd asked of the Minister, the following questions, that whereas over the next five years, bridges and drains across Jamaica will be constructed through this programme. And I'd said that for the protection of our tax dollars, transparency and equity, that a full disclosure be laid before Parliament for approval of the procedure of how some subcontractors are awarded, the names of the subcontractors for each road for the next two years, how much money will be spent on each road and the basis of project prioritization before the implementing of the programme.

To date, Mr. Speaker, we have not received much information, except that I've come by a document that states criteria for

selection of roads under the JDIP. And this was not formally forwarded to the House, to the best of my knowledge. And it says:

> The walls are selected based on areas that are prone to landslides and breakaways and where emergency situations arise.

Mr. Speaker, I'm happy - well I was happy when I read this because in front of the St. Leonards All-Age School there's a massive breakaway caused from the passage of Nicole. And the Belmont main road - that is the roads Scotts Cove into Ferris - would have suffered severe damage in terms of - well increased damage, and Mr. Speaker, I don't know where that is, in terms of the programme.

Really, Mr. Speaker...

Dr. BARTLETT: It's the worst piece of road.

Mr. BUCHANAN: Glad yu know.

Really Mr. Speaker, my questions have not yet been answered as to the procedure, because it is in public domain among certain sets of people, that if the contracts carried out were given out to public tender, the cost per kilometer for the roadwork would have been significantly less. I don't know how we can contradict that rumour without the evidence, in this House, as to the rates and the procedure.

Outside of that however, Mr. Speaker, is the lack of participation, not voluntarily but forcibly so, of elected representatives in constituencies wherein you hear that the criteria is, as I have read, but it is not reflective.

(*Sotto voce* comments by Mr. Shaw)

Mr. BUCHANAN: You can't use that telephone inside here, you know. Put it down and keep quiet and go and look for Masa B, your father-in-law.

The SPEAKER: Stop the quarrelling.

Mr. BUCHANAN: Mr. Speaker, the lack of participation by us as Members of Parliament worries me because roads - all roads that are on the programme, I will agree, may need fixing but there should be a method of the prioritization. One of which was said is the usage of the road; and some of the roads that have been named to be fixed, if you should prioritize they would come in Year Two and some of them seem to be of political motive. Mr. Speaker - for example, to substantiate my argument, Mr. Speaker, in Clarendon you had a launch recently and a road that was on the programme for patching was upgraded immediately and announced at that launch for rehabilitation. And, Mr. Speaker...

Mr. HUTCHINSON: Bad roads.

Mr. BUCHANAN: Whether or not the road was bad, the road was slated for patching; and no survey was done between travelling to the launch and the announcement.

Mr. HUTCHINSON: You don't know that.

Mr. BUCHANAN: And the road was upgraded from patching to rehabilitation; and I know that for a fact.

Mr. MONTAGUE: Mr. Speaker, on a point of order.

Mr. BUCHANAN: I have no problem, Mr. Speaker.

The SPEAKER: Let's take the point of order. Yes, Mr. Montague, what's the point of order.

Mr. MONTAGUE: The speaker from Eastern Westmoreland is making certain allegations and he needs to bring the proof to this House to substantiate his claims.

The SPEAKER: Mr. Buchanan, how you know it has been upgraded rehabilitation?

Mr. BUCHANAN: Mr. Speaker.

The SPEAKER: Has it since been rehabilitated?

Mr. BUCHANAN: Mr. Speaker, Mineral Heights to Lionel Town is in this JDIP booklet.

The SPEAKER: As for patching.

Mr. BUCHANAN: For patching and it was announced for rehabilitation.

(*Sotto voce* remarks by Government Members)

Mr. BUCHANAN: But, Mr. Speaker, it was announced.

Mr. MONTAGUE: Mr. Speaker…

Mr. BUCHANAN: What is the point of order.

The SPEAKER: It's a simple point of order. The Member from Western St. Mary is saying that the road that was slated for patching has been upgraded to rehabilitation.

Mr. MONTAGUE: He said the survey was not done and I am asking...

Mr. BUCHANAN: What standing order is he referring to?

The SPEAKER: (Gavels) Members. Are you just saying, Mr. Buchanan, that you heard. You are saying that you heard at the meeting it was...

(*Sotto voce* remarks by some Members)

The SPEAKER: Mr. Buchanan, what's the basis of the allegation?

Mr. BUCHANAN: The announcement, Mr. Speaker, on the record for patching.

The SPEAKER: So are you saying at the meeting there was an announcement that that road instead of patching will be rehabilitated?

A MEMBER: He said it would be surveyed.

Mr. BUCHANAN: I did not use the word survey.

Mr. MONTAGUE: Mr. Speaker, the Member - the substantive point, the Member's allegation is that no survey was done. I am saying the Member of Parliament for that area is in the House and he made a request, to my certain knowledge, to have the road upgraded from patching to rehabilitation. It was surveyed, it was upgraded. So I am asking the Member from Eastern Westmoreland to withdraw that allegation. And further, Mr. Speaker, the Member that concerns that particular road sits on the same side of the House with him.

Mr. ARSCOTT: A point of order, Mr. Speaker.

The SPEAKER: Yes, Mr. Arscott, what's the point of order.

Mr. ARSCOTT: The road in question, Mr. Speaker, falls in South East Clarendon and the Member is sitting right there.

(*Sotto voce* remarks by Government Members)

Mr. ARSCOTT: No, no!

The SPEAKER: (Gavels) Members!

(Cross talk/Heckling)

Mr. ARSCOTT: No, no!

Mr. BUCHANAN: Mr. Speaker.

The SPEAKER: Hold on, Mr. Buchanan - Mr. Arscott. Mr. Buchanan, unless you can substantiate that it was not surveyed just withdraw the point and continue please.

(*Sotto voce* remarks by Members)

The SPEAKER: Mr. Arscott, please have a seat. Mr. Buchanan the point of order that was taken is that you said it was not surveyed; some road was not surveyed and unless you can substantiate it, just withdraw it and continue.

Mr. BUCHANAN: Mr. Speaker, I will withdraw the choice of words.

The SPEAKER: No, no, just withdraw.

Mr. BUCHANAN: I will withdraw the choice of word survey. But what I would certainly like to do, Mr. Speaker, is the process - since the Minister said in this Honourable House just now that he will change the programme.

The SPEAKER: No, Mr. Buchanan.

Mr. BUCHANAN: But I have withdrawn it.

The SPEAKER: Mr. Buchanan, I accept your withdrawal. Let's not get into cross talk. Don't get into the crosstalk, Mr. Buchanan. Continue with your presentation.

Mr. BUCHANAN: Mr. Speaker, let me make it absolutely and abundantly clear that we have no problem with roads being fixed. We support roads being fixed. As a matter of fact, the People's National Party has a track record of fixing roads in Jamaica that will…

(Applause/Heckling)

The SPEAKER: Members, could you allow the Member to speak please. Yes, Leader of the Opposition.

Mrs. SIMPSON MILLER: Mr. Speaker, I really believe that we are discussing something very serious. There is nobody that could object to any road being fixed if a road is in disrepair. (Applause)

Mr. MONTAGUE: Tell Buchanan.

Mrs. SIMPSON MILLER: I think - the Member was not even allowed to complete what he was saying.

Mr. MONTAGUE: He apologized.

Mrs. SIMPSON MILLER: I am just saying with all seriousness, Mr. Speaker, the Jamaican people are getting fed up of our behaviour in this Honourable House. (Applause) And l think that when a Member is on his or her feet to speak they should be allowed to make their contribution without interruption. If the Member of Parliament is asking for transparency I am sure....

Mr. MONTAGUE: Is it a point of order?

The SPEAKER: (Gavels) Please.

Mrs. SIMPSON MILLER: I am sure the minister is quite capable of giving the explanation or speaking to whatever particular road a member…

The SPEAKER: Okay, thank you, Leader.

Mrs. SIMPSON MILLER: No.
Mr. Speaker, all of us are placed in same barrel about behaviour in this House.

Mr. BUCHANAN: You are going to be respectful. Just remember that.

Mrs. SIMPSON MILLER: Even those of us who behave. And so I am rising because I am concerned about it. All of us are locked in the same barrel and I do not want to be locked into any barrel of misbehaviour in this House.

The SPEAKER: (Gavels). Mr. Montague please take your seat.

Mr. MONTAGUE: Mr. Speaker, I rise on a point of order.

The SPEAKER: No, no. Take your seat please.

Mr. MONTAGUE: Mr. Speaker.

The SPEAKER: Take your seat please. Members, this is a very simple motion being debated. The mover of the motion we have agreed can speak for 15 minutes, every single other person can speak, every single other person can speak; and in this period when the mover of the motion is speaking I think he deserves to speak without being constantly interrupted. (Applause) So allow him to speak

and other Members when he sits just put up - or indicate to me and you can respond. So continue, please, Mr. Buchanan.

Mr. BUCHANAN: Thank you, Mr. Speaker.

Mr. MONTAGUE: Mr. Speaker...

The SPEAKER: Hold it Mr. Buchanan. Yes.

Mr. MONTAGUE: Are you guiding us, Mr. Speaker? And I will submit to your guidance that if a member who is moving his motion is on his feet and deliberately misleads the House we should remain silent?

The SPEAKER: You raised a point of order earlier and the Member withdrew the remarks, which you pointed out. Maybe you were not listening but he withdrew it.

Mr. BUCHANAN: As usual.

The SPEAKER: He withdrew it. Continue, Mr. Buchanan.

Mr. BUCHANAN: Mr. Speaker, I was called and I was invited to the launching of the JDIP programme in the parish of Westmoreland. But, Mr. Speaker, I am going to something that I know nothing about.

Mr. MONTAGUE: That's why you must go.

Mr. BUCHANAN: Mr. Speaker, I think it would be...

Dr. BARTLETT: Read the newspaper.

Mr. BUCHANAN: …it would be appropriate, Mr. Speaker, if when I was invited I was at least told which roads we would have done under the JDIP programme. Further to that Mr. Speaker, it seems to me that this programme is the implementing agent of the single road authority. And I say that against the background, Mr. Speaker that both Parish Council and NWA roads are being done under this programme. And you will notice that the Mayor of Clarendon was missing from the launch in Clarendon and you will recall the sentiments echoed by the Mayor of Savanna-la-Mar

Mr. STERN: Point of order.

Mr. BUCHANAN: Mr. Speaker, allow me please.

The SPEAKER: What's the point of order.

Mr. STERN: He mentioned at the Mayor and persons that were missing at the launch. I know of the Mayor sending an apology.

The SPEAKER: That's not a point of order.

Mr. STERN: He is incorrect in his statement. He is out of order.

Mr. BUCHANAN: Mr. Speaker, you will recall hearing the Mayor of Savanna-la-Mar on news saying he has no knowledge of the programme, as to which roads in the parish will be done from the Parish Council. 1, as the elected representative of Eastern Westmoreland, have no knowledge. My colleague in Central Westmoreland has no knowledge

Mr. CHARLES: That's not true. I know you have knowledge ‘cause Roger knew.

Mr. BUCHANAN: My colleague at the other end - Western Westmoreland has no knowledge.

Mr. CHARLES: I know you have knowledge.

A MEMBER: The other MP, the good MP.

Mr. BUCHANAN: Mr. Speaker -

Mr. SHAW: But he is reading from notes - reading from notes him never prepare.

Mr. BUCHANAN: Also of concern is that - also Mr. Speaker is the question of whether the funds are really available or it is

political. Because, Mr. Speaker, the case in point to support what I've Just said is Portmore. It was set to start the first of November, today not even one contractor or contractors is in place to deal with that but I know in certain St. Elizabeth constituency that the thing has begun.

A MEMBER: Boy, Kern chat too much!

Mr. BUCHANAN: However, Mr. Speaker, I also received a letter today from the NWA - a welcomed letter - well not from the NWA, from the Ministry about a programme to be implemented, a bushing programme, through NWA. I want to know if that is a part of the JDIP Programme or it is - or if it falls under the JDIP Programme.

Mr. HENRY: Mr. -

Mr. BUCHANAN: With the work to be done in the parish - with the work to be in the parish to come with the launch.

(Cross talk)

The SPEAKER: Yes, yes.

Mr. HENRY: 1 - 1 would just like to clear it up. I've had words with the Leader of the Opposition too. That has nothing to do with the JDIP programme.

The SPEAKER: Thank you, thank you. Minister. Yes Mr. Buchanan. Minister.

Mr. CHARLES: Ungrateful.

Mr. BUCHANAN: Well Mr. Speaker, I'm happy that the Minister has started his response and I'd now ask him to respond, Mr. Speaker, to the questions:

Question 1: As it pertains to the procedure of how subcontractors are awarded;

Question 2: The names of the subcontractors.

Question 3: How much money will be spent on each road?

Question 4: The basis of project prioritization before implementing the programme.

(Cross talk)

Mr. BUCHANAN: And Mr. Speaker, I think the point has been made that the parish of Westmoreland has been worst damaged in terms of the road infrastructure, since the passage of Nicole.

Mr. CHARLES: How was it before?

Mr. BUCHANAN: And, Mr. Speaker -

Mr. CHARLES: How was it before? D.K. just did such a good speech and you have to come spoil it.

Mr. BUCHANAN: We appreciate the fact that there are roads that will be fixed but there are roads, Mr. Speaker, that you would consider urgent and would require the instruction, so to speak, of the Minister; and one such road Mr. Speaker is the Scotts Cove to Ferris Road which I had mentioned earlier. And I'd hope that the Minister would include that road in the list of roads. Since there is no consultation with us, I'm using this medium now again to appeal to him for such. And I'll take my seat.

The SPEAKER: Thank you, Mr. Buchanan. Mr. Fagan.

Mr. FAGAN: Mr. Speaker -

A MEMBER: You next.

Mr. FAGAN: The matter of the JDIP is one of serious concern for the local authorities and you would have remembered, sir, that the question was asked some time ago, how will the Councils benefit from the funds that they are putting up from the Parochial Revenue Fund to this programme, and how the Councils would get direct benefit from such a - such an arrangement? It was said then, sir, that the Councils would participate by way of

those consultations that would have taken place with the Councillors and the Councils would have direct involvement by way of them submitting the names to be rehabilitated or patched as the programme gets on its way.

Mr. Speaker, to date the Councils are not sure where they are going as far as this programme is concerned. I can remind you sir. I can remind - Mr. Speaker I can remind you that for 5 months, 50% of the Parochial Revenue Fund that would have gone to the Councillors - those funds were taken away because it is said that the Councils would be benefiting -

Mr. MONTAGUE: Mr. Speaker, please sir, I can't - please sir, a point of order. The Member has said that the Parish Council's funds were taken away.

Opposition MEMBER: Yes!

Mr. MONTAGUE: In every instance, Mr. Speaker, we have at the Department of Local Government a Resolution.

Opposition MEMBERS: You have no Resolution. You have no Resolution!

Mr. MONTAGUE: A Resolution. The first one we got was from the Westmoreland Parish Council.

Opposition MEMBER: You have no Resolution. You have none! You misleading the public.

(Cross talk)

The SPEAKER: Mr. Fagan, the position is that the Minister of Local Government is saying Resolutions were passed.

Mr. FAGAN: Mr. Speaker, I'm going to -

Opposition MEMBER: Don't withdraw nothing.

Mr. FAGAN: Mr. Speaker, I'm going to remove the word 'taken away!

(Cross talk)

Opposition MEMBER: That there was no Resolution.

Mr. FAGAN: I'm going to say, sir that the Councils were asked and in a number of instances no consultation took place with the Councillors. The Mayors would have taken their own decisions in consultation with the Minister.

Rev. THWAITES: That, that's illegal. That's illegal. Resolution has to properly pass.

Mr. FAGAN: So in a number of Councils if not all the Councils, the Mayors are the ones that took the decision and so if to remove the words 'taken away' would satisfy the Minister...

A MEMBER: Put thief then.

Mr. FAGAN: I'll remove ‘taken away’.

Mr. MONTAGUE: Thank you very much.

Mr. FAGAN: Mr. Speaker, you will note Mr. Speaker, you will note, sir that Jamaica has a network of some 225,000 kilometers of roads and the National Works Agency would have responsibility for about 5,000 kilometers, the local authorities have the bulk of it, which is about 15,000 kilometers. The rest of it has to do with private roads and farm roads and community roads and so on. Under the legal framework that the local authorities operate, the Parish Councils KSAC and the Municipal Councils are empowered to make By-laws and Regulations for the good governance of the parishes or towns that they have jurisdictions over and they have specific responsibilities for parochial roads including also drains and gullies among other things.

Now, Mr. Speaker, for the Councils not to be able to participate in this programme having started out with the view that they were going to be integral in the whole discussion

and participating in the decision, for the Councils now not to be able to say which of the roads they are going to be - will be part of their programme going forward, it is something like a samfie, Mr. Speaker.

And what I'd like to find out - you know, Mr. Speaker, in the communities the local authorities are the only - the nearest thing to Government that the people can feel, it means that - and the Minister will tell us as part of the reform programme consultation, community meetings and these things are part of that reform programme going forward. Now, if what is happening to the local authorities are those things that we would say we are imposing and we just saying that this is what you must get and this is what you're not going to get then it is really a sad day for the local authorities.

Opposition MEMBER: Hear, hear!

Mr. FAGAN: And I want to - I would like to find out given all the - all that was promised to the local authorities under the JDIP, what is scheduled?

The Member from Westmoreland has already spoken to the fact - to that area of contractors and so on, but I'd like to find out, what is that schedule? The Councils would like to know what is that schedule that they can be participating in? The Councils would want to know how are they going to benefit from this US $350 Million that they have put up? The Councils want to know what is going to be their role in this programme and whether or not this is part of the diminishing programme that exists now?

(*Sotto voce* remark by a Member)

Mr. FAGAN: Mr. Speaker, you would know that the Councils now feel that they don't have that authority that they had in the past. They have no responsibility for roads, the National Solid Waste is moving away from them - just about every area that they have responsibility for they now feel that they are not being given the respect due to them.

I want to - I'll be speaking, Mr. Speaker in the Sectoral Debate not too long from now and during that time I hope to speak some more on this matter. But I would at this point get this matter of the schedule and so I'd like to move that - I'd like to accept, sir, that the Resolution as moved by the previous speaker incorporate Item 1 of my Resolution as presented at 33 and ask that these matters be attended to.

Thank you, sir.

The SPEAKER: Thank you, Mr. Fagan.

Government MEMBER: Withdraw!

Mr. FAGAN: Mr. Speaker, I respectfully beg to withdraw my motion.

The SPEAKER: Much obliged Mr. Fagan. Thank you very much.

Now Members, before we move on, before you was Number 33 and what we would like to do at this time, sections of it he has asked for it to be incorporated in the other motion put forward by Mr. Buchanan. But for good order he has asked that the Motion Number 33 be withdrawn.

Motion put to the House and agreed to.

The SPEAKER: Number 33 withdrawn. Mr. Clarke, continuing with the Motion.

Mr. CLARKE: Thank you very much, Mr. Speaker. I'm going to be very, very brief.

Anytime we have to discuss road maintenance or road rehabilitation, it's going to be very contentious because as was stated, the conditions of the roads throughout the country really are in deplorable condition and

they have deteriorated especially over the past few years. With the advent of Nicole that has even made it worse.

And there is no way that enough resources will be to make us all happy.

I think the member is speaking towards equity and would like to know that we all get a fair share, and justice be done. (Applause) Because, I want to say that between now, as we speak, and the end of the Financial Year, there is going to be little done, because already roads that were announced have not even yet started.

And I want to say to the Minister, it is not too late to revisit some of the proposals as put forward in this Road Rehabilitation and Road Repair Programme. Because I know of a particular road that is down for periodic maintenance. If the Minister were to visit now he would understand that that road needs almost total rehabilitation. And I speak specifically of the road from White House to Ferris, and from Ferris to Mackfield.

And what is even more important about those two roads - we are talking about production and we are talking about tourism development - those two roads really link North Coast with tourism development, and then when you go on to Negril end, from Sheffield to Negril, again, deplorable condition. And if we are really going to be dealing with roads that can assist, in terms of production, those are some roads that need to be prioritized.

And I want to say, I believe that what we need to do, and when it comes to especially the Parish Council roads, the Local Authorities have been squealing and indicating that they have not been involved in the total planning of the process. And I think everybody needs to come onboard.

What has been asked by the Member from Eastern Westmoreland, name the roads, who are going to be the contractors - and I don't think that that - that can't be any secret. Somebody must know who those contractors are. And in the name of transparency, just say how did we arrive at those.

I, for one, the roads that I see to be done in my constituency, I wasn't really consulted in any significant way. Three years ago I came into this House and spoke feelingly about two of those roads, and I moved a resolution in this House, and that resolution was passed. And as a matter of fact, I had a letter from the Minister some time ago indicating that one of those roads would be rehabilitated. Well, I don't see it on the programme.

Mr. E. SMITH: That is Phase Two.

Mr. CLARKE: And as he has said that they can graduate from one stage to the other, I hope when he comes down on Thursday - and Minister, I will be there...

Mr. SHAW: But no rice will be there.

(*Sotto voce* comments from Mr. Henry)

(*Sotto voce* comments/laughter)

Mr. CLARKE: I scratch your back and you scratch my back.

But I say, when you come on Thursday, Minister, don't come by air, just travel on the road and you will see.

Mr. CHARLES: You mean your road mash up in three years!

Mr. CLARKE: It can mash up in one year. Because I must say this, that same White House road, we spent some $12 Million on it – this Government - and it is now in a condition that needs total repairs again. Because what

has happened is that it has reached a stage where it needs total rehabilitation. Patching is not going to help.

And I want to throw out one more thing to you, Minister. There was a programme some time ago that they called resealing. What that can do, especially on roads that have good base beady, It would be much cheaper to do whether the micro-surfacing or to reseal some of those roads, because you can get much longer life out of it than just those little patching that go on in some of those areas.

So I don't think the Member's resolution is contentious. What he has asked for are things reasonable. We want to know what is going to be done, and we want equity, and we want transparency. That is about it; that is all that is being asked for. (Applause) So I support the resolution, Mr. Speaker, and I look forward to Thursday to meet the Minister on *terra firma* in Westmoreland.

The SPEAKER: Yes, Dr. McNeill.

Dr. McNEILL: Mr. Speaker, just two quick points. I think most of the points have been discussed, but there are just two things. In the JDIP - and understand we all as Members of Parliament have problems with roads, and so it's something - we all welcome the development of roads. But recently, with the passing of Nicole, there was a lot of damage done, certainly in my constituency and I suspect in a lot of other constituencies. A lot of the drains, break-aways, some roads had collapsed.

And there is work that is emergency, because there are still problems that have to be done. And we understand that the Minister - that the programme, what was allocated for this year, that there was an additional sum of money that was put forward to deal with some of the repairs that came out of Nicole.

And I am just hoping, also, that along with the launches, along with the discussions that we have, that we are also looking at what will be done. Because as I said, it's not something - the Minister - the persons at the NWA in Kingston - we are the persons out in our individual constituencies that have to deal with our people who are saying, why is it that this is not done? Every one of us in here have to face it - why is this retaining wall - and I mean, those things are big projects often - why is it it's not done now? And we have to be looking at it.

So with this additional money, I know it can't deal with everything, but I am just asking that we look and see what will be done so that in the launch it's not just what we have, in terms of the roads in the JDIP, but what other elements, especially out of what came out of Nicole, will also be dealt with.

There is one other thing. In terms of the Local Government - and I have heard some discussions about it. And Minister, it's something that I do not think it's a contentious thing, but what happens often is that you may have a Parish Council road which is from 'A' to 'X', and that road has to be fixed. And maybe the Parish Council will say, well, we will fix some of the road or the part that's really bad. Now, what happens is, they may send it up to Kingston and say, this is one of eight roads. The list is looked at in Kingston, and sent back down to the Parish Council, and they say, we are going to fix these three roads in their entirety. It may be that the Parish Council itself may have decided to use the same amount of money, but they could have more effectively dealt with five or six roads if not doing all of it. And therefore, that input of

Local Government is very important, especially with all the discussions we are having about Local Government Reform.

So what I am saying, Minister, it's not a matter of being contentious, but the real input of the Local Government, not just in deciding which roads should be done, but how much of the road, what should be spent, a lot of that has to be done, because it is the political representative that is on the ground, that has to respond to the needs of the people. And I think that one of the things that we have to do, as a Parliament, is to look and see how each and every one of us have similar circumstances, similar situations, and we must set the conditions in this Parliament, so that we can better represent and fend for the people in our constituencies. Thank you.

The SPEAKER: Dr. Duncan.

Dr. DUNCAN: Just two points, Mr. Speaker, through you. The - a part of the contention that has developed arises out of certain expectations that were built up at a point in time. Not so much the national expectations that there are a whole - it seems to be a lot of money was going to be available for roads. That was at one level.

But through you, Mr. Speaker, I would like to remind the Minister for Transport and Works, that the Minister - the State Minister with responsibility for Local Government did undertake a series of public education seminars/symposia across the country. I went to the one in Hanover, it was an excellent symposium. The Minister made, to my mind, a very capable and profound presentation...

Mr. CLARKE: He did it in Westmoreland, too.

Dr. DUNCAN: …on the involvement of communities in the decision-making process. (Applause) In that symposium he did not just stand up and make a speech and leave, he was an active participant in the workshop discussions.

Mr. CLARKE: Interactive.

Dr. DUNCAN: Very interactive. And he was very credible.

Government MEMBER: He still is.

Dr. DUNCAN: He stands the risk of losing some of that credibility. Because he at that session, both before in making the presentation to the plenary and afterwards in doing a summary, and summoning the state officials, some thirty of them - I hadn't seen this for a long time - it was an excellent exercise in democracy.

Mr. SHAW: Did you get permission to speak from where you are? (Laughter)

Mr. BUCHANAN: Yes. You were sleep then.

Dr. DUNCAN: Can you ask for me, please. Can I ask permission retroactively?

The SPEAKER: Continue. Yes, yes!

Dr. DUNCAN: The Member is correct. Mr. Speaker, I apologise.

Mr. SHAW: 'Bout you want speak beside the Leader of Opposition.

Dr. DUNCAN: No, I said I am watching her back. Should 1 return to...

The SPEAKER: No. Can you continue.

Dr. DUNCAN: Okay.

Now, in those sessions the workshops' participants were asked to be specific in their recommendations, a more wide range of issues, one of which included infrastructure, in particular, roads. In the one in Hanover at which I was present, a whole lot of suggestions and things were made, consistent with information which had already been given earlier by the representatives of the

parish, to the Ministry of Transport and Works. Because it's obvious - in his presentation, the Minister of State, Mr. Speaker, sensitized us to the intentions of the Government at that time, that accent would be placed on farm roads, interior roads...

Mr. BUCHANAN: Community roads.

Dr. DUNCAN: Community roads, but in the interior, in the main.

Mr. MONTAGUE: Still is.

Dr. DUNCAN: Right. Now, he also, apart from those symposia of the - organized to a large extent by the SDC and his Ministry he also met with the Councils. I know in the Hanover Parish Council he met with them, the meeting itself was great, plus the after meeting was even greater.

The Councillors were led to believe, and still believe that when they were asked to list in priority, and they listed by priority roads that...

(*Sotto voce* comment from a Member)

Dr. DUNCAN: …absolutely, Mr. Speaker, as the Member from South East St. Mary said, it is an essential aspect of the progressive agenda, participation. But what the Member for Eastern Westmoreland is asking for is accountability, accountability and responsibility to make up the three letters, PAR, P-A-R.

Now, very quickly, the Councillors - and the Minister will agree with me - diligently made up their lists and prioritized those lists. And being a Member of Parliament and being in touch with my Councillors - our Councillors, representatives of the people - I never therefore felt that I had to repeat that list for the third year in succession, but they did it.

What is disappointing and part of the reasons why the Minister knows, the Minister knows, the Minister knows Mr. Speaker, the Minister is aware that the two leaders, the leaders of the Parish Councils in Westmoreland and in Hanover are upset because they feel let down by the process. In that, what they did - and I figure even as reasonable explanation is in order, is nowhere reflected in this document.

(*Sotto voce* comments by Government Members)

Dr. DUNCAN: Well fine, let somebody say it or the Minister will say it. But I am explaining the unease. The unease, Mr. Speaker, it's not that anybody is against a road programme, but that the process has not been a credible one and therefore the call for accountability.

But finally, the second point and the last point relates to the Minister of Finance and the Government as a whole.

The People's National Party has repeated over and over, from this side as the Opposition benches, that there are three reasons, although they support the programme, there are three points that the Party has consistently made ever since the news about the China money, the China Harbour money, the road money. One....

(*Sotto voce* comment by a Member)

Dr. DUNCAN: Three points, the 3% money, yes.

The first point was - and I'll just say them again for the record is that 35% of the $8.75 per litre fuel tax, or $2.63, must be given to the Road Maintenance Fund this year, and the 50% next year, so that the 3% money, the Chinese loan can be properly serviced without creating any pressure on the budget, one.

Second condition of support is that the projects, contractors and subcontractors must

be selected on a professional manner. That is the purpose of the motion. And thirdly, the projects must not create any additional burden on the fiscal accounts and must be fully funded by the Chinese Government.

So, Mr. Speaker, I want to bring those two sets of information to you, the process points. And I would like the Minister of State in the Ministry of Local Government, who has consistently followed the philosophical view of the People's National Party and the implementing view of the People's National Party as far as Local Government Reform is concerned, that the people must be at the centre of development and decision-making, (Applause by Opposition Members) that he is at risk of losing credibility in following the footsteps of a great Party and the former Government.

Thank you very much.

(Hear, hear/Applause by Opposition Members)

The SPEAKER: Yes, Dr. Rhodd.

(*Sotto voce* comments by Members)

The SPEAKER: Okay Dr. Rhodd is on his feet.

Dr. RHODD: Mr. Speaker, it wasn't my intention to speak in this debate, but when I look back to the resolution on point Number Four, the last paragraph which speaks to the basis of project prioritization before the implementing of the programme. And I would like to just say a few words in respect to that final paragraph, Mr. Speaker.

I would like to reiterate, particularly for the Minister's ears, the need which exists in the constituency of Eastern Portland, particularly in the Rio Grande Valley and the Upper Rio Grande Valley more specifically, when we speak about prioritization.

Mr. Speaker, I think it is well documented. I think all Jamaica knows, particularly since we were the focus of detailed attention 23 months ago when there was that terrible truck accident in the Rio Grande Valley. And the cameras were on us, and we are thankful for the attention which we received with respect to media attention. The response, however, in respect to rehabilitation, in respect to compassion, action to restore the dignity of the lives and the livelihood of the people in the Rio Grande Valley has not been so good. And, Mr. Speaker, if the truth be told, the Minister, every Minister...

(*Sotto voce* comment by Dr. Bartlett)

Dr. RHODD: I am speaking for the people of the Rio Grande Valley of Portland. The prioritization is a problem because as I said, there is the need, well documented by Ministers throughout several administrations, Ministry of Transport and Works, Ministry of Agriculture, Ministry of Education, Ministry of Tourism, Ministry of Water, Ministry, of Environment, all of these ministries and their agencies have had to interface with the challenges in respect to the needs in the Rio Grande Valley. So the documentation is there, Mr. Speaker, if you want to factor that, Minister, into its prioritization plan.

When you look at the economic value, if you want to look at another aspect of prioritization. The economic value, it can be considered the bread-basket of Portland and a significant part of Jamaica because the number of trucks which go to Coronation Market every week. In fact, the people died because they were on a market truck going to Coronation Market 23 months ago. So the economic value in terms of the provisional food for our people is there. Bananas, coffee,

dasheens and several other produce.

Tourism, tourism was born in Portland, Member, so please listen and you will learn something. Tourism was born in Portland and significantly was born because of the nexus of the banana trade when the ship took the bananas to England; they came back with the tourist. So tourism, the tourism industry, one of our primary industries in the country was born in Portland because of that nexus.

And we still have tremendous economic value in the Rio Grande Valley. Rafting on the Rio Grande Valley, the Heritage Sites of Moore Town, the only National Heroine buried there; (Applause) agro-tourism, eco-tourism, waterfall, the economic value, Minister, don't miss that in your prioritization plan.

The human degradation element, Mr. Speaker. And we must not miss this point, because our sister country of Haiti, over the years, several administrations there have not paid attention enough to the degradation of the environment. And you see what is happening in Haiti now. Don't be fooled. If we turn a blind eye on communities like the one which is challenged down the Rio Grande Valley, over the years, the element of human degradation, the dignity of the people. Children are not going to school, because they can't go to school, they can't afford the transportation cost. No buses travel there. Nobody is putting a bus up there anymore because they cannot afford the maintenance cost. A few persons will take the robot taxis and put them up there. We are degrading the humanity of the people there, and we have experiences of other countries from which we can learn.

(*Sotto voce* comment by Dr. Bartlett)

Dr. RHODD: So, Mr. Minister, I would like you to look at the prioritization again with how you frame your proposal, your plan in going forward. People can't take out their dead, Friday is still impassable. There is no access to Fire Brigade if a house is being burnt. Let us be humane.

The rural/urban drift, Mr. Speaker, is significant, and we are swelling urban township with people moving out of rural areas because of it. Check STATIN if you don't believe me. Check STATIN, STATIN is there, it was documented up to three years ago. The poverty level Portland is now showing up as a very poor parish, if not the poorest parish. I am not speaking which is not a fact. Check the facts, they are there.

Finally, Mr. Speaker, I would like to appeal to the Minister to look at the use of what I call indigenous material to fix the road in my community, in the community of the Rio Grande Valley.

We have a lot of the aggregate there, from our own rivers, which is being mined. We can - Mr. Minister, we are not asking for barber-green roads and asphalted roads, if you can't do it now or two years time, but give us the means of at least using the same indigenous material we have there in compacting, grading, rolling the roads, cleaning the side drains, cleaning the culverts, maintaining the verges so that we have proper drainage and a proper surface that the farmers can take out their produce, children can go to school, the dead can be buried and the market trucks can go safely to the market, commercial activity can go on.

Mr. Speaker, I appeal to the Minister again, to look at how you prioritize the allocation of funds. And I am hoping that he

will relook at Eastern Portland and the roads in the Rio Grande Valley as we move forward with a plan of action to rehabilitate our roads. . I thank you.

The SPEAKER: Thank you, Dr. Rhodd. Mr. Montague.

Mr. MONTAGUE: Thank you very much, Mr. Speaker.

Mr. Speaker, I am happy that Members of the Opposition are now finally endorsing this wonderful programme.

(Applause by Government Members) When I listen to some of them, Mr. Speaker, you would believe that this is the 18th year of the JLP's Government.

(Laughter/Applause by Government Members)

Mr. Speaker, I welcome the call...

Mr. BUCHANAN: Point of Order, Mr. Speaker. Point of order, Mr. Speaker.

(*Sotto voce* comments by Government Members)

Mr. BUCHANAN: The Member is politicizing the programme.

(*Sotto voce* comments by Government Member)(Laughter)

The SPEAKER: That's not a point of order.

Mr. MONTAGUE: Mr. Speaker, Mr. Speaker, I welcome the call for accountability and transparency. And...

Mr. SPENCER: Just say that again.

Mr. MONTAGUE: I welcome the call for accountability, transparency and participation. And I am happy, I am happy, Mr. Speaker..... I wonder why the Member from South West St. Andrew is leaving me when I am on my feet. We speak about behaviour and decorum.

Mr. BUCHANAN: And you have none of that.

Mr. MONTAGUE: Mr. Speaker, Mr. Speaker, if my memory serves me right, we should not be having this debate in this House at this time, if we had held to the slogan to be '**Pot Hole Free by 2003'**. (Laughter) Because if we were **pot hole free by 2003**, we would not be here speaking about this massive and important programme to be implemented in Jamaica.

Mr. SHAW: We were pot hole galore by 2004!

(Laughter)

Mr. MONTAGUE: But Mr. Speaker, I remember, Mr. Speaker, I remember, Mr. Speaker, the NARIP programme. I remember, Mr Speaker, the Deferred Financing programme. We remember, Mr. Speaker, the Start up of Work on the Mount Rosser Bypass. We...

Mr. KELLIER: A point of order. ….as it relates to the Standing Orders as it relates to the debate on the motion. He is going way beyond the inaptitude of his… on a motion like this… (Inaudible)

Mr. MONTAGUE: Mr. Speaker, Mr. Speaker, I thank the Member from South St. James for his guidance. And I will speak within the boundaries that he speaks about. And these boundaries, Mr. Speaker...

The SPEAKER: Yes.

Mr. MONTAGUE: ...include Segment 3 on the North Coast Highway where we are still trying to find $800 Million to pay the contractor. And some of the...

The SPEAKER: Yes. Keep within the boundary though. Keep within the motion.

Mr. MONTAGUE: I'm keeping within

the motion, sir. I'm speaking about transparency and accountability and quality.

A MEMBER: And design.

Mr. BUCHANAN: That's not the motion.

Mr. MONTAGUE: Mr. Speaker, the motion speaks to accountability.

(Inaudible comments)

Government MEMBER: But he's doing that.

Mr. STERN: Accountability and quality work.

The SPEAKER: Yes, Mr. Montague.

Mr. MONTAGUE: Yes, sir.

The SPEAKER: To be fair, the question of accountability came up...

Mr. MONTAGUE: Yes, sir.

The SPEAKER: ...and if you're speaking to accountability, that's fine, but try and stick to the motion as much as possible.

(Cross talk)

Mr. MONTAGUE: Mr. Speaker, the motion spoke to subcontracting. And, Mr. Speaker...

(Inaudible comments by Mrs. Neita-Headley)

A MEMBER: No, no, across the nation.

Mr. MONTAGUE: There was a Road Master Plan, designed by the previous administration...

Opposition MEMBER: No, don't go there. Stay to the motion.

Mr. MONTAGUE: And, Mr. Speaker...

(Interruptions by Mr. Buchanan)

The SPEAKER: (Gavelling) Please, please. Please, one at a time. Mr. Montague is on his feet. Continue, Mr. Montague.

Mr. MONTAGUE: Thank you, sir.

Mr. Speaker, the Road Master Plan that was executed under the previous administration was left to lie on a desk somewhere. It is to the credit of this Government that we took the Road Master Plan, dust it off, upgraded it, went to China, sought funding to implement this wonderful programme that some Members of the Opposition originally objected to and even boycotted some launches.

Mr. BUCHANAN: Call name!

Mr. MONTAGUE: And we are now saying, Mr. Speaker...

Mr. BUCHANAN: Call name, call name.

Mr. MONTAGUE: ...the persons have clearly stated that there is political bias in the selection of some of the roads.

Mr. BUCHANAN: Who?

Mr. MONTAGUE: Mr. Speaker, as far as the Government that I'm a member of is concerned, we have two types of roads in Jamaica...

Mr. PERALTO: Tell them.

Mr. MONTAGUE: ...good roads and bad roads. (Applause) And we intend to fix the bad roads and maintain the good roads. (Applause) And if there is any road on the list of approved roads that is not a bad road, tell us so we may remove it. (Applause)

Mr. BUCHANAN: Foolishness! You know what happen to you? You have been promoted to a point of incompetence.

Mr. SHAW: Cut back.

Mr. STERN: Have little decorum 'bout yuh nuh!

Mr. MONTAGUE: Mr. Speaker, the Parish Councils were invited to participate in this programme. The Parish Councils raised, Mr. Speaker, the fact that there were 15,000 titles locked away in boxes in the Ministry of Housing for Government Housing schemes...

Mr. BUCHANAN: That has nothing to do with it.

Mr. MONTAGUE: ...for Government Housing schemes that persons...

Mrs. NEITA-HEADLEY: No, sir.

Mr. MONTAGUE: ...that persons, Mr. Speaker, had completed payment for. And the only reason... (Interruptions) ...the only reason, Mr. Speaker, that they were not given...

The SPEAKER: Point to the relevance.

Mr. MONTAGUE: I am getting there, Mr. Speaker. The only reason they were not given their titles was because the roads were not taken over by the various Parish Councils. And Mr. Speaker, this programme, the Jamaica Development Infrastructure Programme, we have incorporated some of these housing scheme roads... (Applause)

A MEMBER: Hear, hear!

Mrs. NEITA-HEADLEY: Hear, hear!

Mr. SHAW: You see the connection?

Mr. MONTAGUE: ...so that Jamaicans, Mr. Speaker, can get their titles and get their roads fixed. (Applause) Mr. Speaker, some of the speakers accused us of not consulting enough.

Mr. BUCHANAN: That is why yuh not winning back. Why is he talking about titles and roads? Go back to your seat.

Mr. MONTAGUE: I support the position of the Member from Eastern Hanover. Mr. Speaker...

The SPEAKER: Mr. Buchanan, please Hold nuh, hold nuh! Continue.

A MEMBER: I don't want hear what him talking about…

(Cross talk/Inaudible)

The SPEAKER: No, but hold. You will close the debate you know. So you can knock him on the closure. Yes.

Mr. MONTAGUE: Mr. Speaker, Mr. Speaker, we consulted, not only with the councillors, not only with the Members of Parliament, we consulted with the people. And the Member from Eastern Hanover...

A MEMBER: Confirmed that

Mr. MONTAGUE: ...confirmed those consultations. But what we found, Mr. Speaker, when we took over, you found files with roads that were surveyed, roads that were promised. For example, there was one programme, one rehaibilitation programme after Hurricane Dean, a $100 Million programme where roads were selected. Bids were invited on these roads and at the last minute the funding was cancelled. We have those roads as a hangover. And what we are seeking to do, Mr. Speaker, is to blend the recommendations from the Council, from the symposia and from those we found in the various ministries. (Applause)

Let us not forget Mr. Speaker, that this is not a one-year programme as some might be used to. This is a five-year programme, investing in Year One in the parochial network, US$19 Million, the largest amount of investment in that network in our history. (Applause) In our history.

A MEMBER: Is not Crash Programme!

Mr. MONTAGUE: And, Mr. Speaker, when some persons like the Member from Western Westmoreland speak to us using money that can repair two road to extend it to five roads, we have gone down that road so many times and we are not going down that road again. (Applause) If it is one chain we can do, we will do the one chain and we will do it properly. (Applause)

Mr. Speaker, Members of Parliament have made representation. Councillors have made representation. Members of the public have made representation. When l checked the list

for Hanover, Mr. Speaker, I was confident... That is why I went to sit beside the gentleman. I was confident that two of the roads that were mentioned in the symposia in Hanover were included, Blenheim and Sandy Bay to...

Dr. DUNCAN: Montpelier.

Mr. MONTAGUE:. ... Montpellier. Also include were some of the roads that were promised from the previous administration and some of the roads recommended by the councillors. So what we are trying to do, Mr. Speaker is to satisfy as best we can, with limited resources more than one group. And, Mr. Speaker, we have four more years to go. We were to start the programme in October, Mr. Speaker, but because we are a responsible government...

Mr. STERN: Wait until the rain.

Mr. MONTAGUE: If we had started And then Tropical Storm Nicole came, they would be the very ones saying how irresponsible we would have been. And we were to start in November, but here came Tomas. And, Mr. Speaker, we have sat down, relooked at the list of roads because priorities have changed; because of the weather pattern. I am sure the Member from Eastern Hanover would not want us to fix the road in the middle of Chigwell that is now under water. Priorities have changed because, the weather has influenced. And Therefore, Mr. Speaker, we are moving to do this thing right. Because if you do it right the first time you don't need to do it again. (Applause)

The Parish Councils Mr. Speaker, embarked upon a unique investment by resolution, have opened fifty per cent of their monthly drawdown from the PRF to pay for the commitment fee on this loan, and in exchange will secure US$100 Million over five (5) years. Originally, US$15 Million were to be spent in Year One, but based on the damage of and the state of some of the roads, that figure was upped to $19 Million. And since Tropical Storm Nicole, I have just received a letter upping that figure by a further US$8 Million, or J$689 Million. And this is Year One.

Mr. Speaker, in Year One, we will fix more roads under this programme than some government fixed in 18 years. (Applause) Mr. Speaker, the selection of contractors for this programme has followed the guidelines. We are utilizing Grade 1 contractors. And uniquely, Mr. Speaker, uniquely... and we ought to congratulate the Minister and his officers. (Applause)

Government MEMBER: Yes, sir.

Mr. MONTAGUE: We have negotiated this programme, not only at three per cent (3%) over an extended period, but in my view - and I am sure the Member from Eastern Hanover concurs that with this feature, that the bulk of the labor, management and supervision will be Jamaican. (Applause)

Mr. STERN: Under a Chinese programme.

Mr. MONTAGUE: Under a Chinese programme. And, Mr. Speaker...

The SPEAKER: Remember the time....

Mr. MONTAGUE: ...we are providing jobs for our citizens and quality roads for our people. Mr. Speaker, this programme is going to have far-reaching impact upon this nation. It's going to speak to economic growth. It's going to open up communities that were hitherto closed. It is going to repair bridges, walls, drains. It is going to put investment into communities, train our labour force, open up tourism into rural communities. It is going to,

Mr. Speaker, develop the capacity and the skills of our contractors and our accountants. (Applause)

The selection of contractors, Mr. Speaker, will be done on one basis. And the most fundamental basis is that they are Jamaicans first, second and third. (Applause) And I am sorry that the Member from Central Kingston is not here. Because I am sure he would want the contractors first of all before they sign, to get up and declare what country they are citizens of.

(Laughter)

Mr. Speaker, let us not take this programme for a joke. This programme, Mr. Speaker, of course has political spinoff, and will have political spinoff, and should have political spinoff.

Mr. BUCHANAN: You hear that!

Mr. MONTAGUE: The people of Jamaica will not be fooled. The people of Jamaica have suffered long. The people of Jamaica would like to see this programme successful. And that is why we reject any notion of political bias. And if the road is bad, bring it to our attention and let us deal with it. But don't tell us to put on a road because it's a PNP road. I don't know of a JLP road. If they know a PNP road, that is to their credit. But this is Jamaica. And this Government led by Bruce Golding recognizes Jamaican roads. (Applause)

And, Mr. Speaker, this Government gives the commitment to this House that we will fix Jamaican roads, whether they be on the highway, byways, in communities, Land Settlements or housing schemes. Whether they be in South-East Clarendon, Central Clarendon or Eastern Hanover. And we will not be like others that they will fix a road up to the border of a constituency and stop. (Laughter) We will fix a road because it will be used by Jamaicans.

We therefore, Mr. Speaker, in closing, invite the Opposition to continue.... Let me use their term... to continue the progress of consultation. And they must do what they were sent here to do, to make representations to the Minister so that the roads can be included on the programme based upon the established criteria. That, Mr. Speaker, is what selects a road. (Applause)

Government MEMBER: Well said.

The SPEAKER: Thank you, Mr. Montague.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, we have had two very important and interesting debates brought by Private Members, both debates. We have suspended the proceedings and we will resume next week.

Mr. Speaker, there being no further business to pursue, I therefore move that the House do adjourn until the 23rd of November, when we will resume our business.

The SPEAKER: Members, the motion before the House is that this Honourable House do adjourn until Tuesday, November 23 at 2.00 p.m.

Put to the House and agreed to.

The SPEAKER: (Gavelling)

This Honourable House stands adjourned.

The House accordingly adjourned at 5.46 p.m. until Tuesday November 23, 2010, at 2:00 p.m.

THE HONOURABLE HOUSE OF REPRESENTATIVES

SESSION 2010 – 2011

THURSDAY, November 23, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.23 p.m.

PRESENT
THE SPEAKER

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

AUDLEY FITZ ALBERT SHAW, (JLP), Manchester, North Eastern, Minister of Finance and the Public Service.

DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing.

PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security.

LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works.

EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism.

DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister, Minister of Information and Telecommunication.

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western.

DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central.

MR. DERRICK CHARLES SMITH, CD, (JLP), St. Andrew, North Western.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Mr. Gregory Mair.

The House resumed its sitting at 2.23 p.m.

The DEPUTY SPEAKER: This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The DEPUTY SPEAKER: This afternoon I want to welcome all visitors to the sitting of the House of Parliament this afternoon. And I want to make special mention of the students from Quality Academics. (Applause) I want to let you know and to remind us all as members of the House and our visitors, that we need to turn our cell phones either off or have them on vibrate.

And for our visitors I trust that you will find the sitting interesting. You can't take any active part in this sitting but certainly, we hope you will learn much from what takes place here this afternoon.

(HON. RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment entered and took his seat.)

(DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern, entered and took his seat.)

(MR. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern, entered and took his seat.)

ANNOUNCEMENTS

The Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 92**
  Cabinet Agenda issues for November 8, 2010
- **Ministry Paper No. 93**
  an Annual Report and Audited Financial Statements of the Financial Services Commission for the year ended March 31, 2009
- **Milk River Hotel and Spa**
  Annual Report and Audited Financial

Statements for the years April '96 to March '97 and April '97 to March '98

- The Credit Reporting Regulations under The Credit Reporting Act, 2010

(MOST HO. PORTIA LUCRETIA SIMPSON MILLER, (PNP), St. Andrew, South Western, Leader of the Opposition, entered and took her seat.)

NOTICES OF MOTIONS GIVEN ORALLY

Mr. SHAW: Madam Speaker, I beg to give notice that at the next meeting of the House I will move:

Whereas by virtue of section 19, subsection (1) of the Credit Reporting Act 2010, (hereinafter referred to as the Act), the Minister may make regulations generally for the purpose of giving effect to the provisions of the Act;

And Whereas on the 23rd day of November, 2010, the Minister made the Credit Reporting Regulations, 2010;

And Whereas it is provided by subsection (2) of section 19 of the Act that regulations made under subsection (1) of that section shall be subject to affirmative resolution:

Now Therefore be it Resolved by this Honourable House as follows:

1. This Resolution may be cited as the Credit Reporting Regulations Resolution 2010,
2. The Credit Reporting Regulations, 2010,

which were laid on the Table of the House on the 23rd day of November, 2010, are hereby affirmed.

(HON. ORETTE BRUCE GOLDING, (JLP) Kingston, Western, Prime Minister & Minister of Defence, entered and took his seat.)

QUESTIONS and ANSWERS TO QUESTIONS

PAIUD - INSPECTORATE DIVISION

Mr. BUNTING: Madam Speaker, I beg to give notice that at the expiration of 21 days 1 will ask the Minister of Finance and the Public Service the following questions:

Question 1: Will the Minister state when the Public Accountability Inspectorate Unit Division, (hereinafter referred to as the Inspectorate) in the Ministry of Finance and the Public Service, (hereinafter referred to as the Ministry) was established and whose initiative it was to establish the Inspectorate?

Question 2: Will the Minister describe the functions and the scope of operations of the Inspectorate?

Question 3: Will the Minister explain how the Inspectorate avoids overlapping functions between its work and that of other Agencies or Departments of Government, and in particular that of the Auditor General's Department, the Contractor General's Office, the Public Enterprise Division of the Ministry and the Internal Audit departments of the

Ministry and those of other ministries, agencies and statutory bodies?

Question 4: Will the Minister describe the number of posts in the Inspectorate and the total emoluments corresponding to each of these posts?

Question 5: Will the Minister state the academic and professional qualifications as well as the work experience of the incumbents in these posts?

Question 6**:** Are the incumbents in these posts career civil servants or contract officers?

Question 7: If the answer to Question 6 is contract officer, or any of the incumbents, will the Minister state the names of these incumbents?

Question 8**:** Does the Inspectorate report to the Minister or otherwise take instructions directly from the Minister?

Question 9: If the answer to the above is in the affirmative, are there other Units that similarly report to the Minister?

Question 10: Will the Minister please list the investigations and reports which the Inspectorate has:

(a) completed, or
(b) in progress
(c) planned through the remainder of the fiscal year.

Dr. DAVIES: Madam Speaker, I ask the Minister of Finance and the Public Service to respond to questions standing at No. 21 in my name.

Mr. HOLNESS: Before the Minister of Finance answers, the Member from East Central St. Andrew would want to ask questions.

FALMOUTH CRUISE SHIP PIER

Dr. PHILLIPS: Madam Speaker, I beg to give notice that at the expiration of 21 days I will ask the Prime Minister the following questions:

Question 1: Will the Prime Minister indicate the date for the completion of the new Falmouth cruise ship pier?

Question 2: Will the Prime Minister indicate whether there are plans to extend the current capacity of the Ocho Rios cruise ship pier, and if yes, would the Prime Minister indicate the status of these plans?

Mr. HOLNESS: Madam Speaker, we have two questions for answer. The Minister of Finance has indicated that he is prepared to answer the question asked by the Member from St. Andrew, Southern, and the Minister of Transport and Works is also prepared to answer section No. 19.

The DEPUTY SPEAKER: Minister.

BOJ - GOVERNOR'S CONTRACT

Mr. SHAW: Thank you, Madam Speaker.

Question 1: Will the Minister indicate whether the signing of the contract with the Governor of

the Bank of Jamaica has taken place?

Answer: Yes. The contract between the Governor of the Bank of Jamaica and the Minister has been signed.

Question 2: If the answer to Question 1 is in the affirmative, would the Minister provide a copy of this contract?

Answer: I have handed a copy of the contract to the Shadow Minister on Finance.

Question 3: If the answer to Question 1 is in the negative, would the Minister indicate a definite time frame for bringing this matter to closure?

Answer: That's no longer applicable.

Question 4: Will the Minister indicate the monthly rental for the house which the Bank of Jamaica has rented for the Governor's occupancy.

Answer: The Lease Contract signed on the 21st of July, 2010 for commencement on the 1st of August, 2010, establishes a monthly rental of US$6,500.

Question 5: Will minister indicate the total sum expended in refurbishing the house and installing security equipment?

Answer: No funds have been spent by the Bank to refurbish the house. All refurbishing done has been at the expense of the landlord.

However, $118,000 was spent by the Bank to prepare the premises for occupancy. This expenditure includes the cost of miscellaneous tools and gardening equipment assigned to the premises, the installation of miscellaneous household appliances and the installation of security lights.

The Bank evaluated the preexisting security arrangements at the premises and found them to be inadequate.

Consequently, contacts have been entered into for the installation of CCTV and other security equipment costing $1.1 Million. In addition, a security gate costing $104,000 was installed as no gate existed previously.

Question 6: Will the Minister indicate the projected monthly recurrent costs, in addition to rental, to maintain the residence for the Governor.

Answer: The estimated monthly cost to maintain the residence for the Governor is $498,000, comprised of the elements which are listed in the Schedule. And the largest item of those elements, Madam Speaker, is the services of security personnel on the premises of some $273,000 monthly. This also includes the security monitoring fees. There is an

addition amount for household services of various types of $140,000 and utilities come up to $87,000.

That being the breakdown that has been requested in the questions.

Dr. DAVIES: As regards the contract, which Minister has given me a copy, I note that the period is a three-year period. Is this a policy decision or is this by mutual agreement with the new Governor? Is it being proposed to issue contacts of three year duration in general for Governors, or is this a specific agreement with this Governor?

And the background to that question, Madam Speaker, is that in various countries it has been found desirable to structure contracts for positions such as the Governor, such that they overlap changes in government. So I just want to know if this is a change in policy or just specifically for this Governor.

(DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern, entered and took his seat.)

Mr. SHAW: Madam Speaker, this was not *per se* a change in policy, but it was a period that was established by mutual agreement between the Governor and myself as minister.

Dr. DAVIES: Madam Speaker, again, I should indicate that I understand the rationale - the Minister handed me a copy of the contract and hasn't circulated it generally, and I understand the reason. But within this contract there is a specific allowance for incremental adjustments to the salary, based on an appropriate performance appraisal process determined by the Minister, which appraisal shall be completed by June 30 of each year. I wish to now, have you developed this appraisal instrument and is there a maximum amount which can be paid consequent on this appraisal?

(MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central, entered and took his seat.)

(HON. DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Foreign Trade, entered and took his seat.)

Mr. SHAW: Madam Speaker, let me indicate that an appropriate appraisal system is being developed and we are, to the best extent possible, using precedent that was already established with the previous Governor. But I want to indicate, Madam Speaker, that there is also a general guide, which I have indicated to all agencies, including the Bank of Jamaica, that they will have to be guided like everyone else by the standards that are set in relation to compensation in the general public service and in terms of increases.

Dr. DAVIES: Madam Speaker, again referring to the contract, it states that the Governor shall be entitled to participate in all of the benefits which are receivable by the permanent staff of the Bank including loans relating to the acquisition of housing and/or vehicle.

Is this - I don't understand the availability of loans with regard to motor vehicle, given that the Governor is provided with a fully maintained motor vehicle. Is this an oversight or is that meant to be such - it is a deliberate inclusion or is it an oversight?

Mr. SHAW: Madam Speaker, it is quite a deliberate inclusion because we fully recognize that it is being put as a convenience for the Governor because we are not providing

an official vehicle for the use of his wife and children and therefore that was taken into consideration.

Rev. THWAITES: Madam Speaker, in relation to the sections of the Governor's contract relating to performance appraisal, will the Minister comment on the applicability and as a result of that having regard to the considerable surplus at the Bank of Jamaica, I believe it was last year of $7 Billion and the reportedly current situation where the bank is losing close to $11 Billion, does this at all reflect on the performance of the incumbent?

Mr. SHAW: Madam Speaker, let me indicate that because I am in the process of developing the appraisal system, it would be inappropriate for me to seek to comment on the particular point being made by the Member.

Except to say that he is very selective in choosing what gains are and what losses are without recognizing that in the Debt Exchange that was implemented this year, we have saved some $40 Billion in debt servicing cost in terms of interest payments.

Rev. THWAITES: Madam Speaker, I would just like to declare though, the Minister does confirm that the Bank of Jamaica is presently operating at an escalating loss situation and perhaps he would care in his response to indicate how this is going to be redressed, otherwise it would fall on the taxpayers. Does it not, Madam Speaker?

Mr. SHAW: Madam Speaker, I am quite prepared to address that issue after appropriate advice. I think that it somewhat out of the curtilage of the present arrangements that we are discussing.

Dr. DAVIES: Can the Minister indicate whether:-

(a) what is the total value of this package, and

(b) do you have an upper limit as to what some of these things are by definition estimates but do you have an upper limit in terms of the total package?

Mr. SHAW: Madam Speaker, let me indicate that I don't want to give the former Minister off-the-cuff information. But what I can say to him is that, what I have sought to do in this contract is to frame the contract in such a way that there is no ability for any run away expenditure to take place. It is so designed as to be very specific and therefore, to be very predictable. And I will be happy to give the former Minister the upper limit that he speaks about.

But I would want to indicate to you Madam Speaker, that by way of comparison in terms of comparative monthly expenditure, what I have just described by way of the US$6,500 rental for the house, plus monthly expenses, comes up to a monthly amount of $1.57 Million, that compares with the previous Governor's contract in a time past of over a year ago which was averaging $1.454 Million per month.

(Dr. Phillips rises to speak)

Mr. HOLNESS: Madam Speaker, we have other items on the Agenda.

(*Sotto voce* comments by Opposition Members)

Mr. HOLNESS: Madam Speaker, it is critical, Madam Speaker...

Mr. M. PEART: Sit down.

(Cross talk)

(*Sotto voce* comments by Members)

Mr. HOLNESS: Now, Madam Speaker, it is...

(Cross talk)

(*Sotto voce* comments by Members)

(The Deputy Speaker gavels)

Mr. HOLNESS: Madam Speaker, it is not that we don't want questions to be answered but, Madam Speaker, we have been accused time and again regarding completing the business of the House. I am now making it a point of duty; Madam Speaker, to alert you when it is that in my estimation we have spent more time than justifying on an issue.

The DEPUTY SPEAKER: What is the question - is it related?

Dr. PHILLIPS: A follow-up question because the Member from South St. Andrew asked a specific question of the Minister and I was not clear as to the answer which he gave and I am seeking then, clarification.

The amount as I understand it is that there is some $12 Million a year as the maintenance cost and you quoted that compared and rental. What I understood the Member from South St. Andrew to be asking, in addition to that information which is helpful is, what is the total package including salary and any other emoluments and maintenance that is contained in the present contract? And you I presume that you have that there with you.

Mr. SHAW: I indicated, Madam Speaker that in relation to - and I will just make it clear now. In relation to the salary, I am separating the issues of salary and gratuity, whatever the emoluments there. And I am saying that I am prepared to tot that up and give the former Minister the appropriate ceiling. But I indicated in relation to rental and expenses, that it has been controlled at the present level of some - an average of $1 Million, just over $1 Million per month. And I have simply indicated by comparison that a year ago, the total instead of being $12 Million per year was $21Million per year, one year ago.

Dr. PHILLIPS: Well maybe, Madam Speaker, the Minister does not have now the total package, I would just ask two things:-

1. Can the Minister tell us what the - without the other emoluments, what the salary is?
2. Could he tell us now what the over items included in the compensation package are, even if he doesn't have the amounts added up.
3. When he has added it up will he present it to the House?

Because I think it is a matter that the general public also would have some interest in knowing.

Mr. SHAW: Madam Speaker, I undertake to provide that and to indicate that as I had explained in an earlier session with the former Minister, that the salary of the Governor is linked - is the same base salary that was received by the previous Governor.

The DEPUTY SPEAKER: Go ahead.

Dr. PHILLIPS: Do you have the amount here that we could hear it?

The DEPUTY SPFAKER: No, Member, I think I have heard the Minister indicate that he will give to you.

(*Sotto voce* comments Members)

The DEPUTY SPEAKER: Well, he has answered... Member Holness go ahead.

Mr. HOLNESS: Madam Speaker, the Minister of Transport and Works will now answer the questions.

The DEPUTY SPEAKER: Mr. Pickersgill.

Mr. PICKERSGILL: Thank you, Madam Speaker.

I beg to ask the Minister to answer the

questions standing in my name at No 19.

RE: SURVEY TO DAMAGED ROADS, ETC.

Mr. HENRY: Questions asked of the Minister of Transport and Works by the Member of Parliament Mr. Robert Pickersgill.

Question 1: Has the Minister of Transport and Works undertaken a comprehensive survey of the damage done to roads, drains, gullies and other major structures as a consequence of Tropical Storm Nicole and other severe weather events that occurred afterwards?

As I interpreted the question to mean has the ministry, as against the Minister.

Answer: The answer then is no. However, the Ministry through the National Works Agency is currently reviewing and tabulating the cost as the roads are cleared.

Question 2: Has an estimate of the cost of the repairs done? If so, what is the estimate?

Answer: The flood damage report of September. Yes, the estimate was done. Approximate total $20.1 Billion. National Works Agency roads $14 Million, Parish Council Roads $6.1 Billion.

Question 3: Has any of the work been contracted out?

Answer: Yes, but only emergency works of clearing blocked roads and drains and temporary protection of affected residences and businesses have been carried out.

Question 4: If the answer to Part 3 is in the affirmative, will the Minister please inform us what method has been used to hire these contractors?

Answer: The method of direct contracting was used; this is in accordance with emergency guidelines.

Question 5: If the answer to Part 3 is in the affirmative, will the Minister please provide the names of the contractors as well as the amounts of these contracts?

Answer: The contractors and contract sums differ. They are many and varied and it would not be practical to list them here. However, the NWA has a very comprehensive list which can be made available.

Mr. PICKERSGILL: Did I hear the Minister to say, Madam Speaker that the lists are available, and will be provided?

Mr. HENRY: I am sure that out the going Minister will be aware of emergency and thousands different people who have clear roads under emergency.

As I have said, the NWA has a comprehensive list. We have to review all the work - all the programmes that have been done; we have to audit them and then begin to make the exercise of payment. It is emergency work.

Mr. PICKERSGILL: Madam Speaker, let me repeat. Did I hear the Minister say, that

the lists are available and can be provided? That is a simple question.

Mr. HENRY: I said the National Works Agency has the list which it is auditing as it is paid. If you wish, we will release that to you.

Mr. PICKERSGILL: As it is what?

Mr. HENRY: As it is paid we will release it to you. Because what you have is an estimate of damage and emergency work, you are fully aware of that. Therefore, you open the roads then you prepare for the ministry the payments that must be made. And you are fully aware of that.

Mr. PICKERSGILL: Minister, the contractors have names and the estimates have figures beside them. I would just like to know who these contractors are. You have said how they were employed, who they are and what is the - because they certainly couldn't start working unless they knew who they were and what amounts are involved.

Mr. HENRY: I advised you that the National Works Agency has the list and I will ask them to provide you with the list for those who have been audited and have been paid.

The DEPUTY SPEAKER: Member, can I ask you just to hold for a moment for me. Will the Member from North Trelawny - Dr. Harris you submitted a question?

PIPELINE

Dr. HARRIS: Yes, Madam Speaker, the question is to the Minister of Water and Housing.

The DEPUTY SPEAKER: Will the Member from North Trelawny, Dr. Harris, you submitted a question?

Dr. HARRIS: Yes, Madam Speaker, the question is to the Minister of Water and Housing. The question is, when will the pipeline between Duncans and Crawle be removed and replaced?

Mr. HOLNESS: Madam Speaker, the Member from Trelawny would have to pose the question in the appropriate way for it to be properly recorded. So at the expiration of 21 days I would like to ask the...

Mr. JACKSON: Madam Speaker... No, House Leader, I am understanding that it is appended to the question asked by the Member from North West St. Catherine.

MEMBERS: No, no!

Dr. HARRIS: I'm sorry, Madam Speaker, the proper way of posing the question would be at the expiration of 21 days I wish to pose the question to the Minister of Water and Housing...

(Inaudible comments by Members)

Dr. HARRIS: The question has been submitted, the question has been submitted...

(Inaudible comments)

Dr. HARRIS: The question has been submitted.

The DEPUTY SPEAKER: The question was submitted.

(Inaudible comments/cross talks)

Dr. HARRIS: But for clarity, Madam Speaker, I wish to say that the question is about the removal and replacement of the pipelines between Duncans and Crawle.

Mr. HOLNESS: Madam Speaker, it is not necessary for the Member to declare at this moment the specifics of the question.

The DEPUTY SPEAKER: Alright, we have to move on.

(Cross talks)

The DEPUTY SPEAKER: (Gavels) Members, Members, please!

MOTION FOR LEAVE TO INTRODUCE BILLS

Mr. SHAW: Madam Speaker, l beg to move to introduce and have read a first time, a Bill entitled: AN ACT to Amend the Urban Renewal Tax Relief Act.

Bill shortly entitled:

"The Urban Renewal Tax Relief (Amendment) Act 2010",

read a first time.

Mr. SHAW: Madam Speaker, I beg to give notice of second reading of the Bill.

I want to indicate as well, that at a later stage today I will move for a suspension of the Standing Orders to allow me to take this Bill.

Dr. DAVIES: Why do I get a sense of confusion?

Mr. SHAW: Shut up! (Laughter)

PUBLIC BUSINESS

Mr. HOLNESS: Madam Speaker, at Public Business today, the Minister of Finance has just given notice that he intends to take the Bill, of which he mentioned earlier, through all its stages, that is the amendments to the Urban Renewal Act.

The Honourable Prime Minister will be taking the Plea Negotiations Agreement Act and also the Prime Minister will move the Resolution notice of which was given last week on the Public Broadcasting Corporation Act - the amendment to that Act.

The Member from St. Thomas Eastern, will take the Report on the Human Resources and Social Development Committee, the specific Report, Madam Speaker, on the system of National Honours and Awards, and we will continue debate on the Private Members' Motions which we started last week being Private Members' Motion 29 and 14.

THE URBAN RENEWAL TAX RELIEF ACT

Mr. SHAW: Thank you very much, Madam Spearker.

Madam Speaker, the Bill that is before us is AN ACT to Amend the Urban Renewal Tax Relief Act. The amendments to the Act are aimed at expanding the suite of incentives currently offered, and by so doing enhancing the appeal of the designated blighted urban areas across Jamaica, in particular Downtown Kingston.

Madam Speaker, for a long time it has been the dream of successive governments to renew the blighted areas, and in fact, I take note that this is a Bill…

Mr. HOLNESS: Madam Speaker, the Minister of Finance should have moved for the suspension of Standing Orders to allow him to take the Bill through all its stages. I move on his behalf Madam Speaker.

The DEPUTY SPEAKER: The question before the House is that the Standing Orders be suspended to allow the Minister to take the Bill through all its stages.

Put to the House and agreed to.

The DEPUTY SPEAKER: Continue.

Mr. SHAW: Thank you very much, Madam Speaker, and I thank the House Leader for that appropriate intervention.

Madam Speaker, many Jamaicans can recall the better days of downtown Kingston, when it was a commercial hub teeming with business activity. From the boardroom on Harbour Street to the friendly corner fruit vendor, Downtown Kingston had a pulsating rhythm all of its own, inspiring diversification, growth, investment and development.

Mr. BUNTING: Sound like you.

Mr. SHAW: What happen, you don't

want to hear about developments Downtown? I know the Member from Central Kingston would like to hear, so since you're in a different central constituency, keep quiet.

Sadly, Madam Speaker, the years have not been kind and while some companies have stayed - and they are to be commended for having stayed the course - and thrived while contributing to the development of surrounding communities, others have become frustrated with the vagaries of crime and have left the area, taking with them many jobs and many opportunities.

The amendments to be debated today are considered a quantum leap towards reviving the urban areas such as Downtown Kingston, and this of course, will include other areas such as Spanish Town and Montego Bay, in terms of attracting investment to those blighted areas.

Under the current Bill, Madam Speaker, which was passed some years ago under the previous Administration, the approved developer gets a tax credit of 25% of the capital expenditure made in each year during the incentive period where the improvement works are carried out. And the tax credit may be applied to reduce the annual income tax liability.

Interest payments on loans made to an approved developer by an approved organisation for the purposes of carrying out improvement works are also exempt from income tax. This is the present system I'm simply reviewing. Interest on urban renewal bonds held by investors is also exempt from income tax. Rental income received by appropriate approved developers in respect of the lease of improved property is exempt from income tax during the incentive period.

Any transfer of title to any improved property by an approved developer is exempt from transfer tax during the incentive period. Urban renewal bonds are exempt from stamp duty. Instruments of transfer of title to an urban renewal bond are exempt from stamp duties, transfer tax, registration on recording fee.

Madam Speaker, it has been considered necessary to make these existing benefits even more attractive to enhance the scheme of incentives even more. And so the additional incentives that are contained in this amendment to the Urban Renewal Tax relief Act, includes the following, Madam Speaker:

- The investment tax credit will be increased from 25% to 331/3 % of the capital expenditure on the development;
- Double rental deductions for lessees of properties in the blighted area, that will be now allowed. They will be allowed to claim double the rent as a deduction in arriving at statutory income.

The relevant anti-avoidance measures have been included in the Bill and will be outlined later in my presentation in order to really prevent any abuse of that privilege that is being put in place.

Exemption from Stamp Duty and Transfer Tax: in circumstances, Madam Speaker, where land is being transferred to an approved developer for the purposes of carrying out improvement works under the Act. And persons who benefit from other incentives will no longer be allowed to also benefit under the Act. However, special arrangements have been made in the Bill to allow certain entities, tax relief under both the

Urban Renewal Tax Relief Act, as well as other pieces of legislation.

Existing ones that were in the previous – in the existing Bill are building societies and insurance companies. And what we have sought to do is to expand it to include entities who benefit from the Hotel Incentives and Resort Cottages Incentives Act because we want to encourage the construction of hotels Downtown, as well as those who benefit under the Industrial Incentives Act, because we want to encourage the development of factories and industrial activity in our Downtown Kingston area, Madam Speaker.

Madam Speaker, the Bill that is before us is not exhaustive in terms of the amendments that are listed. The important thing is to indicate that we did not consider these amendments lightly. We've looked at other, historically, blighted cities such as Dublin in Ireland, we looked at the model of San Juan - old San Juan - in Puerto Rico, we've looked at Harlem in New York and a number of other jurisdictions and we've examined what were the scheme of incentives that were put in place in order to more aggressively seek to encourage investment and reinvestment into blighted areas.

And it is on this basis that we came up with this enhancement of this model which has been put in place by the previous administration. We did it with wide consultation and I must indicate that the investment programme that has now started Downtown Kingston has commenced on the basis and on the promise that these amendments will be made by us in the Honourable House.

The Cabinet decision regarding these amendments was made in September 2009. The Ministry of Finance and the Cabinet deliberated on several issues, primary of which was the recommendation from our multilateral partners and others, that a review of all types of tax reliefs such as incentives and waivers be done. We are conducting this review of course, in a context of prudent fiscal management and growth stimulation. We aim to encourage all the incentives with a view to determining those which are still relevant or beneficial to the country.

Our multilateral partners are aware of the Government's commitment to stimulating investment in these blighted areas. And l want to indicate, Madam Speaker, that the review that we are doing now on tax policy and the waiver policy, we have indicated, as part of that review, we have given the Director General of the Planning Institute of Jamaica his own separate work and that he is engaging - I think he is coming here this week, PROFESSOR DON HARRY who has a good knowledge of our circumstances, had worked with the previous Administration in establishing the National Industrial Policy - he is working with us now to isolate those areas, Madam Speaker, that are considered important in terms of being a part of the scheme of how we can encourage more aggressive investment in the economy.

Madam Speaker, the development has already begun, as I said, in the Downtown area with a major telecommunications company as well as other developers who have indicated an interest in investing Downtown. The Prime Minister had already announced that one investor wants to build a hotel on the site of the old Myrtle Bank Building. Another investor has already purchased a major security company, has already purchased a

major block of several acres of land where they'll be establishing their corporate headquarters Downtown.

We have also been advised that there have been continuous and significant interest displayed by other potential investors. The expansions the incentives under the Act is an illustration of the Government's belief that our blighted areas can be transformed and with this transformation we hope to see job creation, a general improvement in the area and the continued revival of the Jamaican economy.

Government MEMBER: Hear, hear!

Mr. SHAW: One walk Downtown shows the great potential of Downtown Kingston. Those that have stayed including government institutions when we've seen what the Bank of Jamaica has done where they have taken areas that are surrounding the banks and created-beautified the areas, Madam Speaker, we need only to look at the potential for creating a boardwalk along the harbour; and we can have that vision and that dream that that cruise ships can once again one day dock in Downtown Kingston and be able to and their passengers come off from the wharf and be able to go to fine restaurants, go into nice boutiques where we can renew - we can have all these shops that are now closed Downtown, can be revived.

In fact, the telecommunications company that is starting their own construction down there, Madam Speaker, they have already indicated that they are looking for 5 to 10 buildings they want just to take it over whether on purchase or lease arrangement and to build those out for shopping, for restaurants, for boutiques, for other types of shops; all a part of the revival of Downtown.

And I must indicate as well, Madam Speaker, the new Transport Centre is about to be promulgated in Downtown. There is some doubt as to its location but logistically I'm not the expert on that but it's a piece of infrastructure that is there.

Digicel is also to be commended on spending so far close to $200,000,000.00 as a contribution to rebuilding the Coronation market. And they should be commended for that kind of corporate involvement.

And so Madam Speaker, it is on this basis that there's a long way to go in urban renewal, there's a long way to go in terms of housing for instance. But we have to build the productive capacity first of the country, Madam Speaker. We have to build our earning capacity. We have to create jobs, so that when, over time, we are able to provide housing then those who avail themselves of the housing will be able to pay their way in terms of their own mortgages, Madam Speaker.

This is all part of the scheme where the only sustainable way forward for us, in Jamaica is to provide the basis for us to be able to create wealth. Create that space of wealth for ourselves because we cannot borrow our way to success, but we can earn and produce our way to prosperity.

Thank you very much.

(Applause by Government Members)

Government MEMBER: Very good, very good!

Rev. THWAITES: Madam Speaker, this is a welcome amendment to the existing legislation. There is a natural symbiosis between the development of commercial sites in the inner cities or in the major cites of Jamaica. Notably, Downtown Kingston, but also various other parish capitals to which this

will apply and the redevelopment of residential accommodation.

There is much that needs to be accelerated. And while the amendments that are suggested here for our approval are necessary as the Minister conceded, they are not sufficient to carry through this enterprise in sufficient alacrity. I suggest that in due course the administration is prepared to look at the definition and qualification of "approved developer" in the original Act and see if that can be further widened to include those who are, perhaps, more modest in their enablement but nonetheless are able to take one block or less than that, one premises, and make the appropriate improvements.

Madam Speaker, there are a number of plans. The question is do we have the will to make the necessary changes. The Minister is correct in his idyllic utterances about the waterfront of Kingston, but the Minister will know that unless we stop putting garbage - we've stopped putting sewage, but we now put copious garbage into the shore line. And, therefore, the point I'm making is that there are a number of ancillary steps that have to be taken in order to give these provisions the required bite.

A boardwalk from the Myrtle Bank area right across to the Market would make a wonderful addition to the waterfront of Kingston. A place of refreshment, relaxation, making use of that remarkable God-given facility that we have of that natural harbour. But it will take more than concrete and steel. It will require, for example, that the parking facilities are recessed and that the high-rise buildings don't come to the waterfront. I hope these are planning guidelines that can be put into effect so that people have the space.

And similarly, it should be true not only of Kingston you know, Madam Speaker, I'm sure that towns in the rural areas require the same kind of very subtle and sensitive planning. The calibrations of parks, of recreational areas go to social upliftment and to personal behaviour and conduct. These are things that are sadly lacking in our environment. They have become a cropper of the upside-down development of recent years.

Madam Speaker, the Minister commented on the waterfront, may I draw him closer to the site of his own bailiwick, that of the Ministry of Finance. The parking in Heroes Park has to be contained Minister. We can't have the heroes...

Mrs. HENRY-WILSON: And the roads and the parks.

Rev. THWAITES: ...all of that being jostled by the cars that park in your Ministry. We accept that what is there will stay there, but will you please prevent it from expanding as it has been expanding. The former Minister of State in that Ministry tells me that it was designed as temporary that would be even happier if it could be so. But National Heroes Park has been the subject of some discussion headed by the Honourable Prime Minister; and one wants to see that go forward. Particularly, Madam Speaker, if it can be supported by private capital.

Let us go back to the dream of the late RIGHT EXCELLENT NORMAN WASHINGTON MANLEY that the park would be the pivotal point around which the Government ministries collected and, of course, it was part of his dream that this Chamber would occupy a pride of place. I can never understand why that has been changed.

Nonetheless, Madam Speaker, the entire

area seems to me to be appropriate for investment - not by government, we know the constraints there, but by private capital given the appropriate incentives of which these are a part.

There are couple more requirements though. **First** of all, Madam Speaker, government controls or owns a great deal of the land in the inner-city of Kingston. Is that true in Falmouth? Is that true in Spanish Town? Is it true in Montego Bay? And to the extent that it is, Madam Speaker, the government must take the initial steps and advertise those properties and given these present concessions, make them available for development. That is, we must set the example in that regard. I don't even know if we have a satisfactory inventory of public properties that are there.

Secondly, you will not have businesses coming into the area and factories, Madam Speaker, in any number unless people feel that they can live congenially in the precincts, in the curtilage of all of these developments. Right now, it is almost impossible to attract mortgage capital into the inner-city. They'll take your savings, Madam Speaker. Oh yes! The Building Societies and the banks will take your savings if you live on Fleet Street or Rum Lane, but they won't lend you any money for the premises there and yet we all cry in our cups about the lack of urban renewal. I understand the difficulties. There are difficulties of resale in the event there is a default.

Madam Speaker, the United States Agency for International Development is one partner of ours, who has exceeded themselves, in recent times, to offer levels of mortgage guarantees and I would commend to the Minister - the Honourable Minister a further enquiry, an extension of this possibility to see just as we are prepared to do quite appropriately with small businesses and with other enterprises that urban renewal deserves, wherever possible, some measure of protection that will allow private capital to feel easier to engage in lending in these areas.

In addition to that Madam Speaker, the *Quit Rents Act* must be used. I believe the last effort in that was a longer time ago than any of us living here. Yes. When people don't pay taxes for their lands as often happens in the inner-cities, the properties must be subject to the penalties of law.

Similarly, I would ask that the common law in respect to adverse possession be looked at very carefully. The periods are far too long now and what you're having is vast numbers of properties where the owners no longer are alive, perhaps they live abroad or their relatives do, there is no interest in them anymore; yes. There are probably - Many, many are lodged with the Administrator General, Madam Speaker. You know of that from your private professional involvement. And we need to have someone who is taking charge of freeing up urban premises and directing the occupants, those interested in becoming approved developers - whoever they are improving them and providing congenial facilities for that to be done. It has to be an overall thing.

While we applaud Digicel and we're glad if they can take over the many other buildings for commercial enhancement just look at Harbour Street, Honourable Minister, look at Port Royal Street. What could be done with the husks that now are there? Like carrion on what were once the profitable and personable

and beautiful buildings of those areas. These have to be opened, and titled for development. such as that which you indicate they're opening to. I believe that there needs to be this special focus on urban renewal. It would, I believe, depress the crime situation if people had better opportunities for living. I applaud the initiative being taken by government, I believe, spearheaded by the Urban Development Corporation, in order to begin very experimentally understandably tentatively a process of redevelopment infill of certain premises in West Kingston and Central Kingston. We need to go about this deliberately and to try and replicate it as soon as it is successful.

It has to be clearly understood that if government takes any lead role in this regard that doesn't mean free building and free home. Yes? What has to happen in this is the improvement in the involvement of those who are going to benefit in the formal economy rather than in the shadowy informal economy. This means that you have responsibilities as well as you are achieving benefits.

I believe if some of the suggestions I have made and some that are inherent in these amendments to the legislation are put forward we can see this happen in our lifetime. I commend these amendments for the approval of the House.

The SPEAKER: After Member Henry-Wilson..

Mrs. HENRY-WILSON: Thank you, Madam Speaker,

I have three (3) quick points that I'd like to just raise with the Minister. One of them is the question of the drift of urban degradation and whether, in fact, how far this is going to apply. I make this point in relation to very good housing stock and infrastructure that exist in places like Allman Town, sections of Woodford Park, sections of Franklyn Town. And whether, in fact as a part of this urban renewal we should not be looking at how we can put in - the infrastructure is there already, and you have lots of persons who are willing to come and refurbish those homes. Whether in fact there could not be some incentives because if you look at those houses, there's lots of land, they're very well-developed and I think it offers an opportunity to begin to stop the drift going northwards and losing more housing stock.

In that regard, I think the experience of every country that has had successful urban renewal is that you have what is called gentrification, where you have both mixed use and a mix of the social classes - for want of a better word - who inhabit these areas. We started by doing some of the apartments Downtown on the waterfront. And I am just urging that we look at accelerating, or at left providing a catalyst for more people to want to live Downtown. The urban renewal experience is that people are moving up and down all through the day and at night and you have restaurants, you have all kinds of social facilities. So we may need to do some kick-starting with that. But I really believe that we need to offer that as an incentive, as well.

In that regard, Mr. Minister, perhaps we need to set the example. I don't know how many people have seen the UDC buildings Downtown recently. They are not the best in terms of office. They are in a derelict condition, most of them are empty, if you go in there the water is running. Perhaps we need to set some example by refurbishing those buildings. People complain that the agency

responsible is not a good landlord, that they have to close down the buildings very early in the day, lock down the facilities, and people have moved out. But I think we need to start by actually refurbishing those buildings and offering them, perhaps at concessionary rates. At the moment they are empty. So those are just my three points that I would like to make about the Urban Renewal Bill.

Dr. DAVIES: Thank you very much, Madam Speaker.

Madam Speaker, let me begin by asking - I am not very clear from the Minister's presentation, whether the multi-laterals, I think primarily the IDB, are they aware of this, and this has been signed off on, or is this subject to completion of their review of the incentives.

Mr. SHAW: They are aware.

Dr. DAVIES: The second point I want to make - the Minister has said that they are aware.

The second point I would like to make is that it's related to points made by the Members from Central Kingston and South East St. Andrew. I think there is a need for us not to see this simply as a tax-break incentive, but a more comprehensive look at what is needed for the development. And within that context it's much more than the Ministry of Finance, *per se*. There is need for work by the NHT, there is need for work by other nuns of Government who have assets or interests in that regard. This represents - the reduction in taxes or the granting of incentives represent a critical, a necessary, but not a sufficient component to achieve what we are smoking about.

The Member from South East St. Andrew made reference to good housing stock and .therefore, again, Local Government will have to come into the picture. The extent to which what were formally good residential areas have been transformed within a short period of time because of inappropriate or illegal change of use, it seems to me that we need a comprehensive look at what do we need in various locations to stimulate redevelopment.

Following in that line, Madam Speaker, I think it's important that we assess what have the incentives which we introduced 'X' years ago concretely, can we point to what has been achieved? I say this because what we are simply doing is doing a little more here, you move from 25 per cent to 33 1/3 per cent.

The question is, is there a basis for this increase, or should it be 50? We don't seem to have - I do not know that there is - any analysis has been carried out as to what do we need to reinvigorate development Downtown, as opposed to former residential areas. It seems that it needs to be carried out at a more scientific basis.

Minister, I had a little confusion here when you mentioned that in certain instances firms could benefit from two sets of incentives. I think you made specific reference to hotels, whereby firms which benefited from and factories benefited from incentives there could also benefit here. I am not clear - your section 14(b) and subsection (2) then indicate the instances where the double benefit would not apply. How was that decision come upon? And what happens if an insurance company which is involved in one - in say tourism, seeks to benefit is that they qualify because they are in tourism, or they don't qualify because of...

(*Sotto voce* comment from Mr. Shaw)

Dr. DAVIES: Don't worry about from my time or anything. I am just asking how then -

if the objective is the redevelopment, let us focus on that as the objective.

So I join with the other Members in speaking, that the need - we all see throughout - you started off by waxing poetic about what is being done in Kingston, but the degradation goes beyond Downtown, it has taken over many formally strong residential areas. And it not just physical degradation, it then becomes social, then areas which were houses are now garages, and there is an out-migration. And therefore, there is a need for us, even as we take these steps, for a commitment for a much more detailed integrated approach, in terms of what's needed to restore areas of the urban - urban areas.

The final point I want to make, I was reading - in reading this Act, in Clause 4 paragraph 17(a)(2), there is reference made to the Transfer Tax Act, and I didn't know what that was. Look on page 3, the last line, the Transfer Tax Act. I would be grateful if you could clarify what exactly that means.

Mr. BUNTING: Thank you, Madam Speaker.

Madam Speaker, I support the Bill. However, there are a couple questions I would ask the Minister to - or areas I would ask the Minister to expand on. Has there been an evaluation of the projects which have utilized .the relief of the original - and obviously, there are other factors that are preventing investment in real estate. The Minister has made some incremental improvements, in terms of reducing the Transfer Tax. But the truth is, our overall cost of transferring a piece of land is still, I think, prohibitive, and is a disincentive to persons who will invest in land primarily as an investment on real estate, primarily as an investment. Because if you hold it for any period shorter than ten years, most of your capital gains will be eaten up in the transaction cost of selling it again.

(*Sotto voce* comment from a Government Member)

Mr. BUNTING: No, what I am saying is, the cost of selling it, the Transfer Tax, Stamp Duty, real estate agents fees, the legal cost, *et cetera* which used to add up to about 20 per cent have now been reduced somewhat but still in the high teens, I think are still an overall disincentive.

(*Sotto voce* comments from Mr. Shaw)

Mr. BUNTING: A part of it is the private sector, not just the lawyers, but the brokers. The brokers are asking as high as six per cent (6%) which I think is short-sighted. Because it would be better to have a lot of transactions, even if you are making one or two per cent, but doing five times as many transactions and the things turning over.

So I would ask the Minister, given the fact that construction is down - the PIOJ's announcement this morning, or which was carried in the news this morning, mentioned it's down one per cent (1%) again. And there is - the potential for employment of the persons at the bottom is so huge in this sector, if - I would ask, one, look at the evaluation, but secondly, look at all expansion of this initiative, not necessarily on an urban – but looking at reducing the transaction cost overall, to improve the attractiveness of real estate as a development.

Thank you.

The PRIME MINISTER: Madam Speaker, just a few comments I wanted to add to what has been said. I wanted to join with the Minister of Finance in commending those investors who have already not just expressed

an interest, but who have actually committed themselves quite significantly, in terms of the level of investment that they are prepared to make, and some of them have actually started already in Downtown. And they are doing so at a time when it is still very much a hope and a dream but they are demonstrating their own faith.

You know, it was quite - I found it quite interesting that some months ago, I think in the early part of this year or late last year, I invited MR. DENNIS O'BRIEN from Digicel, to walk the Coronation Market. And in all of that inadequacy, overcrowding, vendors almost merging into each other, the challenges of collecting the garbage as fast as the garbage is generated, he looked at it and he just kept looking, and he saw opportunity. He saw an opportunity to both contribute to the development of Downtown, and also create a whole new dynamic area of economic activity.

But there are some challenges we face. There are many cities that have been the subject of urban renewal, .and the first victims of that are what I call the indigenous population, the people who live there. Some wonderful things have been said about Harlem. The fact of the matter is that the people who used to live in Harlem are not there anymore, because they were displaced when this new, fabulous development entered. That's something that we can't do. As the Member for Central Kingston will confirm, the residents of Downtown Kingston are a critical part of the life of downtown Kingston. It's not a place that you simply lock up, pull down the shutters at 5.00 o'clock, check off the cash register and then head Uptown. And therefore, any development is going to have to include the people, not just in terms of their residential arrangements, but also in terms of their economic wellbeing.

In the development plan for Downtown, it is proposed that we are going to pedestrianize a number of streets for vending, so that this friction between vending and traffic can come to an end. We wouldn't be the first city to do it. There are many parts of the world where it is - there is a promenade, and it is properly laid out, properly managed, properly kept, and it becomes part of the economic life of downtown. And the work in terms of identifying the areas for that is being done.

On the question of housing, the House knows, Madam Speaker, that the intention of the Inner-city Housing Programme started under the last administration was to try to tackle the serious problem of housing in the Inner-city communities. But you are caught in a serious dilemma. It's not a greenfield project you are doing, so it's hat a matter of simply building houses and advertising them, and those who can afford come forward. You are building hopes for the people who sometimes have to be temporarily displaced in order to allow for the houses to be built. And how to build those houses and to fit the people's income and affordability into the houses that you build is the challenge that has defeated the Inner-city Housing Programme.

The Housing Trust has a system-wide delinquency of 15 per cent. Its delinquency in the inner-city project is 45 per cent and in some inner-city housing project, as high as 75 per cent.

And yes it is true that there may be some purchasers who could have done better than that. But the fact of the matter is that you are installing in a house, someone who is unemployed, who may earn a little money

from whatever itinerant activity they are involved in, barely to keep them alive, they are just not able to pay the mortgage for the kind of houses that we were building.

I know certainly in terms of Denham Town, the cost of that house was some $4 Million. We took $2 Million off the top, so Housing Trust just gave them an immediate capital subsidy of $2 Million and said now, pay your mortgage on the other two, and many of them can't manage that. And it says to us that we have to find a way, since we can't wait until we can get the jobs and get those incomes up in order to fit the houses that we are building, we have to find a way to apply the kind of housing solution that is within their affordability, but is still consistent with the development of Downtown Kingston.

The Member for Central Kingston is aware that we have been working because he is involved in it and he has made significant contributions to it. We are working on a new concept which is not going to see the four story walk-ups that we were attempting to build, they are going to be much more modest. But they are going to be designed in such a way that they can be built upon overtime. And the Housing Trust has approved a modest amount of $154 Million to do a pilot project, and we'll be selecting sections of Central Kingston and West Kingston for that pilot project. I am told that that should be able to cover 80 to 100 units. And we'll be doing that as a pilot project. We want to study it, we want to study the social impact of it, the extent to which the people themselves take ownership of it and are prepared to contribute to its completion, and are committing themselves to continue the development even after we have gone.

I want to pay tribute to MR. PATRICK STANIGARD, the Chief Architect at the UDC, who had done, in my view, a tremendous job in bringing a brand-new kind of thinking, and creating out of these Inner City communities, little quadrangles, where, you know, people had a problem in the past where access was a problem, he has done some wonderful things in terms of how it is to be laid out. And I am hoping that we can get those started early next year, if it works. And if the assumptions we have made are true, then it shall mean a completely new approach to housing in the inner cities.

We are hoping, Mr. Speaker, that with the - Madam Speaker, I am sorry - that with the passage of these amendments, that that too will be a stimulus for housing developments because the exemption for Transfer Tax, the tax credits that are offered would also apply to investments in housing.

As I indicated recently, Mr. Speaker, in order to encourage private developers to become more involved in housing for middle and lower income families, we have reduced the interest rate on interim mortgages that are offered by the Housing Trust to developers, we have reduced the interest rate from 8% to 3% and said to them, get involved in housing, so long as it falls within this category.

(Applause)

One final point I want to make because it's related to all of this. The Minister of Finance will soon be asked to look at - if it's not automatic, I am not quite sure.

We had announced some time ago, Madam Speaker, that we would be relocating the Jamaica Defence Force to Caymanas. We have already transferred to the JDF over 4,000 acres of land in Caymanas. That will become

a new Headquarters. They will have a major training facility there, major operational base; it's something that will be done over time. But what that is going to do is that it will free up 70 acres of land sitting in the middle of the City, that in my view is going to provide an opportunity for us to retrofit the City of Kingston, to provide it with the lungs that it does not now have and to create the kind of facilities that will completely rejuvenate the City of Kingston. It requires very careful planning. It's going to be a mixed-use type of development. It is going to have to be something that almost engages the entire community of the Corporate Area. And preliminary work and the design have already been done.

As a matter of fact, we have a meeting with the UDC this week and it's one of the things we are going to be looking at. It provides all opportunity, as I suggested, for a massive development. And it's going to have to be private sector driven, let me make it clear. Government doesn't have the money to go and develop these lands. What we will do is that we will put our thinking in terms of the concept of how it ought to be laid out and what we want to do is to parcel it, parcel it out and invite private investors to come forward.

For example, I give you one example, and I hope I am not saying more than I should. I'll give you one example of the concept. We have the section where the Bustamante Children's Hospital is located and the thinking is that on lands that are contiguous to that, that would become a medical complex where every possible medical procedure that you want could be had there. So that if you want your MRI, you go there, you want to go to your orthodontist he is there, all the medical services would be there. But this would have to be private investment. What we are going to do is to develop the concept and say to private investors, you come forward and you take this one, somebody else comes forward and takes on the housing. Even in terms of housing, we are talking about making sure that it blends into Woodford Park and Vineyard Town. So it mustn't be something that just stands as a contrast to what exists around it. It is an exciting new project in its infancy, but it is going to require, Madam Speaker, the kind of facilities that will be available under the amended provisions of the Urban Renewal Programme in order to give the encouragement, the inceptive, to give the prospect the kind of excitement that it wants. And it is part of what I think is going to make a real difference in terms of how we approach the City of Kingston.

Madam Speaker, I am pleased to support the measure. And as someone made the point before, that passing it here is one thing. I remember when this original provision was passed, the late MICHAEL MANLEY was the Prime Minister, the response to it was very anaemic. And whether it was that it wasn't properly marketed or whether it was that it was not attractive enough, or whether it was that there were some other things that needed to have been done to enable this to be more effective, let us make sure that this time that we do the things that are necessary to really get the energy and activity that we want going in that section of the City.

(Applause)

Mrs. SIMPSON MILLER: Thank you very much, Madam Speaker.

I support the redevelopment of Downtown Kingston, but I would like to say to the

Honourable Minister of Finance that I hope it is being done in terms of planned development of the entire Downtown area. I hope it won't be done by just somebody getting a building here and fixing up and somebody outside of a well organized and planned development for Downtown.

The Prime Minister spoke about looking at houses, and I was going to say whether the Government would be looking as well at the residential areas. He spoke about the inner cities there are some areas Downtown that are hot regarded as inner cities, but certainly would need for us to look at.

But the Prime Minister said something awhile ago that is of great concern to me that I hope that we will have some further discussion on which is the comments made by the Prime Minister of removing - giving JDF lands in St. Catherine and removing and I am concerned about - we would love to have the discussion on security concerns and certainly the historical value of Up-Park Camp and the preservation of our heritage site and also the reservation of our history. I really believe it is something - All I am saying, I am not saying that - opposing yet I am just saying I would love for us to have some further discussion on that because there are security concerns that just jump up at me immediately and other concerns in terms of our history and the preservation of our heritage. And I would love that we would have some discussion on it before a final sign-off on what is going to be done with the lands at Up-park Camp.

Thank you very much.

(Applause by Opposition Members)

Mr. CLARKE: Thank you, Madam Speaker.

As I listen to the pronouncements about urban renewal and areas earmarked, there was mention about Spanish Town and Montego Bay. We do have some decaying urban center in the rural areas and in my instant case I speak about Savanna-la-Mar. It should come in for special consideration. Because if you go along Great Georges Street and you see the facade of these nice buildings there, just take a walk to the back streets and you will see the level of urban decay that's there.

And, I don't know if you have been following the crime statistics, but the increase in crime in Savanna-la-Mar is really getting out of hand, and it is happening because they have taken onto themselves this kind of urban sort of situation where, if you go there you will see a replication of the inner-city, the worst of the inner-city in Kingston being played out in Savanna-la-Mar. And I believe that, in the scheme of things, some consideration ought to I given to places like those.

I heard the Prime Minister say that there is some pilot project going on. I think I would like to offer Sav to partake of a little part of that pilot, I'd ask that you give it some serious consideration.

Thank you very much.

Opposition MEMBER: Hear, hear!

Dr. FERGUSON: Madam Speaker, just one quick question to the Minister. Whether there is any consideration, similar to what was done in the United States as it relates to the Community Reinvestment Act of 1974, whether there is any consideration being given as it relates to persons living within these areas - a parentage of profits of financial institutions are dedicated to residents

living within a particular geographic radius of this renewed area? I just want to raise it in the context of the amended Bill.

Dr. PHILLIPS: Madam Speaker, now that the debate has proceeded quite extensively just a couple of comments.

The first is to enquire of the Minister - a point has been made I believe by the Member from South East St. Andrew. Is it contemplated at this time extending the geographic escape of the tax relief that is granted under the Act? I believe there was the original designation of the area, it was primarily restricted to downtown, but as I understand it and I think it is evident to all of us, there are many areas of the Corporate Area and indeed, as has been mentioned by my colleague from Central Westmoreland, there are other areas of the country where this phenomenon of urban blight applies and we ought very much to try to do what we can to stimulate the investments in those areas that can still be recovered without too massive an expenditure, rather than wait until they are in need of some major state-led kind of effort.

The second thing really relates more to some remarks made by the Prime Minister concerning the role of the NHT. And thus far the NHT has been involved in essentially building, if not greenfield projects, but new buildings even in those where there are smaller projects. And there are many communities, some have been mentioned already, Allman Town, *et cetera*. There are places in your - Richmond Park, Chisholm Avenue and areas like that and beyond where...

Dr. DAVIES: East Central.

Dr. PHILLIPS: It is in East Central, but not only in East Central, you have communities where there are good structures and what happens overtime is that they get rented out, a room here, a room there and you have 15 or 10 families in a room. One of the things that has been done in some other cities is really to take some of these types of buildings, and in many cases the owners of record have abandoned them, but to basically make more viable apartments to create, as was done with the Brownstones in Harlem which is part of - and create some affordable alternative housing which subscribers to the NHT and others could either purchase or at least would be prepared for sale to these persons or other agencies, or developers who might rent them out. But we were at risk of losing a lot of the recoverable infrastructure in many communities. And as the Prime Minister said we have to take account of the people that are there. But the economic viability of many of these communities is going to depend on having people with a variety of income levels living in the communities. All of those cities that have been able to secure some revival have been able to do so because you have mixed-income communities or communities close .to each other, because those with more disposable income will in fact, attract into the communities the businesses that are needed to ensure the sustainability of the recovery.

The third point that I want to make is that all of this, if it is to work is going to depend upon an overall physical development plan being updated for the Corporate Area. One of the impediments to the kind of investment from the financial institutions, insurance companies and the like, is that the long-term future of many of the communities is in doubt. You don't know what it is zoned for and we have a lot of non-conforming use. It was

debated extensively in this House. I believe the Physical Infrastructure Committee has it under consideration. It was in fact referred to that committee. But the overarching point is that we will not get the kind of sustained effort to redevelop unless we are able to guarantee some kind of longer term perspective as to what is to happen in these communities. What is the vision. We need a plan that is generally accepted which is realistic that can allow for these communities to evolve.

And in that circumstance, finally, I think I would like to echo the caution sounded by the Leader of the Opposition in respect of Clark Camp. We still have new Kingston, which was Knutsford Park, for those who are old enough to remember, which was a plot of land in the centre of the city. It is still not fully developed. I think we need to ensure that before we create another development - I am not suggesting for one minute that there is not scope for that kind of development, we need to undertake the kind of development in already existing communities where there is a lot of land, much of it idle which is more amenable to the kinds of things that we want. There are the prison lands, for example, downtown which has tremendous possibilities. We need to ensure that we are not simply trying to go for the headline item rather than ensuring that the fundamental development possibilities which exist and which may be more difficult are exhausted.

Thank you very much, Madam Speaker.

(Applause)

Mr. SHAW: Thank you very much, Madam Speaker, and let me thank the Members for their, I think very timely and very appropriate interventions. If anything, Madam Speaker, the responses that we have received in this debate today really highlight the need for us to talk some more, to talk some more about these problems. Because it is clear, Madam Speaker, that the problem of urban renewal it's not going to be an overnight solution and it's clearly going to require our mutual contemplation because it's a big problem. And we have to recognize, Madam Speaker, that it is a big problem.

And I think therefore that it is against this background I really welcome the interventions on both sides because I think it's the kind of subject that various committees of the House, standing committees - not even, just one but more than one, Infrastructure Committee, the Human Development Committee, the Economic and Production Committee. At least three of them, Madam Speaker that should be taking a look from different angles as to the kind of formidable challenge that we face here.

And so it is in that context that - first of, all let me clear up a few questions that were asked. The shadow Minister of Finance had raised the question of section 14(b). And I just want to explain that this section is inserted to deal with the issue where a company is carrying on more than one business activity which may be entitled to tax relief. Currently, those entities which benefit from other tax incentives are also allowed to claim relief under the Urban Renewal Tax Act. And I refer primarily, as I said earlier to the Insurance sector and the Building Society sector who presently operate under a different corporate tax regime, as the former Minister would be aware. And they operate under different corporate tax regimes, and nonetheless, because of the nature of their business, from the previous legislation, they

were allowed a special exemption to benefit under the Urban Renewal Tax Relief Act.

The purpose of this now, this amendment, is to expand the number of sectors, Madam Speaker that will now benefit under this Act. And we believe that in order to get your Downtown Kingston area which is - let's accept that it is potentially a prime tourism location; and so if you want to do that and you want to attract whether hotels, large and small resort villas, whatever, then you have to put in place extraordinary incentives. And we admit that for a hotel construction to benefit simultaneously under the Hotel Incentives Act as well as to benefit from an enhanced Urban Renewal Tax Relief Act you can see that it is a significant attempt that we are making to stimulate the interest and the risk-taking in the investment in urban centres.

And so it is that it is also extended under the Industrial Incentives Act as well as the Factories Act, Madam Speaker. The section refers to the Insurance company which will remain, the Building Society, an approved enterprise under the Industrial Incentives Act, the Industrial Incentives Factory Construction Act, the Hotel Incentives Act and the Resort Cottages lncentives Act. This is the widening of it to allow them to benefit from both. The existing one under which they operate now as well as the Urban Renewal Tax Relief Act. It's actually a pretty attractive offering that is being provided because we recognize that the challenge of attracting a sufficient critical mass in terms of investment is going to require this level of incentive.

And let me say in that regard that the Member from Central Manchester, Madam Speaker, had mentioned the question of looking further at lowering transfer taxes, lower than where they are coming from now. When this Government took power the cost of - the total cost in terms of transfer tax and stamp duty for the transfer of property was 10½% between the vendor and the purchaser. And I think that that total cost is now down to 5½%. It's quite a dramatic decline. Now, we have to bear in mind, Madam Speaker that we don't have a capital gains tax in this country and so if we are going to go the route of contemplating a total abolition of transfer taxes then we might very well have to take a look at the capital gain side. Now these are some of the issues that we have to contemplate even as we look now at the question of tax reform, Madam Speaker.

The question – let me indicate, the former Minister asked the question about the Transfer Tax Act is in fact an error. It's the Transfer T'ax Act. Madam Speaker, we do have an amendment that will be put forward to section 17(a). And the purpose of that amendment Madam Speaker is to remove the transfer tax and stamp duty from the vendor having to pay those once that vendor is selling property to an approved developer. So that will be an amendment. But the other amendment is to change "T" to "Tax" because this is not going to be a tea party or anything like that it's more of a tax party rather than a tea party.

Dr. DAVIES: A tax party!

Mr. SHAW: A tax relief party, rather than a tea party.

Mr. BUCHANAN: A tax party! JLP is a tax party.

Mr. SHAW: So, Madam Speaker, let me just say a few points about some of the issues that were raised by the member. The Member from Central Kingston raised the issue - I started with the location of the

Ministry of Finance at the National Heroes Circle and the use by that ministry of a piece of - valued piece of land. And I agree with you, it's a bit of an eyesore, too. Unfortunately, it is my predecessor up there who conceived that idea. (Laughter) But I am sure, Madam Speaker that we can work together. Because indeed, the Member from Central Kingston graced me with a visit to my office one day and we looked out the window and we looked at a lot of property around the Ministry of Finance; and the truth is much of it is owned by the Commissioner of Lands. Much of it, Madam Speaker, is owned by the Commissioner of Lands. There is therefore no reason why over time, when we can afford it that we will simply have to take out some of that property and build high rise parking facilities so that we can free up the park for the purpose for which it was properly intended to develop it as a nice park for the area. (Applause)

I want to say, Madam Speaker, as the Member has said, that there are many ideas surrounding the development of the National Heroes Park. And the Prime Minister... We have before us several signed proposals from persons who are very, very serious. And the original concept of Government buildings around the Heroes Park is something that we must not drop. Because in addition to building parking space beside the Ministry of Finance, we need to build other Government buildings around the circle of the National Heroes Circle.

Because, you know, we have spoken and we have been asked by the former Minister and the Member for Central Manchester, have we done an evaluation of the effectiveness of the Act that we are now amending? Well, l haven't seen a formal evaluation. But you know, the proof of the pudding is in the eating. And the truth is that the reality of what is on the ground is that we've just not seen the response in terms of the incremental investments that we had anticipated would come about from the original Tax Relief Act. Which tells us that we have to sweeten the pot quite a bit more.

And I agree that not only should we sweeten the pot, but we need to do more planning. And part of that planning is what we do around the National Heroes Circle. Because as we speak... And I must tell you, governments have been, Madam Speaker, partly responsible for the decay in Downtown Kingston. Because we have stood by and watched government offices all leave Downtown and move Uptown. So we have set the bad and the wrong example, Madam Speaker.

And so, I must commend the Honourable Prime Minister that he has been insisting that we have to go back Downtown. And he was ranting and raving at Cabinet last week about a particular proposal to go Uptown and he says no, you have to go back Downtown. And so we are busy now... I have to tell the Prime Minister that we believe we have found a location for the particular entity Downtown.

But he is insisting and resolute that if we are going to lead the way to urban renewal in Downtown Kingston then we must set the right example and we must move our offices back Downtown Kingston. (Applause) So we are doing that.

And so, Madam Speaker, let me indicate... The Member from central Kingston also has said and made a point about property taxes. It's a major issue because, unfortunately, we have

had too much non-compliance with paying our property taxes. There are at present in terms of current arrears and arrears that have been built up over the past several years, some $3½ Billion that are owed by property owners across the land.

The Member has suggested draconian measures. And indeed, those measures are in the tax laws, that properties in fact can be seized for not paying your taxes. But the issue is, Madam Speaker, I'd like to take and approach and make an appeal to the people of Jamaica that the system that was set up under the previous Administration and which exists right now, is that we have isolated the property taxes for some specific purposes and we want to remind the people of Jamaica what those purposes are. It is street lighting which is dealing with public safety, a critical issue. It is public cleansing and beautification, Madam Speaker. And it is a fact that we must commend - notwithstanding the shortage of resources that they have got – the National Solid Waste Management Authority has been doing a very good job under the circumstances. (Applause) But they can do that much better a job, Madam Speaker, if everyone becomes compliant with paying their taxes.

And so, what I am going to be doing, working with the Department of Local Government under the Prime Minister's Office, working with the Inland Revenue Department at my Ministry, we are about to roll out a whole new thrust at promoting and asking the people of Jamaica, let us join hands to comply in paying our property taxes. Because when we do that the returns are going to be manifestly clear in the quality of the services that we can provide. And that is something... It is an appeal that we have to make to the people of Jamaica.

Because you now, Madam Speaker, it's not just - it's not a question of the threat of property seizure and the threat of imprisonment that ought to make us want to live in a society that is ordered, that's going in the right direction where we respect the rule of law.

We as a people have to make a decision the kind of country we want. Madam Speaker, we have to make that decision as to the quality of life we want to live. And much of the things that we want to do in terms of urban renewal, in terms of decent housing... And I agree with the points made by the Member from East Central St. Andrew, that so much of the housing stock that we have now, whether it's in Allman Town or elsewhere. I drive past a lot of them and I see that people take pride in taking care of some of these houses that are in some cases older than you and me. So there is already that sense of ownership and that sense of pride that is out there.

What we need to do is to build on it some more. And everyone in this country needs to understand that he or she is to just seek to comply. If you can't pay all of the money one time, come in and make an arrangement. Don't just ignore it and say, well boy, I can't afford it so ah not paying nutten. Right. Arbitrarily. No, come in, have a chat with the tax authorities, make out a little payment plan. We'll take the money on a monthly basis rather than on an annual basis. Take it every three months rather than on an annual basis. But every mickle makes a muckle, Madam Speaker. And if we start now, we can be living in a society that is more ordered and is a better place. (Applause)

So, Madam Speaker, the truth is, many points have been made here today. I want to assure the former Minister that we have discussed this with the IDB and our other multilateral partners because this has been, as l said, on the cards from, in fact from 2008. And then Cabinet made the final decision in 2009 to then go to drafting instructions.

There is a lot of work to be done. I agree with the Member who, South East St. Andrew mentioned the question of the need for refurbishing of the buildings Downtown. It's a concern that I have.

We recently had to refurbish the Convention Centre under threat that the Seabed Authority might have pulled out of Jamaica. Unfortunately. So we had to do it. And now we have to make sure we turn our attention to those existing physical assets that need to be properly developed. And I'm going to pursue those reports that I'm being told of people moving out. We can't be having empty office buildings downtown when the Ministry of Industry and Commerce is looking for an office Downtown...

(Hon. Karl Samuda enters the Chamber at this stage)

Miss HANNA: See him there. See him there.

(Inaudible comments)

Mr. SHAW: ...the Accountant General's Department is looking for an office Downtown. I intend to make sure that we do a proper inventory of the available office space so we can fix them up and we can put offices Downtown.

On that basis, Madam Speaker, as I said before, this challenge that we face of urban renewal, whether it is in Kingston, Spanish Town, Montego Bay or Sav-la-Mar, wherever that challenge is, one thing I know, Madam Speaker, if we can work together on this one, if we can plan together on this one, if we can get the incremental investment going together on this one where you're not just building houses but you are creating jobs and thereby giving the people the ability to finance their housing obligations, if you can do all of those and we can do them together, then we can look forward to a better life in our country. (Applause)

I beg to move for second reading of the Bill, Madam Speaker.

The DEPUTY SPEAKER: The question is that the Bill be read a second time.

Put to the House and need to.

Bill entitled:

AN ACT to Amend the Urban Renewal Tax Relief Act,

read a second time.

The DEPUTY SPEAKER: The House will now resolve itself into a Committee of the whole House to consider the Bill clause by clause.

COMMITTEE STAGE

Clauses 1,2 and 3 put to the Committee and agreed to.

The CHAIRMAN: I put Clause 4.

Mr. SHAW: Madam Speaker, on Clause 4, there is an amendment that I wish to propose. After section 17, they propose the following as section l7(a), which is an exemption from transfer tax and stamp duty on the acquisition of lands. Section 17 a(i) reads:

> *'During the incentive period no transfer tax or stamp duty shall be payable on the transfer of any land for improvement works in a special development area.'*

And subsection (2) is the correction to which I referred earlier.

'*In subsection (1) land has the same meaning as in the Transfer Tax Act'*

Not the Transfer Act.

The amendment to use 4 put to the Committee and agreed to.

Clause 4 as amended put to the Committee and agreed to.

The Title and the Enacting Clause put to the Committee and agreed to.

The CHAIRMAN: The question is that I do report the Bill as having passed Committee Stage with one (1) amendment.

Put to the Committee and agreed to.

RESUMPTION

The DEPUTY SPEAKER: I do report the Bill as having passed Committee Stage with one (1) amendment. Minister.

Mr. SHAW: Madam Speaker, I beg to move for third reading of the Bill.

The DEPUTY SPEAKER: The question is that the Bill be read a third time.

Put to the House and agreed to.

Bill entitled:

AN ACT to Amend the Urban Renewal Tax Relief Act,

read a third time and passed.

Mr. GALLIMORE: Madam Speaker, at this point in time, the Prime Minister will take the two items, Number 5 and Number 6, listed under Government Business on the Order Paper.

PLEA BARGAINING

The PRIME MINISTER: Madam Speaker, hopefully this will not be a controversial matter. I think Members will recall that when we passed a number of measures which were designed to strengthen, the capacity of the security forces to tackle crime, part of the measures that we sought and got the approval of the House for, was mandatory sentences in certain clearly defined, clearly specified circumstances, and in relation to particular offences.

The point was raised, I think, from both sides of the House, that this was going to run into collision with the provisions we had made for plea bargaining. And l had indicated at that time that that matter would be addressed through separate amendments. And that is the purpose of the Bill that is before us now. We were advised by the legal experts that the place to locate this particular provision is in the Plea Bargaining Legislation.

Remember, Madam Speaker, some people were suggesting that it should have been an amendment to the specific Act. We were advised that this is where it ought to be placed because this would govern all the situations where this concern would have arisen, and importantly, would only apply to cases involving plea bargaining. So, in relation to those offences for which we had imposed, through legislation, mandatory sentences, the Judge would - by virtue of this amendment, the Judge would be empowered to grant a lesser sentence to accept a proposal for a much less - a lesser sentence on the basis that it is done pursuant to a plea bargaining agreement. So that it would relate only to those offences and it would only be applicable where there is a plea bargaining benefit that the prosecution would derive.

And it is a simple amendment, Madam Speaker, I ask the House, in the spirit of the concern that it had expressed, to approve the measure.

Mr. BUNTING: Madam Speaker, we welcome this Amendment. The Prime Minister will recall, I think I perhaps was the first speaker that had pointed out the inconsistency between the minimum mandatory sentencing and the impact it would have on Plea Bargaining Legislation. It is a simple amendment. I think it addresses the concern. It gives the flexibility to the prosecution and the Magistrate.

I would say, Prime Minister, we have passed many of these types of legislation and perhaps even similar to the Urban Renewal Act that was discussed earlier, 1 don't think we do an evaluation periodically, say after a year, to see what impact the particular legislation is really having: And we are passing legislation on the front end, but not measuring the outcome on the back end.

(*Sotto voce* comments)

Mr. BUNTING: Measurable outcomes, evidence-based.

There is a cause for concern. I put it no more than that. We have seen - recently, the Prime Minister referred to the 40 per cent fall in the murder rate since June to October. However, when we look at the statistics in November, month to date, whereas we were 40 per cent behind for the last five months or so, we are now only 10 per cent behind for the month of November. And it is just one period, so we don't want to get alarmed. But it tells us that we need to start looking at a broader array of measures other than just legislative.

The police cannot sustain the increased intensity of their operations which they have been carrying out since May with the best will in the world, without getting additional resources. The Jamaica Defence Force has missed a number of intakes, and so is short by a few hundred men, which is going to limit their opportunity to support the JCF in their operations.

And 1 really would just close in saying, Prime Minister, I know we have - I think it's tomorrow morning we have the National Security Council, but we have to start looking beyond just the purely legislative ways and see how we can get some resources to, I would say, re-start the implementation of the recommendations of the strategic review which seem to have really become dormant. And that initiative which we all welcomed, and which we recognized had tremendous potential to improve the operational efficiency of the force for lack of resources, and for a range of reasons which are not even completely chef to me, that seem to have stalled.

So, I support this particular measure. It's necessary. It will improve the effectiveness of the Plea Negotiation Agreement. However, we need to look at the entire clutch of things so that the improvements that we paid a high price for over the last few months, don't start to gradually slip away from us before we realize what's happening.

Dr. PHILLIPS: Madam Speaker, as has been said, the Plea Bargaining Legislation and the general thrust of this amendment is supported. The fact is that the plea bargaining was brought into being by this side when we were on that side. And we have - I think this past March, the Regulations which were necessary to put the Act into effect were brought to this House and passed here.

Now, there is just one - the main purpose of that Plea Bargain Legislation is to allow the Courts to deal more swiftly with matters where some plea agreement can be arrived at.

But, more importantly, to enable us to get to the *big fish* of criminal operations by inducing those who may be - who may have evidence, but who are themselves guilty of an offence, to be able to make - arrive at an agreement and thus receive a lesser sentence in order to allow for a more complete prosecution involving all participants in a crime, to lake place.

There is possibly a gap - despite being supportive of the overall amendments that are being proposed here, there is possibly a gap, and I would ask Prime Minister, if he would contemplate an amendment to the Act that is before us.

Now, the background I want to bring to attention is a case - well, let us assume that persons *A, B* and *C* are jointly charged with a serious crime. *C* is the big fish - the king fish of this crime, and this is known to *A* and *B*, two other co-conspirators, one might call them, who are really the *sprats* in this enterprise, and who are known to each other.

Now, under the provisions of the legislation as is before us, *A* and *B*, offer to make themselves available as witnesses. The prosecution, however, proceeds to accept *A*'s offer but rejects *B*'s. Now, *B* decides to plead guilty, despite having not had his plea offer accepted. This means that both *B* and *A* would have pleaded guilty, *A* being obliged to because of the agreement that has been put to him, but *B* is not going to benefit even though pleading guilty, from any possibility of a lesser sentence.

The question is, why then should the Judge or Magistrate have a discretion in respect of the imposition of a minimum sentence in relation to one of those co-accused but not the other, simply on the basis of the prosecutor's decision? It would lessen the incentive - one effect of this would be to lessen the incentive on the part of *A* if he was friends with *B* for example, because he would have to be giving evidence which would also implicate his other associate who is not the person in whom the plea agreement is reached.

The rehabilitation of *B* might prove to be much more difficult, having gone through the Court system since he's going to be getting a higher sentence, even though having been willing to offer a plea, and we would have, in effect, been not fulfilling the requirements of justice.

I believe that this could be treated simply by amending the new Section 15. That would read:

> *Where a Judge or a Resident Magistrate accepts a plea agreement, or a plea of guilty, in other circumstances he shall impose sentence in accordance with the provisions of this section.*

All it is doing is allowing...

The PRIME MINISTER: Could you read that again for me?

Dr. PHILLIPS: Well, it would - we would add the words "*or a plea of guilty in other circumstances*" after the words "*plea agreement*" in subsection (1), and deleting the words subsection (2) or (3) which is already provided for, and substituting therefor the words – "*the provision of this section*". The new section 15(i), which is what you want, would now read, Prime Minister:

> *Where a Judge or Resident Magistrate accepts a plea agreement or a plea of guilty in other circumstances, he shall impose sentence in accordance with*

the provisions of this section.

I mean, the Parliamentary Counsel, if he accepts the principle, can ensure proper wording and drafting. What really I am suggesting that we should - where there is a guilty plea by someone who, in these circumstances may be a co-conspirator but not having had the benefit of a plea agreement, so that *A* and *B* then are in the crime. *A* has a plea agreement, *B* does not, but pleads guilty, what you have is the mandatory minimum will apply to *B*, although *A* would not necessarily have benefit of it, because - well, *A* wouldn't be subject to it.

And so, we are suggesting that that amendment could, not only allow for the service of plea agreements to be more easily - or for us to arrive at plea agreements more easily where there is more than one, and that the person who might not have benefitted but is willing to plead guilty, nevertheless would be subject to some discretion of the Judge in the same terms as applies in this agreement.

And I just submit that for consideration. Otherwise, as I said, we support the basic principle of the amendment that is being offered.

The SPEAKER: Thank you, Dr. Phillips. House Leader.

Mr. MULLINGS: Madam Speaker, the Member from St. Andrew has raised a point. I must confess that the difficulty I am having with the suggested amendment is that, where the prosecution makes or is willing to accept an offer of a plea agreement that would be founded on the merit of it. In other words, what is it that I have to offer for the prosecution to entertain such an agreement as distinct from someone who pleads guilty out of a sense of possibly remorse or, they would be motivated by - that they don't want to waste the court's time. But my understanding is, and I might be wrong, but my understanding is that the plea bargain is such where the prosecution is saying, listen in this scenario let's say you want to get at the bigger fish, and we are willing to entertain this plea bargain with you, what merit would there be in the bigger fish now saying well, I would like to have the benefit.

(*Sotto voce* comments by Member)

Mr. MULLINGS: I would like to have the benefit of a plea bargaining arrangement. In that scenario you will be undermining the trust, I think, of getting at the bigger fish.

Dr. PHILLIPS: If the Member would yield a minute. It may be, that is why I used the example of 'a', 'b' and 'c'; 'c' being the big fish, 'a' and 'b' aided and abetted the crime of the master mind, 'c' being the master mind. But the prosecution may feel satisfied having - with only one plea agreement. The other person is willing, but may not be deemed by the prosecution as being essential to the case. But despite both being and despite the offer, the offer is not taken up, the Judge has no discretion and so all that I am suggesting that we seek, is to enable the judge in the circumstance of a guilty plea to be able to exercise some discretion on that because otherwise we are enabling the prosecutor, by virtue of which offer of a plea agreement he accepts to really determine sentence rather than the Judge. That is my only point.

Mr. MULLINGS: If I may, Madam Speaker, I understand the scenario you are painting. But we must also be cognizant of the fact that he or she who commits a crime has a penalty to pay. Now, having found yourself in that set of circumstances if the prosecution

enters into a plea agreement with one of those three yes, well, it may be unfortunate for you, that you don't have the opportunity of a plea arrangement. Because what you are looking at there is not a sense of equity in sentencing, what you are looking at is where the prosecution in getting at the bigger fish, sometimes you catch the sprat too, is also complicit in the crime. And shall the sprat therefore turn around and say well listen, I am not a big fish so give me a bligh. And that is the difficulty I have, and I understand where you are going, Member, but that is the difficulty I have.

Thank you, Madam Speaker.

The PRIME MINISTER: Madam Speaker, I have listened carefully to the suggestion that was made by the Member for East Central St. Andrew. I have had some preliminary advice that what is being proposed would not be workable. But even without exploring the basis of that, the principle of plea bargaining has no automaticity to it. It is something that will depend on the judgment first of all of the prosecutor and ultimately of the Judge. And the prosecutor has to make a determination as to whether there is any value to the case, to the prosecution's case, and whether there is any value to the justice process to accept a particular plea bargain.

Now you could have a situation where somebody would love to offer a plea, a guilty plea, because it suits them to do so, in a way that would not necessarily be in the interest of justice. That prosecutor must be able to weigh that and make a determination whether he or she wants to facilitate that or whether the answer should be no. If you have a situation where you have two persons who are guilty in the same matter and both of them are offering to plead guilty in a way that meets what the prosecutors considers to be the threshold of usefulness and the threshold of what is in the interest of justice, then the prosecutor will exercise that judgment and say yes, well I will put forward both these pleas to the Judge. But I do believe that the prosecutor must be left in a position to say, no. I will take yours because in your case these are the circumstances, in another case it is not so. And therefore, while I am not one to oppose the principle of equity, I don't believe that it is the principle that can be applied in every possible respect.

The Member for Central Manchester raised an issue in relation to the crime statistics. As he rightly says, the National Security Council meets tomorrow, as was the case last month and he was there. I disregarded the agenda and I lifted that particular item and brought it right up front. I have spoken with the Commissioner and the Chief of Defence Staff on every occasion that I see them to find out precisely what is happening.

We have to be careful that we are not alarmed but we can't be complacent. I believe that there is a pattern that is emerging. I have asked for some information which I think is going to be important. It may very well be that the security forces have it before them, but I have not seen it. I have asked for some information to indicate the exact location where these murders have been committed over the last three months. I want to see whether or not it is a question of where we are focusing our attention and where we are putting the other support systems that need to be in place to support the law enforcement agencies in carrying out their work. But we will examine that situation tomorrow.

I was very careful after May not to draw any conclusions on the basis of the first month or even the first two months, and therefore, to suggest that we are only 10% behind this month is not a particularly useful piece of statistics. I think it is important to look at what has happened last month, meaning October and November and to see to what extent that is saying to us that there are energies that need to be repositioned and there are things that perhaps have slackened off that need to be intensified.

You know, I don't say this in any disrespectful way, you know, Madam Speaker, but it is so easy, and we found it very easy when we sat on that side too, to simply say we need to get more resources. The truth of the matter is that, there are no resources outside of the resources, and therefore we can do a number of things, we can pull resources from here and we can put them over there. But they are all within the ring, there are no resources outside of the ring. So if you have it over here, and you feel that the particular urgency requires that you put more resources here. We can never put a full stop when he say we need more resources, we must put a comma. And then we must go on to say, in order to put those resources let us move those resources from over here, because that is where we are. We have to go through some very tough, tough negotiation to get the fund to allow us some adjustment to take into account the need to repair the damage from Nicole.

And what we were able to accommodate is nowhere near the extent of the damage. But in fairness it is commensurate with what we have the capacity both in terms of our supervision and in terms of contractor capability to spend for the rest of this fiscal year; which means that next year's budget is going to have to make provision for a continuation of flood damage repairs which was not predicated, was not envisaged in the economic programme that we commenced at the beginning of this year.

But as DR. TREVOR ALLEYNE said, shortly before he left on Thursday, we have pretty much exhausted our wiggle room, and there is not going to be much more room for adjustments. And therefore, the adjustments that we will be able to make are within the circle. We can always say well look, we are going to shift money from this ministry or that programme in order to put more money over there, and no doubt that is something that is going to consume us intently.

Next week when I believe the Minister of Finance will be bringing the Supplementary Estimates, and no doubt when we get into the new budget next year, I just asked all my colleagues to understand the infiniteness that for many years we thought we had in relation to resources was not really infinite, it was simply going on the deficit. And that is why this country has ratcheted up a deficit every single year since 1994, every single year. So you start out with a deficit of that and next year you put it on so it goes on the pile, and it just keeps piling up, and it has reached…

(*Sotto voce* comment by Mr. Clarke)

The PRIME MINISTER: Not a matter of warning. It is not fair to any Government to inherit a system, with 11 consecutive years of deficit. Lord God man! We handed over the Government to you in 1955, we handed over the Government to you again in 1972, we handed over the Government to you again in 1989. When did you take over the Government from us and inherited 11

consecutive years of deficit?

(Applause) (Cross talk)

So, Madam Speaker, it is just important, Madam Speaker, my apology. And look at the charm that you have brought to the Chair today.

I ask the House to approve the measure, Madam Speaker, in order to enable us to fulfil the commitment we have given the honour that we have paid to the concerns that we have raised about the imposition of mandatory sentences.

It was presumed that the only way you could have spoken was if you were removing it but my apologies.

The DEPUTY SPEAKER: The question before the House is that the Bill be read a second time.

Motion put to the House and agreed to.

Bill entitled:-

"AN ACT to Amend the Criminal Justice (Plea Negotiations and Agreements) Act" read a second time.

The DEPUTY SPEAKER: The House will now resolve itself into a Committee of the whole House to consider the Bill clause by clause.

COMMITTEE STAGE

Clauses 1 and 2 put to the Committee and agreed to.

The Title and the Enacting Clause put to the Committee and agreed to.

The CHAIRMAN: The question is that I do report the Bill as having passed Committee Stage without amendment.

Motion put to the Committee and agreed to.

RESUMPTION

The DEPUTY SPEAKER: I do report the Bill as having passed Committee Stage without amendment.

The question is that the Bill be read a third time.

Put to the House and agreed to.

Bill entitled:

AN ACT to Amend the Criminal Justice (Plea Negotiations and Agreements) Act read a third time and passed.

(Applause)

The PRIME MINISTER: Madam Speaker, I now invite the House to approve the Public Broadcasting Corporation of Jamaica (Amendment) Regulations, 2010. I want to spend just a moment to give the context of this particular set of amending Regulations.

The Public Broadcasting Corporation, Madam Speaker, was established in 2002, and a great deal of care was taken to structure its directorship in a certain way. I don't think I've ever seen any other public body whose directors have been configured in this particular way and I believe that the intentions were good. I believe that there was a genuine intention to ensure broad participation to, in a sense, insulate it from political direction and control and so on. So what was done then was that provision was made for the Corporation to consist of 17 persons, very specific, not a maximum of 17 but 17, not 16 not 18, 17.

The Permanent Secretary in the Ministry responsible for information, or his nominee, would be an *ex officio* member and so too would the Chief Executive Officer of the Corporation. The other 15 members would be appointed by the Governor-General in the following way:

Seven (7) members should be representatives of certain specified organisations, and these are the National

Council on Education, the Rastafarian Centralisation Organisation - listen to this one carefully because I'm going to return to it - the Providers of Community-based Radio Services, the National Council for Sports, the Jamaica Cultural Development Commission, the Professional Society of Jamaica, the Joint Trade Union Research Development Council.

And then the way in which these persons were to be chosen was that each organization to which I referred, would nominate two persons whose names shall be entered on the respective panel. And then from those two nominations submitted by each of these organizations, the Governor-General would make a selection.

It has proven the initial Board appointed in 2004 - because l don't think it actually came into being until 2004 - that initial Board, the terms of office expired, I think in August of 2007. We were not able to constitute a Board since then, because of the difficulty in the way in which the Board was appointed. But let me explain the kind of difficulty that we had - or maybe l should go on to explain how the other members are appointed.

Three members shall be representatives of the organization specified hereunder... So remember I named out seven (7) organizations before, or what was represented as organizations. Then we go on now, three (3) members shall be representatives of the organization specified hereunder, appointed from a panel of six (6) persons nominated in accordance with paragraph 4, which is each of these organizations submit two names, they go into a pool and then a selection is made.

Women's organizations - note me carefully, it doesn't say the Jamaica Federation of Women, it simply says women's Organizations, Non-Governmental Organizations, not a specific NGO, but Non-Governmental Organizations, the private sector. And then it goes on: One member shall be a person between the ages of 18 and 25 appointed from a panel of two persons nominated by the National Students Council. That one is very clearly specific and doable.

And then two (2) members shall be appointed from a panel of six (6) persons representing first, the Jamaica Council of Churches, the Church of God in Jamaica, the Full Gospel Ministerial Fellowship, the Seventh-Day Adventist, the United Pentecostal Union Apostolic, the Jamaica Association of Evangelicals.

And then one member shall be an employee of the Corporation nominated by the employees, that's a worker representative. And then one member shall be a representative of media practitioners appointed from a panel of two persons nominated by the Press Association of Jamaica and the Jamaica Film and Video Producers Association.

Again now, in one case very vague, in another case very specific. So what this is saying is that it would be the Press Association and the Jamaica Film and Video Producers Association.

Now we have a problem, Madam Speaker, from time to time, and it's not the only instance in which this has happened. I remember when I sat in another Chamber on that side, I cautioned against it when we put into law, that certain entitlements or certain appointments must be made by bodies that are not themselves creatures of law. So you don't know if that body which exists today whether it is going to exist next year and we put them down in law.

We ran into that problem with this PBCJ, because we say here that one of the organizations that is supposed to submit nominations is the Rastafarian Centralization Organization. That organization no longer exists - became a victim of dynamics. It no longer exists and therefore it could not be asked.

We had a problem, Madam Speaker, because when you say that nominations must be made by the Providers of Community-based Radio Services, and you refer to this as an organization, that's not an organization. There's no organization known as Providers of a Community-based Radio Services, that is a kind of group reference. And as far as I know, there is no association of providers of community radio services. So the question is, does the Governor-General pick one or two community radio services and say please send me some nomination? And if he does that, how does he explain why he asked these two and not the others?

The same problem we ran into in terms of Women's Organization. Women's Organizations are supposed to submit nominations but there is no organization known as Women's Organization. So how do you get nomination? Do you ask the Jamaica Federation of women, then you ask Women Inc, then you ask the PNP Women's Organization and then you ask the JLP's WFM? And then there's a women's organization in the Baptist Church in Spalding, so do you ask the Spalding Baptist Church Women's Movement? How do you define who it is that you ask?

Non-Governmental Organizations, how do you get nominations from Non-Governmental Organization? Do you decide well you are going to recognize this trip, Jamaicans for Justice and Independent Commission of Human Rights, then next time around now you give another two the bligh because you have to exercise a judgement.

I'm not seeking to ridicule, I think I know what the intention was. The intention was (a), to put some separation between the political executive and the direction of this and also to ensure that it had this broad representation. Even the question of the religious representation, a great care was taken to be as inclusive as possible. So you have Jamaica Council of Churches, the Church of God in Jamaica, the Full Gospel Ministerial Fellowship, the Seventh-Day Adventist, the United Pentecostal Union, the Jamaica Association of Evangelicals.

But that is not all-inclusive; there are many church groups in Jamaica that don't fall into this. I could see the Muslims saying, then why have we been excluded? And not all the Revivalists are members of the Apostolic Movement either. And there are many other Church groups particularly fairly new ones, new meaning groups that have emerged in the last 10, 15, 20 years that wouldn't be member here.

So what we thought, Madam Speaker, is that firstly, we have already identified a spanner to fix that nut that has to do with putting in place a directorship that is not beholden to the dictates of the political directorate. It's part of the maturity and the development of our democracy over the last 30 years, where we have been investing the Governor-General, not acting on the advice of the Prime Minister, but exercising his

judgement but certainly consulting with the Prime Minister and the Leader of the Opposition. That's how the independent members of the Electoral Committee are appointed. That's how the members of the Broadcasting Commission, I believe, are appointed.

So we propose to use that method here. So instead of the Governor-General having to wade his way through this difficult process of appointments, he would exercise his discretion, he would be required to consult with the Prime Minister and the Leader of the Opposition as he has to do in other cases, but ultimately it is his decision. But we wanted to make sure that we still captured the broad-based representation that was envisaged initially. We wanted to make sure that we not only captured, but we broadened it and we made it as neutral as possible.

So what is proposed, Madam Speaker, is that the Commission would now comprise not less than 17 nor more than 19. We've given a little flexibility because of the way in which the Governor-General is going to be required to make his selection. We are proposing the Financial Secretary or his nominee instead of the Permanent Secretary in the particular Ministry responsible for information. Simply because that is consistent with recommendation in the Public Sector Modernization which we have endorsed in Cabinet.

Just yesterday we approved an amendment to the Public Bodies Management Act and to the FAA Act, where we feel that a Permanent Secretary who is supposed to be the accounting officer and supposed to be holding themselves - exercising oversight on a statutory agency, ought not to be a director of the statutory agency that they are exercising oversight over. I mean you can't oversight yourself.

So the decision we've taken is that a Permanent Secretary in the Ministry of Agriculture can sit on the Board of JAMPRO, but can't sit on the hoard of RADA, because you can't be holding yourself - you can't be exercising oversight over yourself. So in this case we say the Financial Secretary or his nominee and we have retained the provision for the CEO of the PBCJ to be there.

Then after that now it is that the other members shall be appointed by the Governor-General by instrument in writing after consultation with the Prime Minister and the Leader of the Opposition - but not on the advice of the Prime Minister after consultation - and shall consist of one member who is an employee of the Corporation. So we have retained the worker representative because we feel that that is necessary. So one worker rep, one member who is between the ages of 18 and 25, we have retained that, but rather than require that that with somebody who is nominated by the National Students Council, because the National Students Council is not the sole representative body of young people. You have 4-H clubs, you have all sorts of other organizations.

So what we've said here, one member who between the ages of 18 and 25 - and they must be 18 and 25 for the duration of their term of office. So if you get to 25 while you're still a member, whoops! you come off and you have to be replaced. Who is a representative of youth? We make it very general so that the Governor-General can take advice, consult the Prime Minister, consult the Leader of the Opposition and select somebody who he feels

will be properly representative of youth.

And the others now, we have given a broad range of criteria: would be an elected on the basis of the Governor-General's knowledge of the person's field of experience and expertise in the following fields: education, sports, arts and culture, media, journalism, religion, business, accounting, law, Worker representation, Women's Rights, Human Rights advocacy, or community development. What we've actually done, we have retained all of the categories that it was sought to capture in the original regulations, but we have broadened it to include accounting, to include law, to include human rights advocacy and to include as well community development while retaining all of the others.

It gives flexibility, Madam Speaker that is needed. I'm hoping now that we'll be able to constitute the Board because the Board it has not been possible. The Minister of Youth and Sports who previously had responsibility for this, told me about some of the problems she had. You invite certain organizations to submit nominations, they take long to come, you get some, you don't get the others, then by the time you get the balance some of those that had sent in early say that they want to make a change, they withdrawing that nomination, they changing the nomination. It was a nightmare to try to put it together. And we feel that this arrangement now, where the Governor-General will exercise his discretion, select people, but not select people just from the top of his head. He has to go by the categories we have listed here. He has to go consult with the Prime Minister; he has to consult with the Leader of the Opposition.

We feel that protects the integrity that the original regulation sought so meticulously to protect. We believe that it gives the directorship the kind of breadth of skills that it requires but we also feel that it inures to efficient government rather than regulating ourselves into frustration, which is what I think we ended up with this one.

So, Madam Speaker, I beg to move that the Public Broadcasting Corporation of Jamaica (Amendment) Regulations 2010 be approved.

The SPEAKER: The question before the House is-

Miss HANNA: No, no, Madam Speaker. Madam Speaker, through you.

Prime Minister, I hear what you have said and I think we all know that the intention of the PBCJ was really to create an entity to lift the standards and certainly the profile of the information that was being filtered to the public; and certainly it created a new platform that people could have a new diet in terms of what the mainstream commercial media was not being able to give and the Act of the PBCJ actually sets that out quite clearly.

And what is interesting about it is that it really has a level of content, certainly on the television and in radio that is devoid or should be devoid of any kind of political, partisan, tribal atmosphere, or tone, or bias and really should maintain the true tenets of journalism which is objectivity and truth. The concern I have with the PBCJ not having a Board has been expressed not only in this Parliament but publicly and it has concerned, certainly this side for a number of years, why the Board has not been reconstituted. And it was clear, based on some of the problems, why we understood, at the time, why sometimes these things took a very long time. The truth is, Madam Speaker that the PBCJ is an effective

entity, an organ and it should really - the sanctity of the PBCJ must be preserved.

Opposition MEMBER: Hear, hear!

Miss HANNA: While it is, however, that the new regulations and guidelines seek, as the Prime Minister says, to take the spanner out of regulating into frustration, the concern with the new regulations that are being put forward is that I don't think it will aid that process. I don't think it cures the matter. And certainly I'm not here to oppose the regulation but certainly to seek some meaningful ground as to how we can get it to have that meaningful conclusion. I mean at the end of the day, l don't think we want to run the risk of changing the regulations and in turn changing the meaning of the Corporation to have it become a tool of any administration, I mean nobody wants that.

But when, Prime Minister, you have a situation where you're moving away from organizations nominating persons, having the Governor-General choose based on the advice of the Prime Minister in consultation with the Leader of the Opposition, but you have very wide and nebulous definitions, Arts and Culture for instance, how do you choose, someone from Arts and Culture, Women's Rights and you go down to Human Rights Advocacy; it is a very broad range. And so my concern is that you might actually run the risk of running into the same problem that you did before.

The other concern I have is how will the guidelines be issued for the nomination of a member? What are the guidelines? The regulations really don't stipulate certainly under the broader headings what those guidelines will be. And certainly where established organizations exist, I believe they should be asked to nominate and I believe that should be also stipulated in the regulations.

The other concern I have, is who determines the standards and preserving the standards based on the persons who should be nominated under these guidelines. I mean the Governor-General, in his right, can get up and actually say: Well, based on the Leader of the Opposition and the Prime Minister choosing person X or person Y, what guidelines or standards will he be operating on to make that the persons that are chosen really uphold the Act of the PBCJ?

And Prime Minister, the other issue is that - I want to borrow what the Member from Central Manchester said, we create legislation, and we do it certainly at the front office, and we implement it, but somehow we don't check to see if the implementation of the legislation is actually having the desired effect. One of the things, Prime Minister, I would actually like to see in the regulations moving forward, is whether or not we are satisfied that it is actually fulfilling its mandate. And the reason why I ask that, I don't know if you recall that the spectrum that was for PBCJ radio, for instance, was contracted and it is carrying out its duties under the provision, but they are also clear that based on the negotiation that was done that entity that was contracted is the entity that determined the content that goes forward on Public Broadcasting radio; that is also not governed by a Board.

And I would like to see to somehow in the regulations that as public servants and decision-makers, also in the regulation, that we somehow have a way of tracking whether or not we are satisfied with the content going forward. And even though it might infringe on person's saying, well you have freedom of

speech and you have right to content public broadcasting and the reason why, and the Act states it clearly, was designed for a particular reason And so, Prime Minister, I'm just asking that you consider some of these concerns that we have on this side in your contemplation of the regulations moving forward.

Thank you, Madam Speaker.

Mrs. HENRY-WILSON: Madam Speaker, may I speak from a place other than my own. There is just a couple - just to reinforce some of those things.

The Prime Minister pointed out the fact that the original regulations were extremely specific and I think we have now come to accept that good law should allow for flexibility. If you put in too many specific things it really hampers the appointment such as we had here, but I think if you're too vague that you run the same risk. So I would really want to say to the Prime Minister that we may need to define a little bit more closely who would be eligible for nomination. I don't think it is good governance for us to even try to delegitimize existing organizations that are kind of collect in society. You don't want to subject for example, something like the legal professional, they have their established body. So are we going outside of those bodies and in a way lead to some questions about the role that they play in these kinds of things?

I just want reflect a little bit, sir, on why we had some of these groups. There is a feeling that since this is more than just a broadcasting entity, but a national development entity, that you have to be careful that you don't deprive some of the major contributors to national development toa voice in something like this. That is not to say that we should define them so specifically. But I wonder the extent to which we're not giving the Governor-General the proverbial basket to carry water; because he's going to be accused of selecting some people over others.

And my specific suggestion here, sir, is whether we should not have a process for a pool of nominees from which he can then make selection and provide some clear guidelines about who would be eligible for the pool and who could make nominations to the pool.

I think we are putting on the Governor-General the kind of executive authority that is not really his and we have to be careful that in that process, we don't bring him into some kind of maelstroms that are - that put him into contentions. So that would be my suggestion about how you may be able to get around these broad headings that we have here.

I just want to endorse the point about standards. It's not a popular public broadcasting entity and it is not a commercially viable broadcasting entity. But even as we have contracted out the radio process, I'm asking that we ensure that we have the appropriate regulatory mechanism in place or is this going to become just another radio station. It has to have a national development focus.

Those were just my contributions to the debate.

The PRIME MINISTER: Sorry.

Mr. KELLIER: Madam Speaker, just a few points, Prime Minister.

The regulations in section (c) roman numeral (iv), it says here media, and at l (i) it says education as two of the areas that you are contemplating within the touch of 17.

The PRIME MINISTER: I'm sorry, say that again.

Mr. KELLIER: Section (c) of the proposal, roman numeral (i) education and (iv) media. Good? But in (b) of section (4) in accordance with paragraph 3(c) the Governor-General shall act having regard to the following and it says here in (b),

> *an Education representative shall have at least ten (10) years experience in the field of education with particular focus on either or both the following: media, and communication and life-long learning.*

Now, if I'm seeking in making this submission to make space for an additional grouping by looking at how this was configured to see whether or not that the possibility exists to compress or eliminate one of those that you already proposed. You're asking the person, the education representative, to have the skills and ten (10) years experience in media and communications. But you still have a media person again at (4). I find that a little conflicting and it's something maybe you should be able to explain or to look at. Right?

And then, also, Prime Minister, I notice as well that in respect of (c), a law representative, an attorney, should have five (5) years experience. In section (c), a law representative shall be an attorney at law with at least five (5) years experience, who possesses qualifications in the following three (3) things - Intellectual Property Law, Entertainment Law, and so on. And I just wonder why we had everything else at ten (10) years, but - because, from my little knowledge of this business, Intellectual Property Law and Entertainment Law is a...

The PRIME MINISTER: That's in a very narrow area.

Mr. KELLIER: Yes, it is, it is. So I wonder why we didn't look at it in a wider context where that is concerned.

And in saying all that, Prime Minister, I am just wondering whether or not in all of this we couldn't find space to give the Disability Community a space, the Combined Disabilities Foundation or Association. Those - that grouping represents a wide cross-section of persons with all sort of different complexities. (Applause) And I think it would be useful if they were somehow involved in this business of the - for some consideration. So I am putting it to you that you could consider. And their Associations are well recognized, I am sure that the Minister beside you can confirm. And I think it's something that I would like you to consider in finalizing this resolution.

Mr. LAWRENCE: (Applauds) Mr. Kellier, very good, very good. First time!

Miss GRANGE: I rise to support the amendments to the PBCJ Act. Because it was extremely difficult to establish the Board, some organizations didn't exist at all, some organizations had no addresses. Some organizations - for example, there was supposed to be a professional association, nobody could find it. And it has taken us three years to get to this point.

What has now been presented is a more straightforward way of establishing a Board, like you would establish any other Board.

What is so unique, however, about what the amendments are doing, is to define the sectors from which you would draw the membership of the Board. And I think it has been broadened to accommodate areas that were left out.

The suggestion about the disabilities, the persons with disabilities being looked at, as a group, and to be included, I support that, that's an excellent recommendation.

And the sooner we can now sign off on the amendments, the sooner we will be able to ensure that this great entity, the Public Broadcasting entity, can now function efficiently and effectively. It's an extremely important organization. In fact, sometimes when the public watch us in Parliament, if you would see yourselves you would realize how important it is. And even our conduct here at times, the message that is sent to the public through the PBCJ, speaks volume to the work we are doing here, or sometimes it gives the public an opportunity to see those of us who are not working.

So I want to just say, Prime Minister, that I am happy that the amendments are here, and I look forward now to the PBCJ Board being appointed, and for the organization to be able to function efficiently and effectively.

The PRIME MINISTER: Madam Speaker, let me thank the Members who have contributed.

I want to respond quickly to a number of points that have been made, and then I want to do something that I wish I didn't have to do.

Firstly, the Member for South East St. Andrew suggested - no, we have no intention of delegitimizing any organization. What we have to be careful about is that we do not exercise a discretion which we, as Government, ought not to.

For example, who represents the Private Sector in Jamaica? Is it the PSOJ? Because the Jamaica Chamber of Commerce will tell you, well, we are not members of the PSOJ, so the PSOJ can't speak for us. Sometimes we speak together, but they can't speak for us. Which is why we wanted you to leave the generic terms. You could very well have an organization - look at the MSME. I mean, we have long had a Small Business Association of Jamaica. The MSME has emerged and has infused so much enthusiasm in the Small Business sector, and now speaks with a far more powerful voice than any other voice for the Small Business Sector. So I think we need to leave it as generic as possible, and allow the Governor General's discretion. The Governor General has been exercising that discretion now from 1979, when the Electoral Advisory Committee was appointed. And I don't think that any of us could express any anguish at the way in which Governors-General over the period have exercised that discretion.

In relation to standards, it's a point that the Member for South East St. Ann and the Member for South East St. Andrew raised. I agree. It's something that we have to look at carefully.

My own view and my own vision - but of course, I am limited to just issuing policy directives - is that the PBCJ must not only do what it's doing - and it's doing some valuable things now, I mean real valuable stuff. I mean, those of us sometimes who get home tired and flip it on to see what's on - I have seen some cultural gems. I remember during the period of Independence, or was it Heroes...

Miss GRANGE: It was Independence.

The PRIME MINISTER: No, it was during Independence. To sit and watch a Ska session going on at the Glass Bucket Club only means something to those of .us who know what Glass Bucket Club is like, right. (Laughter) But it needs to do more, it needs to do more.

I would like to see, for example - let us say - and this is where the independence of its direction has to come - let us say that there is a community organization in...

Opposition MEMBER: Portmore.

The PRIME MINISTER: ...Portmore that's doing something marvelous. I would like them to be able to say to PBCJ, this is what we are doing, we are sending you a profile of it, we want some exposure. So that they can come out there and look at it and say, but you know, this is something that we want the rest of Jamaica to know about. So it's not just a matter of carrying Parliament live, and it's not just a matter of - but to do that, we have to make sure that the direction of it is balanced, is above politics, which is why we have gone this route.

We face one other problem that I want to alert Members of. It is not possible for us to provide the resources for PBCJ to do the things that we want it to do; not now, and it's not going to be possible in the next budget. And it ought not to be the burden of taxpayers, necessarily.

There have been some discussions, some preliminary discussions. Already there has been a kind of alarmist reaction from the radio station when it was suggested - and I don't know where that suggestion came from - that they would be required to pay 5 per cent of their annual sales in fees. Nothing like that. But we are going to have to revise the fees. Right now a radio station pays a fee of $100,000 for the year, $100,000.

Mr. GALLIMORE: Jamaican?

The PRIME MINISTER: And I am not even sure if the community stations don't pay less. And therefore, we are going to have to revise the fees. Because we are going to have to look at some incremental revenue that would come to PBCJ in order to allow them to finance their operation.

We have had recently to tighten the staff complement there, because they had recruited far above their establishment, and we had to do some cut-backs there to get it closer to what the establishment is.

The Member for South St. James has made some interesting points. Firstly, I agree entirely that I would want to include the Disabled Community as one of the categories from which representatives would be chosen.

But then, in addition to that, when you made reference to paragraph 4 - this is on pages 2 and 3 - it seemed to me that we were going in two opposite directions. Here are we saying we don't want to overprescribe the thing, give the Governor-General latitude. And then we are saying now, in selecting an education representative, you must have ten (10) years experience. That is not bad, but it must be experience in the field of education, with particular focus on media and communication, lifelong learning. And then, the lawyer must be somebody that has not experience, you know, but qualification in Intellectual Property Law, Entertainment Law, any media specific area of law. So you may be a lawyer with thirty years experience, you may have done well in Commercial Law, in Litigation, in all kinds of things, but you wouldn't fit the bill. The Governor-General is going to be scratching his head again.

I really would love - to tell you the honest truth - when I look at it I would love to delete the whole of paragraph 4, that's what I would like to do. But what l am being advised by our Legal Counsel - which is why I am so glad that we have one now, I fought for one for

many years - because I was going to move that we simply delete paragraph 4, until she pointed out to me that this is a resolution for affirmative vote, you cannot amend it. What has to be done is that you have to withdraw the resolution and go back and bring the amended thing as a new one, which is what I propose to do.

And therefore, in order to take account of those changes that would need to be made, arising out of the suggestions that have been made here, Madam Speaker, I am going to seek leave of the House to withdraw the resolution. I hope to bring it back here next week when we can have it passed.

Dr. GUY: Madam Speaker, before you - and Prime Minister, might, I, in light of the fact...

The PRIME MINISTER: You didn't ask for leave because I was closing.

Dr. GUY: No. In light of the fact that you are withdrawing it, can I also ask you to have attention paid to 3(a). My only concern is that you mentioned that's a worker member of the Board. If, as 3 suggests, if the Governor-General so seeks to appoint that particular person after consultation with the Leader of the - the Prime Minister and Leader of the Opposition, the worker's interest might not necessarily be represented. You run the risk of the worker is appointed as an individual and might not be satisfactory to either the Governor General and the Prime Minister.

The PRIME MINISTER: Well, I don't believe that we are doing anything new, I believe that there are situations where we have had this.

But what it means is, that person to be the worker representative cannot be anybody who is not nominated by the workers. But after the workers nominate, the Governor-General will still consult to say - and he will say to the Prime Minister and the Leader of the Opposition, these are the persons who were nominated by the - this is the person nominated by the workers, so I am putting that name forward. Suppose the Prime Minister and the Leader of the Opposition were to be able to persuade him that no, that name ought not to go forward, then he would have to go back to the workers and say, would you please select another representative.

I hardly think that that is likely to happens But the right of the workers to choose, subject to the approval of the Governor-General, is still intact, and I don't think that I would want to disturb that at all.

Since I am actually closing the debate, if there is any other concern that anyone wants to raise they would have to raise it before I sit.

Dr. GUY: Yes, sir, thank you.

The PRIME MINISTER: So I am yielding again, and I want to pull out 4 altogether.

Dr. GUY: The concern I have, Prime Minister, is that for that particular appointment we could take out 'after consultation with the Prime Minister and the Leader of the Opposition,' for that particular worker representative. All others would fall in that particular domain.

The PRIME MINISTER: Suppose that representative is somebody that the Governor-General, with the concurrence of the Leader - of the Prime Minister and Leader of Opposition, feel ought not to be on the Board? Suppose it's somebody with a criminal record long so? You have to allow some flexibility.

The Governor-General would not be in a position to go and hand-pick a representative. He would have to go back to the workers and say now look, I have consulted with the Prime Minister and the Leader of the Opposition and we would wish you to select a different nominee. But I don't want to say that the Governor-General will have discretion in all other cases. In selecting somebody from education, from media, from private sector, from disabled community, the Governor-General will have discretion, but in terms of the workers representative, no, he has to take whoever he gets.

What I am saying is that, let him get the nomination, he will discuss those nominations with - that's the only case, you know, in which he has to seek nominations, you know. In all other cases, he has to go and head-hunt. In that case he must seek the nominations of the workers, when the nominations come in, then he will consult. And I am sure that any Governor-General, unless there are strong, powerful, compelling reasons, would not want to question the choice of the workers. But I don't know that you should limit the Governor-General, so that even if he has strong views and would want to pursue that with the workers so as to get them to reconsider and offer an alternative nomination, you wouldn't be able to do that. No, I don't think that we should.

Madam Speaker, I seek leave of the House to withdraw the resolution.

The DEPUTY SPEAKER: The question is that leave be granted for the Resolution to be withdrawn?

Put to the House and agreed to.

Mr. GALLIMORE: Madam Speaker, we'll now have the Member from St. Thomas, Eastern, bringing item No. 2 under Private Members' Motion.

Madam Speaker, I seek the suspension of the Standing Orders to allow Private Members' Motion to be taken by the Member from St. Thomas Eastern, listed at No. 2 on the Order Paper.

The DEPUTY SPEAKER: The question before the House is that the Standing Orders be suspended to allow the Member to take the Private Members' Motion, listed at No. 2 on the Order Paper.

Put to the House and agreed to.

NATIONAL HONOURS & AWARDS (REVIEW)

Dr. FERGUSON: Thank you, Madam Speaker.

Madam Speaker, on the 16th of September 2008, the Prime Minister brought a Resolution to this Honourable House, a Resolution which speaks to Ministry Paper No. 68 of 2008, asking for the Report on the review of the system of National Honours and Awards.

It was laid on the Table of the House on the 16th day of September 2008 and the Prime Minister asked that it should be referred to the Human Resources and Social Development Committee of Parliament.

This Report, Madam Speaker, was set up by the Prime Minister in October 2007, with a Committee of nine (9), led by the late PROFESSOR THE HONOURABLE REX NETTLEFORD, O.N.

Your Committee started its deliberation, Madam Speaker, on February 26, 2009, and we have had five meetings since that time. The Committee was given a clear Terms of Reference in terms of Professor Nettleford, but when we started our deliberations, Madam

Speaker, the Members of your Committee highlighted a number of recommendations that they felt there would be need for clarity from the Chairman of that Committee. Professor Nettleford was requested to come before our Committee. He was unavailable because of other engagements and so he asked that MERRICK NEEDHAM, O.D. be substituted and therefore he came before your Committee.

The Committee, Madam Speaker, met with Merrick Needham on the 26th of March, 2009. We went through the document as presented by the Nettleford Committee. The findings and recommendation of that document, Madam speaker- the first instance there was a recommendation for an Order of Jamaican (Heritage), OJH.

This new national award that was recommended, Madam Speaker, would be the second highest national award and would be bestowed on individuals who made significant contributions to Jamaica's heritage over an extended period of time, for example, the HONOURABLE LOUISE BENNETT-COVERLEY and the HONOURABLE ROBERT NESTA MARLEY. Additionally, the pronominal title, THE MOST HONOURABLE CHIEFTAIN would be used to address individuals to be admitted to the Order regardless of their gender.

It was the view of your Committee, Madam Speaker, that that title was inappropriate and would be used derisively and would take a long time for Jamaicans to accept. Your Committee, therefore recommended, Madam Speaker, that the Parliament decide on a suitable title, which would be used to address individuals to be admitted to the ORDER OF JAMAICAN HERITAGE.

In terms of the ORDER OF MERIT, the Committee felt that that order should be limited and, therefore, that was expressed by your Committee, and in agreement with the recommendation of the Nettleford Committee. It was also felt, Madam Speaker, that a number of recipients of various honours , that those honours should also be limited.

There was also a strong recommendation coming from the Nettleford Committee in relation to posthumous awards. It was felt, Madam Speaker, that persons should be awarded during their lifetime, preferably during their lifetime, rather than at death. The Committee also shared that view and having considered the matter, your Committee strongly recommends that as far as possible, individuals must be awarded or honoured during their lifetime once they meet the relevant criteria.

(Applause)

There was also concern, Madam Speaker, in relational the criteria for selecting recipients of the various honours and awards. The Members of the Committee expressed concern about the criteria used to select recipients of honours and awards at both the local and national level. The Members are of the view that individuals should not be honoured or awarded based on the discretion of those making the recommendations and, therefore, proposed that the system of National Honours and Awards be transparent and that there be set standards for selecting awardees.

It was further proposed that there be prescribed standards by which persons who had been honoured or awarded should live. Your Committee also recommended that there be a mechanism whereby individuals who had been honoured and who later discredit the honour, particularly the ORDER OF JAMAICA,

be stripped of such as soon as possible thereafter.

There was a recommendation also from that Report, the JAMAICA MEDAL OF APPRECIATION and the categorization for Parish Awards. It was the feeling of your Committee, Madam Speaker, that there were several awards at the local level, and given the constraints at this time, that we should look to strengthen those awards at the local level, working with the Mayors and Councillors, working with Civil society, working with Members of Parliament to ensure that those honours are given the recognition and that they are consistent across the country. And, therefore, your Committee did not support that new recommendation.

There was also a recommendation for GALLANTRY COMPANION OF HONOUR, a new award. Madam Speaker, your Committee, having deliberated, is of the view, that the existing MEDAL OF HONOUR FOR GALLANTRY is enough and, therefore, rejected that recommendation. Your Committee also looked at people's perception of various honours and awards.

On the basis of the deliberation, it was felt that much work needs to be done in relation to public education, so that persons across the country will recognize that whether it is a BADGE OF HONOUR, whether it is a NATIONAL AWARD OR O.N., whatever might be that there is the requisite respect and to understand in a real way that these honours are bestowed on selected persons across the country and, therefore, we need to value it.

Your Committee, Madam Speaker, felt very strongly that honour should be granted on the basis of achievement rather than ascription. The view was expressed that Jamaica should adopt the principles of the British House of Commons, to bestow honours on individuals who had served their country well.

During the deliberation it was said that in many instances, persons or contributors to political campaigns and as a consequent they became recipients of certain honours, an occurrence which is not unique to Jamaica.

The view was then expressed that individuals should only be honoured or awarded on the basis of merit.

Mrs. NEITA-HEADLEY: Hear, hear!

Dr. FERGUSON: Your Committee therefore recommended that honours be granted on the basis of achievement and not ascription.

In relation to miniature badges, it was the view of the Nettleford Committee, that we should desist from giving small badges or miniature badges. It was felt that at this time there were a number of countries that have stopped doing it. It was also felt that the cost - in fact in 2007, the cost for miniature badges was somewhere in the region of J$2.4 Million. However, Madam Speaker, after due deliberation, your Committee is of the view that recipients of the various awards should not be required to purchase miniature badges, in-spite of the cost. It is the view of the members that the badges should be provided free of cost.

Formal occasion where Badges of Honours can be worn. It was the view of the Nettleford Committee that we should have special occasion for persons to wear their badges and honours. It was the view of your Committee, Madam Speaker, that those badges really should only be worn on formal civic occasions.

It was also brought to our attention during our deliberations, Madam Speaker, the Jamaica Defence Force, through its Chief-of-Staff writing to the Permanent Secretary in the Ministry of National Security, who sent on that letter to the Prime Minister of Jamaica, that there are a number of officers of the JDF who had not been given any kind of National Award over the last 19 years, at the time the letter was written.

As such, the Chief of Staff, having put forward a number of names to the National Awards Committee and he had not gotten any response, wrote that letter with a view that there would have been a special ceremony organized that would take care of members of the JDF. It was the strong view of your Committee, Madam Speaker, that notwithstanding the JDF should go through the normal channel and be subjected to the National Committee, because we felt it would be setting a bad precedence, others would seek to use the same route and we also believe that those honours should be given on the basis of merit and not on rank or…

Mr. PICKERSGILL: Ascription.

Dr. FERGUSON: …ascription.

So, Madam Speaker, in summarizing our…

(*Sotto voce* remarks by some Members)

Dr. FERGUSON: …concluding, our Committee, clearly there were ten (10) recommendations which basically I have spoken to. Therefore it is to that extent that those areas that we have touched on, Madam Speaker - the other areas of the Report the Committee accepted. It's a big Report, fairly big document, Madam Speaker, so we did deal with that.

Mr. CLARKE: Give us a summary of that. (Laughter)

Dr. FERGUSON: But let me just say, Madam Speaker, although I know that we will have speakers and other intervention, I really want to congratulate our Clerk to that committee for the wonderful work she had done (Applause) and the Members of the committee who participated. Also want to congratulate MERRICK NEEDHAM for coming, I think on two or three occasions. And although he was a substitute, he was a substitute for REX NETTLEFORD, he did an excellent job and was a worthy substitute. (Applause)

Madam Speaker, I therefore open the Report for any other intervention before asking for its approval.

Mr. KELLIER: Madam Speaker, I wish to congratulate the Chairman of the Committee and the Members of the Committee for a very precise comprehensive Report. I think the Member delivered it in real good style this afternoon and we want to thank them for it as well.

It is a very important feel, Madam Speaker, because as you know every year we have celebrations of National Heroes Day and Independence, at which time these things come up for public scrutiny more than at any other time. And there is always concern about – in the public's view sometimes as to whether or not the awards have been justifiably handed out to some of the persons who get it and is always a concern. So I think the Committee has done a great work and has put something before us that we ought to consider and approve going forward. And I wish to give them my full support and ask that the Report be adopted.

(Applause)

Mr. WITTER: Madam Speaker, I ask for permission to speak from a seat other than mine.

Madam Speaker, as a Member of the committee, I am in full support of the recommendation here.

Mr. PICKERSGILL: Is it a minority report?

Mr. MONTAGUE: You have never learnt to be nice eh, Robert.

Mr. WITTER: Except that there was one point that was raised by the chairman of the committee and I just want it to be recorded here that I was not in support of the limitation on the amount of awards that are to be granted because I believe that the…

Mr. PICKERSGILL: You think is confetti.

Mr. WITTER: - seeing that we have agreed that the award should be done on merit and achievements, I believe therefore that there shouldn't be any matter of limitations.

Mr. CLARKE: Get the National Arena and full it up.

Mr. WITTER: …because if the persons are recommended on the basis of merit I believe that there shouldn't be any limitations on the amount of awards that we grant to such persons. (Applause)

Mr. MONTAGUE: Good point. Good point. (Applause)

Mr. CLARKE: It can't work so.

Mr. PICKERSGILL: You think is confetti.

Mr. CLARKE: It would be too much each year.

Dr. FERGUSON: Madam Speaker, let me thank the Member from South East St. Elizabeth for his intervention and his intervention is duly noted.

Madam Speaker, I therefore ask that the Resolution be amended to allow for this Report to go to Cabinet rather than to come back to the Parliament or the Committee of Parliament.

The DEPUTY SPEAKER: The question before the House is that the - just ask for the Report to be adopted. Can I invite the amendment.

Dr. FERGUSON: Madam Speaker, I ask that the amendment be adopted and that the Report be adopted.

The DEPUTY SPEAKER: So the question before the House therefore is that the Report, as amended, be adopted by the Members.

Put to the House and agreed to.

The DEPUTY SPEAKER: So the Report will go to Cabinet.

Dr. FERGUSON: Thank you very much, Madam Speaker.

(Applause)

Mr. GALLIMORE: Madam Speaker, I beg for the recommittal of the items 'Announcements' and 'Notices of Motions Given Orally'. And also, Madam Speaker, I beg for the recommittal of 'Reports from Committees'.

The DEPUTY SPEAKER: The question before the House is that the items 'Announcements, Reports from Committees and Notices of Motions Given Orally' be recommitted to the Order Paper.

Put to the House and agreed to.

ANNOUNCEMENTS
(Recommitted)

The Clerk by leave laid on the Table of the House a copy of the following:

The Report of the Public Administration

and Appropriations Committee of the House of Representatives on expenditure in respect to the Commission of Enquiry into the collapse of the Financial sector and the Report of the Sessional Select Committee on Infrastructure and Physical Development.

REPORTS FROM COMMITTEES
(Recommitted)

Mr. KELLIER: Madam Speaker, on behalf of the Chairman of the Public Administration and Appropriations Committee, I beg to lay on the Table of the House a copy of the Report of the Public Administration and Appropriations Committee of the House of Representatives on expenditure in respect of the Commission of Enquiry into the collapse of the financial sector.

NOTICES OF MOTIONS GIVEN ORALLY
(Recommitted)

Mr. SHAW: Madam Speaker, I beg to give notice that at the next meeting of the House I will move to introduce and have read a first time a Bill entitled AN ACT to Amend the Deposit Insurance Act.

Mr. KELLIER: Madam Speaker, I beg to give notice that at the next meeting of the House on behalf of the Chairman of the Public Administration and Appropriations Committee, I move:

> Be it Resolved that the Report of the Public Administration and Appropriations Committee of the House of Representatives on expenditure in respect of the Commission of Enquiry into the collapse of the financial sector which was laid on the Table of the House on the 23rd day of November, 2010 be approved.

Mr. PICKERSGILL: Madam Speaker, I wish you could accommodate me.

Mr. GALLIMORE: Madam Speaker, I beg for the recommittal of Reports from Committees.

The DEPUTY SPEAKER: Recommittal of the Reports from Committees.

Put to the House and agreed to.

Mr. PICKERSGILL: Thank you, Madam Speaker. I beg to lay on the Table of the House a copy of the Report of the Sessional Select Committee on Infrastructure and Physical Development.

The DEPUTY SPEAKER: We are now back to the item 'Notices of Motions Given Orally'.

Mr. PICKERSGILL: Madam Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it Resolved that the Report of the Sessional Select Committee on Infrastructure and Physical Development which was laid on the Table of the House on the 23rd day of November 2010, be approved.

Mr. GALLIMOIRE: Madam Speaker, prior to closing, I just wanted to advise Members of the House that at the last Annual Executive Meeting of the Confederation of Parliamentarians of the Americas, COPA, which was held on November 13 - 20, a new president was elected from Quebec, Canada, and new Vice President was elected from one of the Members of this House, the Member from North West St. Ann. I want to bring to the attention of the House that this is the first time that a Jamaican has been elected to a

position in this organization. And I want to congratulate the Member from North West St. Ann for having represented us so well.

(Applause)

The DEPUTY SPEAKER: I join with the Acting Leader of Government Business in offering our congratulations and look forward to a good year of stewardship on our behalf.

(Applause)

ADJOURNMENT

Mr. GALLIMORE: Madam Speaker, it is not proposed to do any further business today. I therefore move that the House be adjourned until November 30 at 2:00 p.m.

The DEPUTY SPEAKER: The question before the House is that this House be adjourned, there being no further business, the House be adjourned until Tuesday the 30th of November, 2010.

Put to the House and agreed to.

The DEPUTY SPEAKER: This Honourable House now stands adjourned.

The House adjourned at 6.09 p.m. until Tuesday, November 30, 2010 at 2.00 p.m.

THURSDAY, November 30, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.22 p.m.

PRESENT
THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism.

JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister, Minister of Information and Telecommunication.

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

OTHER MEMBERS

DR. ST. AUBYN BARTLETT, (JLP), St. Andrew, Eastern.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. DEAN ALEXANDER PEART, (PNP), Manchester, North Western.

MR. DERRICK CHARLES SMITH, CD, (JLP), St. Andrew, North Western.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 2.22 p.m.

The SPEAKER: Please be seated. This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

(HON. ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Defence, entered and took his seat.)

The SPEAKER: This afternoon we would like to welcome to the sitting of the House of Parliament the contestants in the 2010 Mini Miss Jamaica competition. Welcome to the sitting of the Parliament. (Applause)

ANNOUNCEMENTS

The Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 94**
  Office of Utilities Regulations (OUR) 2008, 2009 Annual Report
- Public Broadcasting Corporation (Amendment) Regulations, 2010 under
  The Public Broadcasting Corporation of Jamaica Act, 2010
- Office of the Children's Advocate Special Report to Parliament on Children and Violence
- Tourism Enhancement Fund 2008/2009
  Annual Report and Audited Financial Statements

Mr. GALLIMORE: Mr. Speaker, on behalf of the Minister of Finance and the Public Service I beg to lay on the Table of the House a copy of the First Supplementary Estimates of Expenditure for the financial year ending March 31 2011.

The SPEAKER: Members – I think all Members have received a copy of the - they are available. Orderly, could you please distribute the - they are being distributed.

BILLS BROUGHT FROM THE SENATE

The Clerk read the following message from the President of the Senate:

TO THE HONOURABLE HOUSE OF REPRESENTATIVES:

I have the honour to advise the Honourable House of Representatives that on the 26th day of November, 2010, a Bill entitled "AN ACT to make provision for the protection of systematically important clearing and settlements systems from disruptions

that may lead to risk to the stability of financial systems, cause loss of confidence in the public payment regime in general and for connect matters", passed with seven (7) amendments for which the Honourable Senate desires the concurrence of this Honourable House.

Amendments:

Clause 2**:**

1. Delete from the definition of "clearinghouse" the words "but does not include a stock exchange or the Bank"
2. Delete the definition of "systemic risk" and substitute therefor the following:

   "systemic risk" means the risk that the inability of a participant to meet its obligation in a clearing and settlement system as they become due will –

   (a) cause other participants in the clearing and settlement system to be unable to meet their obligation as they become due; or

   (b) cause significant liquidity or credit problems that may threaten stability and confidence in the financial system.

Clause 3**:**

Delete the clause and renumber Clauses 4 to 6 as Clauses 3 to 5 and adjust internal cross references accordingly.

New Clause 6**:**

Insert next after the renumbered Clause 5 the following as the new Clause 6 -

Settlement rules to be approved by Bank: A clearing house shall not commence or, as the case may be, continue its operations until it has submitted to the Bank and received its prior written approval of the by-laws, agreements, rules, procedures and guidelines governing the operations of the clearinghouse."

Clause 9**:**

Delete subsection (3) and substitute therefor the following:

(3) Without affecting the generality of subsection (2), directions issued to a clearinghouse under that subsection may not be in respect of any matter that is not directly related to its participation in the designated system"

Clause 15**:**

1. Delete the marginal note and substitute therefor the following:

   "Clearinghouse to notify of changes and other information"

2. Renumber subsections (3) and (4) as subsections (4) and (5) and insert the following as subsection (3) -

   (3) Where it appears to the Bank that any change made or proposed to be made be a clearinghouse to its by-laws, agreements, rules, procedures or guidelines is inappropriate, the Bank may:

   (a) direct the clearinghouse to refrain from making the change; or

   (b) require the clearinghouse to make any other changes as the Bank may specify."

Clause 19 (1)

Insert immediately after the words "reorganization, arrangement" a comma

and the word "liquidation".

Signed: Oswald Harding,
President of the Senate

Mr. GALLIMORE: Mr. Speaker, on behalf of the Minister of Finance and the Public Service, I beg to give notice that at the next meeting of the House I will move that the amendments to a Bill shortly entitled, "**The Payment Clearing and Settlement Act, 2010**", be approved.

(Hon. Andrew Michael Holness, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government and Business and Electoral Matters, entered and took his seat.)

The SPEAKER: Thank you, House Leader.

NOTICES OF MOTIONS GIVEN ORALLY

The PRIME MINISTER: Mr. Speaker, I beg to give notice that at the next meeting of the House will move, "The Public Broadcasting Corporation of Jamaica (Amendment) Regulations, 2010 Resolution". I assume I don't need to read the entire Resolution.

I am to give notice as well, Mr. Speaker, that at a later stage I will seek suspension of the Standing Orders to allow me to take the Resolution.

(MR. TARN ANDREW PERALTO, (JLP), St Mary, South Eastern, entered and took his seat.)

The SPEAKER: Thank you, Prime Minister. House Leader.

Mr. HOLNESS: Mr. Speaker, on behalf of the Minister of Finance I beg to give notice that at the next meeting of the House I will move the following:

Be it Resolved that the First Supplementary Estimates of Expenditure for the financial year ending March 31, 2011, which was laid on the Table of the House on the 30th day of November, 2010, be referred to Public Administration and Appropriations Committee for consideration and Report.

Mr. Speaker, I further beg to give notice that at a later stage today I will move for suspension of Standing Orders to enable the Minister of Finance to take the motion.

(HON. ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of state in the Office of the Prime Minister entered and took his seat.)

(HON. MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minister of State in the Ministry of Industry, Commerce and Investment entered and took his seat.)

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: Before you go Mr. Bunting, House Leader, are there any answers?

Mr. HOLNESS: Mr. Speaker, the Prime Minister is prepared to answer the questions asked by the Member from Manchester Central.

The SPEAKER: Is that question 22?

Mr. HOLNESS: Yes.

The SPEAKER: He is prepared...

Dr. DAVIES: Mr. Speaker, before that, last week I was handed this paper asking me to agree to a one week extension in terms of the answer to the Question No. 20.

Mr. HOLNESS: Mr. Speaker, the Minister of Finance is not in a position to answer the questions today. The questions will be answered in the following sitting.

The SPEAKER: The next sitting.

Mr. HOLNESS: In the next sitting.

The SPEAKER: Permission is being made for it to be answered next week, Dr. Davies.

Dr. DAVIES: Mr. Speaker, with all due respect, these are two agreements which were signed, sealed and delivered months ago. I have difficulty in understanding what could be the reason for the Minister's inability to make these agreements available to us.

(*Sotto voce* comment by Mr. Derrick Smith)

Mr. D. PEART: Keep quiet, Derrick!

Dr. DAVIES: Mr. Speaker, I agreed to the extension for whatever reason a week ago. I don't think it's adequate for the Leader of Government Business simply to say that he is not in a position. This is...

The SPEAKER: Dr. Davies, the only thing I can say, the Minister of Finance is not here at the moment, and in the circumstances until he is available the question cannot be answered.

Mr. HOLNESS: In any event, Mr. Speaker, in my discussions with the Minister of Finance he has indicated that he will provide the answers. So if the Member is patient, I am sure he will be satisfied next week.

(MR. FRANKLIN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern, entered and took his seat.)

The SPEAKER: Very well. We hope that by next week the copies will be available.

Mr. Bunting, question 22.

Mr. BUNTING: Mr. Speaker, I have another question to ask which should I do first?

The SPEAKER: The one to be answered first.

Mr. BUNTING: Mr. Speaker, would the Prime Minister answer the questions, Question No. 22 standing under my name.

(HON. DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture and Fisheries, entered and took his seat.)

The SPEAKER: Thank you, Mr. Bunting. Prime Minister.

RE: OLINT/DAVID SMITH

The PRIME MINISTER: Mr. Speaker, it's a four part question. I proceed as follows:

Question 1: Is the Prime Minister aware of the conviction of David Smith as principal of Olint and related entities in the Turks and Caicos Islands relate to the fraudulent operation of an illegal investment scheme specifically, conspiracy to defraud and money laundering?

Answer: My information is that Mr. Smith was convicted and sentenced to six and a half years imprisonment in the Turks and Caicos Islands on September 23, 2010, having pleaded guilty to two counts of conspiracy to defraud and two counts of money laundering.

Question 2: Is the Prime Minister aware of the indictment in the Florida

Middle Court of David Smith on 27 counts related to the operation of this fraudulent investment scheme?

Answer: My information is that Mr. Smith has been indicted in a Florida court on 23 charges including wire fraud and conspiracy to defraud investors.

Question 3: Given that David Smith commenced his operations in Jamaica and thousands of Jamaicans are victims, and that legal and other regulatory action was commenced against David Smith and/or Olint and related entities by the Financial Services Commission during the previous to administration, will the Prime Minister provide an update on the status of this Question matter with the various Jamaican authorities, whether regulatory, investigative or prosecutorial?

Answer: In January 2006 based on information it had gathered, the Financial Services Commission commenced investigations into operations being carried out by Mr. David Smith, Olint Corporation and Overseas Locket International Corporation, which it considered to be in violation of the Securities Act. In March of 2006 the FSC obtained and executed search warrants on the business premises of the named entities as well as Mr. Smith's residence. Documents, records and computers and equipment were seized.

The PRIME MINISTER: On March 17, 2006 the FSC submitted to the Director of Public Prosecutions a file containing the report of its investigations along with exhibits from the documents and records seized for a determination to be made regarding prosecution.

On March 24, 2006 the FSC issued Cease and Desist Orders to Mr. Smith and the named entities. Towards the end of March 2006, the DPP informed the FSC that its review of the material submitted was not complete and no decision regarding prosecution could yet be made.

In April 2006 the FSC was forced to return the documents, records and computer equipment to Mr. Smith and the entities from which they were seized as the law does not allow them to be detained beyond 30 days without charges being laid.

On April 7, 2006 Mr. Smith and Olint Corporation filed appeals in the Supreme Court against the Cease and Desist Orders. This was followed by an application to the Court on May 12, 2006 for a stay of execution of Cease and Desist Orders. The application was heard on August 8, 2006 and judgment reserved. The judgment was handed down on November 3, 2006, when the Court granted a stay of execution until March 26, 2007 the date set for the

hearing of the appeals that were filed on April 7, 2006. The order allowed the existing members of Olint to continue to invest in and withdraw funds from Olint but stipulated that no new members should be engaged. This led to the proliferation of what is called "feeder funds" as existing members collected funds from other persons which were then invested through their existing accounts, thereby circumventing the order of the Court.

The appeals filed by Mr. Smith and Olint against the Cease and Desist Orders were heard in the Supreme Court between March 27, 2007 and June 12, 2007. Judgment was reserved and eventually handed down on December 24, 2007. The appeals were dismissed but notice of appeal against the decisions was served and the stay of execution which allowed the continued operation of Olint was extended for a further period of six weeks to facilitate consideration by the Court of Appeal.

On February 5, 2008, Mr. Smith and Olint sought and obtained from the Court of Appeal a further extension of the stay of execution, pending the hearing of the appeal. The appeal was not heard until February 9-11 of 2009. The Court reserved judgment in the matter. To date, now approaching two years since, that judgment has not been handed down.

As previously stated, the FSC on March 17, 2006 had submitted to the DPP a file containing the report of its investigations into the suspected breaches of the Securities Act by Mr. Smith and the named entities. The then DPP, MR. KEN PANTRY, QC, by letter dated April 4, 2006 advised the FSC to procure the services of an experienced attorney to whom he would be prepared to give a *fiat* to pursue the matter. The FSC acting on this advice engaged the services of MR. WALTER SCOTT, Attorney-at-Law, to whom the DPP, by letter dated April 30, 2006, granted permission for MR. SCOTT to provide an opinion on the investigation conducted by the FSC.

By letter dated May 22, 2006, Mr. Scott wrote to the DPP advising him that, and I quote,

> *"on the basis of material to hand, I would only be able to provide an academic opinion. I have advised my client, the FSC, to cause statements to be taken from potential witnesses".*

Based on the statements collected by the FSC, Mr. Scott forwarded his opinion to the DPP on December 12, 2007 stating *inter alia*, and again I quote:

> *"The DPP in not in a position to mount a viable prosecution against Olint/David Smith because of the insufficiency of the available material to ground all the elements of any breach of the criminal law. Several of the documents submitted would have needed the live body to speak to the relevance of the documents and/or the transactions relating them to Olint Corporation/David Smith without breaching the hearsay rule".*

He further stated, and I quote again:

> "*There are no relevant statements in the bundle of instructions which*

would enable a prosecution mounted against Olint/David Smith. In the circumstances absent statements from witnesses and documents related to these statements, I advised against a prosecution against Olint/David Smith".

A major difficulty Mr. Speaker, in laying charges against Mr. Smith or his connected entities has been the absence of credible witness statements to ground such charges. It is worthy of note that in their appeal against the Cease and Desist Orders, Mr. Smith/Olint submitted to the Court several affidavits from their clients/members asserting that they had not sought and did not need the protection of the FSC.

The police also have advised that despite repeated media exposure of the possibility that the operations of Mr. Smith and Olint constituted criminal violations, and appeals by the police for complainants to come forward, only four (4) complaints have been received with only one (1) offering any prospect of fruitful criminal investigation.

In the opinion rendered by Mr. Scott, it is stated that in order to prosecute an offence under Section 7(1)(a) of the Securities Act, the Crown must be able to prove beyond a reasonable doubt that a potential offender is carrying on a securities business. This would require the prosecution to prove that:

(a) the potential offender dealt in securities as interpreted by Section 2 of the Securities Act;
(b) the instruments issued by the potential offender are securities as interpreted by Section 2 of the Securities Act and treated by case law; and
(c) the potential offender was in the business of dealing with securities and that such dealings were not a one-off transaction.

Mr. Scott further stated that the documents uplifted from the offices of Olint/David Smith may well be securities. However, there are no statements relating them to any transaction. Without written statements linking them to a profit-generating scheme enterprise or investment, it could not be credibly argued that there are securities within the meaning of the Securities Act.

I stress again, Mr. Speaker, that these were the - this was the opinion rendered by MR. WALTER SCOTT who had been given a *fiat* by the Director of Public Prosecutions to provide an opinion on the matter.

The DDP has agreed, the current Director of Public Prosecution, MISS PAULA LLEWELYN, has agreed with the opinion rendered by Mr. Scott who she notes is a senior counsel at the Private Bar with considerable prosecutorial experience being a former prosecutor in the DPP'S office and having prosecuted many complex fraud cases including cases done on *fiat* from the DPP.

The DPP has stated that the problems that existed at time the opinion was rendered by Mr. Scott still persists. While she has identified additional documents and statements these are not in her view. And this information is contained in a

letter which I received from her in response to my queries in preparation for providing the answers to this question.

While she has identified additional documents and statements these are not in her view sufficient to mount a prosecution against Mr. Smith or the named entities that would meet the requisite standard of proof in criminal cases, that is, proof beyond reasonable doubt.

She further stated that the fact that Mr. Smith is no longer in Jamaica, and no longer within easy reach of the Jamaican investigators would also militate against prosecution. The material that exist and the falsity of that material are not in her view sufficiently compelling to persuade the foreign jurisdiction where Mr. Smith may be located to entertain a request for either extradition or mutual legal assistance.

Arising from the experiences relating to Olint and other unlawful financial organizations, there is a compelling need, Mr. Speaker, to strengthen the financial sector legislative and regulatory powers and capability in order to more effectively prevent, detect, investigate and sanction those organizations in the interest of safeguarding the integrity and security of the financial system. Such measures must strike an appropriate balance between the right of the individual to make his own investment choices and the obligation of the State to protect the public.

The FSC has developed detailed proposals for legislative and regulatory measures that will form part of the financial sector reform to be implemented under the current Medium Term Economic Programme. They include - and I am just listing a few of the recommended provision:-

- changes to the statutory definition of securities;
- specific prohibition against ponzi and pyramid schemes, that is, schemes in which the profits earned by participants are generated largely from increases in the number or contributions of existing, participants; and
- statutory recognition of investment clubs as a class of entities but with strict rules governing their operations, the maximum number of members and the value of the contribution that each member will be allowed to make, regulatory oversight and appropriate reporting requirements.

These proposals are currently being reviewed by the Bank of Jamaica, the Attorney General's Department and the Office of the Director of Public Prosecutions prior to submission to Cabinet for the appropriate policy decisions and drafting instructions

Question 4: Will the Prime Minister explain the slow pace of Jamaican proceedings on this matter, generally and in particular relative to the aforementioned two jurisdictions?

Answer: Please see answer to Question Three.

Question 5: Will the Prime Minister confirm whether or not David

Smith attended a function of appreciation for contributors to the Jamaica Labour Party held following the 2007 general elections?

Answer: Yes. Mr. Smith is one of many persons who made financial contributions to the JLP'S elections campaign fund for the 2007 elections.

My understanding, Mr. Speaker, is that he also made significant contributions to the People's National Party, of which the Member is currently the General Secretary.

The SPEAKER: Yes, Mr. Bunting.

Mr. BUNTING: Mr. Speaker, given the extensive nature of the Prime Minister's response, I have a few follow-up questions.

The SPEAKER: Sure, go ahead.

Mr. BUNTING: The first is in two parts.

Have there been requests for information or assistance under any of our mutual legal assistance treaties, related to this matter, which have been received by the Jamaica authorities months ago and that so far have not been responded to? That is Part (a).

Part (b), have there been requests by Jamaican police or other Jamaican investigators to utilize any of our MLAT's Mutual Legal Assistant Treaties that have been outstanding for some months and not yet forwarded to the treaty partners or otherwise acted upon?

The PRIME MINISTER: I know based on the advice they have given me, Mr. Speaker, that the police have been in touch with their overseas - a number of their overseas counterparts. But the sense I have is that the flow of the assistance has been more from our side to them, than from their side to us.

It was pointed out in the responses that I got that a number of the complaints, some of them quite celebrated, some of them having been publicized on radio, a number of the complaints relate to investments that were made in Olint in foreign jurisdictions and it has been determined by the Government law officers that they would not be within the scope of our own jurisdiction.

I happen to know as well, that the FSC at a certain point - and I have the documents here I can give you the specific - was in contact with the authorities in the Turks and Caicos Island, but that the responsiveness of the Turks and Caicos authorizes waned considerably, as their own investigations continued.

I should mention as well, Mr. Speaker, what the Director of Public Prosecutions advises that there have been some difficulties, and I want to quote from her letter to me.

> "In March 2008, I assumed once as Director of Public Prosecutions. In the same year the matter was brought to my attention by the FSC, which by then had a new CEO in the person of MR. ROHAN BARNETT. Prior to be so advised, I was unaware, prior to be so advised I was unaware that a file had been forwarded to my predecessor, as he had not informed me of the matter or its history, and my subsequent inventory of the files did not uncover any file or folder relative to the matter. It was never handed over to me by MR. PANTRY, and its

whereabouts up to now are unknown..."

Mr. VAZ: Oh, oh!

The PRIME MINISTER:

"....In order to facilitate a review of the matter by this office, consequent on the referral by the FSC, I invited them - that is the FSC – to submit copies of the documents that had previously been submitted to Mr. Pantry. These documents reached this office on or about August 2009. They included a copy of MR. WALTER SCOTT'S legal opinion. It is to be noted that at this juncture I was made aware that MR. DAVID SMITH had previously quit the jurisdiction to reside elsewhere, subsequent to the Cease and Desist orders.

The papers were assigned to Counsel in my office in order for a legal opinion to be prepared for eventual discussion and review by me. Having thoroughly perused the file and Counsel's opinion, I am in agreement with the opinion proffered by MR. WALTER SCOTT".

The SPEAKER: Yes, Mr. Bunting.

Mr. BUNTING: Prime Minister, I'm sure you will see that that is an incredible statement - the letter from the DPP. Could you just clarify the date she said that she found out, she was followed up on by the FSC and discovered that there was no file, that the file was missing from the DPP'S Department?

The PRIME MINISTER: The letter doesn't specify a date; it says "in March 2008 I assumed office as Director of Public Prosecutions. ln that same year the matter was brought to my attention by the FSC, which by then had a new CEO". It doesn't specify when.

Mr. BUNTING: That's a very disturbing letter, Prime Minister, but let me go on.

In last year sometime, I had asked some questions on this same matter - asked for an update on this same matter, Prime Minister, and you'll recall - and I have the **Hansard** here - that you mentioned a Jamaican citizen abroad, a medical doctor whom you felt was using his - making efforts to embarrass the country, was how you put it. I have a copy of a letter that you wrote to him dated the 3rd November, 2008.

The PRIME MINISTER: You know him?

Mr. BUNTING: I don't know him, he has communicated with me however. (Laughter)

The final two sentences of your reply to him - he was writing seeking your assistance with this Olint scheme - and your final two sentences to him were:

"Investors in these schemes chose not to concern themselves with these matters, mesmerized no doubt by the incredible returns they thought they were receiving, which were precisely that - incredible, unreal, and unsustainable. It is said that a fool and his money are soon parted. My regrets".

Prime Minister, given that that quote from your letter of November 3, 2008, suggests that it was always clear at least to you, that the Olint Scheme was a ponzi scheme, how do you justify taking contributions by your party from contributions...

Mr. CHARLES: How did yu tek it?

Mr. PICKERSGILL: Shut yu mouth.

Mr. D. PEART: Put on yu hearing aid.

(*Sotto voce* comments)

Mr. BUNTING: ....contributions that amounted to being the proceeds of crime?

Mr. STERN: How much a dem yu invested in?

Mr. CHARLES: We have to fight, but unoo go in deh voluntarily.

Mr. D. PEART: What are you saying?

The PRIME MINISTER: Mr. Speaker, part of the difficulty that the authorities have had, has so repeatedly and firmly pointed out by MR. WALTER SCOTT, is that we do not even have anything in our laws - this is what the recommendation before us now insist that we do - we do not have anything in our laws that even define ponzi schemes and outlaws them, it's a weakness in our law. And therefore in this matter the law is not the only guidance, people must exercise judgment as to whether or not these things are real.

I've never invested in Olint or any other such schemes because I have come to a decision myself that this thing cannot be for real, that it does not make sense and that eventually it is going to collapse, whether it does so because of fraudulent activity, or simply because the objectives are over ambitious. But it is a little unfair...

A MEMBER: Bobby it catch yu?

The PRIME MINISTER: ....it's a little unfair, Mr. Speaker, for the Member to seek to score political points, because that's what he is doing.

Mr. VAZ: As usual.

(MRS. NATALIE GAYE NEITA-HEADLEY, (PNP), St. Catherine, East Central, entered and took her seat.)

The PRIME MINISTER: I quote you from *the Herald* of the 26th of July, 2008.

MEMBERS: But you have shares in it.

The PRIME MINISTER: "Responding to queries, Chairman of the Opposition Peoples National Party, Robert Pickersgill, dismissed claims that the Party got US$1.3 Million..." Quotation, quotation.

Mr. VAZ: Old hypocrite.

The PRIME MINISTER: "...To the best of my knowledge, Olint donated US$200,000". Pickersgill said yesterday.

Mr. MONTAGUE: Shame, shame!

Mr. VAZ: Hypocrite!

The PRIME MINISTER: Now this is after the former Minister of Finance had taken a very strong position against Olint, very strong position.

Dr. DAVIES: Opposed an action.

The PRIME MINISTER: So the Member for North West St. Catherine, couldn't have been unaware of the position taken by colleague Minister...

Mr. VAZ: Former senior Minister.

The PRIME MINISTER: …but he is acknowledging the contribution.

This is after a Minister of State in the Ministry of Agriculture referred to the Government - referred to the FSC. Let me quote it:

> "Former State Minister in the Ministry of Finance, ERROL ENNIS..." Former, but who was then Minister of State in the Ministry of Agriculture. "....also rose to his majestic best, stressing that the raid on Olint was a Gestapo-like attack on the rights of innocent citizens whose only crime was to help poor people make some money".

Government MEMBERS: Old hypocrites! Old hypocrites!

A MEMBER: Political dunce.

(*Sotto voce* comments)

The PRIME MINISTER: As a matter of fact the very Member for North West St. Catherine, was instructed by the then Prime Minister, to have a talk with Mr. Ennis and to report back to her as to the basis on which he could have made that statement. It was announced at a post press briefing by Mr. Buchanan, that he had had that talk with Mr. Ennis that he had reported to the Prime Minister. The country had never been told what was the outcome of that report.

The point I'm making. Mr. Speaker, parties seek financial contributions. Entities are operating, we may have particular views about the wholesomeness of their operation. Persons who are out there fundraising operate on the basis of certain broad guidelines...

Dr. DAVIES: Daryl?

The PRIME MINISTER: …in some instances specific guidelines and the Jamaica Labour Party sought contribution, the Jamaica Labour Party accepted a contribution from Olint…

A MEMBER: Admit it

Government MEMBER: A Bunting dat.

Other MEMBER: And admit it.

The PRIME MINISTER: ...and we are admitting that.

Mr. KELLER: Admit it.

Dr. DAVIES: How much?

Mr. VAZ: Not today.

The PRIME MINISTER: But the basis on which the Member is asking that question must be that his party seized as it was, with the unwholesomness of this organisation, not only did not receive, but would not have accepted and therefore he and the Member for North West St. Catherine need to have a little discussion.

Mr. VAZ: Give it back now, they need it.

(Cross talks)

The SPEAKER: Reverent Thwaites, you have a follow-up question or...

Mr. BUNTING: No, but Mr. Speaker, with respect, with respect...

(*Sotto voce* comments)

Mr. VAZ: Old hypocrites!

Dr. DAVIES: Daryl, don't talk on this matter.

The SPEAKER: (Gavels) Come on, Mr. Vaz hold it and Dr. Davies and Mr. Vaz. Yes, Mr. Bunting.

Mr. BUNTING: Prime Minister - Mr. Speaker, what the Prime Minister's response has said is that poor judgment was exercised by politicians on both sides.

MEMBERS: Ooh, Ooh!

Mr. BUNTING: That was not my question that was not my question. My question…

Mr. CHARLES: How much did you invest in it, how much did you invest in it?

Mr. BUNTING: I did not invest a cent in it nor did I receive a cent and I would not have taken...

Mr. CHARLES: Give back the money, give back it!

(*Sotto voce* comments)

Mr. BUNTING: ...I would not have taken a cent of tainted money.

(*Sotto voce* comments)

Mr. BUNTING: I did not invest and I would not have invested.

(*Sotto voce* comments)

The SPEAKER: (Gavels) No, no, Mr. Vaz, please.

Mr. BUNTING: That was client's money as you well now. That was client's money as you well know.

The SPEAKER: Mr. Vaz! Mr. Vaz! Please.

Mr. BUNTING: We can't tell people what to do, and if they do this against my better advice, I'm sure they live to rue the day.

Mr. CHARLES: Oh yes, you invested people money so give it back.

Mr. BUNTING: I did not.

Mr. CHARLES: Yes!

The SPEAKER: Mr. Bunting, what is the clarification you seek now?

Mr. Charles! Please.

Yes, Mr. Bunting.

(Inaudible comments by Mr. Vaz)

Mr. BUNTING: Mr. Speaker, I asked the Prime Minister himself, I said given that he as leader himself of the party, he knew it was a fraudulent scheme.

The SPEAKER: No, no, Mr. Bunting, the Prime Minister has answered you as he sees fit.

Mr. CHARLES: Don't give a speech now, no speech.

Mr. VAZ: You must not be a hypocrite.

The SPEAKER: Mr. Vaz, please. Reverend Thwaites.

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker...

(Cross talks)

The SPEAKER: Mr. Vaz! Could you cool down please? Cool down, cool down.

Reverend Thwaites.

(Cross talks)

Rev. THWAITES: Mr. Speaker, having regard to the recent Question and Answer, will the Prime Minister acknowledge that the best policy is for the full disclosure of all political contributions by political parties as to their source and their use. And secondly, will the Prime Minister indicate...

Mr. VAZ: Talk to Trafigura.

(Cross talks)

Mr. KELLIER: Mr. Speaker...

The SPEAKER: Could we deal with that question from Reverend Thwaites first.

Mr. KELLIER: Mr. Speaker, I did not even finish.

Rev. THWAITES: I'd like to raise another...

Mr. KELLIER: Mr. Speaker, he hadn't even finished.

(Cross talks)

The SPEAKER: (Gavels) Members! Members!

Mr. KELLIER: You should give me a chance to finish this question.

The SPEAKER: Hold it. We have a question from Reverend Thwaites, the Prime Minister will answer that first.

Mr. KELLIER: The question wasn't finished you know?

The SPEAKER: Are you finished?

Rev. THWAITES: No I have another question. Which...

The SPEAKER: Could you repeat the question in full please?

Rev. THWAITES: Yes, I had two questions, the first that I put is whether in the light of the Question and Answer recently given, whether the Prime Minister will agree that full disclosure of political contributions, their source, and their use is the preferred policy, the necessary policy to prevent any recurrence of such events.

And secondly, did I hear the Prime Minister correctly, that there is an outstanding judgment over two years - is it - from a

Jamaican court in respect of this matter? And l would ask his reflection on the delay of justice that this indicates and whether this requires priority attention with regard to the dispatch, the reasonable dispatch of court processes which might well have advised investors and others interested, of their peril in respect to these matters.

I'm also distressed at the delay. It's one year and nine months since judgment was reserved and that judgment perhaps would have assisted in advancing the matter further. I do not know why it has taken so long. I have not been able to ascertain. It is something I will do. In so far as contributions to political parties and campaigns are concerned, the Member knows that the House has recently adopted the recommendations of the electoral Commission in relation to contributions to political parties which involve disclosure to an independent body; not public disclosure. That is now to be the subject of legislation that will be brought to Parliament and I'm hoping we will get that done during this legislative session and will be enacted in law.

(MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central, entered and took his seat.)

Discussions are continuing at the level of the Electoral Commission regarding contributions to political campaigns because quite frankly that is where the greater volume of contributions are made; and we'll have to await the determination of the Electoral Commission. I have maintained for a long time that in dealing with these matters even though we have the constitutional authority, we must not exercise that authority without acting on the considered recommendation of the Electoral Commission.

It's a matter that we have discussed here before, Mr. Speaker, and while we support the measures that have so far been recommended, and while we pledge, certainly on this side, we pledge, on this side, to accept and implement any further recommendations made by the Electoral Commission, we must not be unmindful of the implications of disclosure and therefore if the political system of the country is not to be left to be fuelled by those whose find ways of circumventing the law for that is possible. In other words, blocking the legitimate contribution because they simply do not want exposure, it may not be good for their business. They may even fear that it is not good for their own health. And then to leave the political system groping around to be assisted in all sorts of clever ways that sometimes will not even be contrary to the letter of the law, but contrary to the spirit of the law, is something I don't think that we have paid enough attention to. The ideal situation - the ideal remedy for that is if the country were able to say the State will provide the level of financing that is required.

All of us in this House need to understand that the State is not in a position now, not likely to be in a position in the immediate future to provide that level of funding. Not when it has to be weighed in comparison with other significant needs that have to be met. And all of us will have a serious problem in explaining to the voters out there that we have ambulances that need to be repaired that have not been repaired, but yet we are fuelling public taxpayers' money to fund political parties.

It's not that the correctness of something cannot outweigh the popular resentment towards it. It is just that in the scheme of

things and in the balance that has to be weighed I don't know that that is a judicious decision that we could make at this time. So that I think we need to spend some time we have already crossed the first hurdle, the second hurdle is a little taller. I think we need to spend some there in discussing it to ensure that what we're doing is not to satisfy some genuine - not speaking about disparaging genuine concern about the need to not only ensure but to police the integrity of the political system while at the same time leaving the political system exposed to a kind of manipulation that you may never be able to detect. That is something I think we have to be careful of.

The SPEAKER: Dr. Davies then Mr. Fitz Jackson.

Dr. DAVIES: Thank you very much, Mr. Speaker.

Prime Minister, I noted both in terms of your personal assessment of such schemes and your reference to an assessment by a former Minister of State in terms of the actions taken by the FSC. In a sense it is a pity, Prime Minister, that in your prior position as then Leader of the Opposition your very firm position, which obviously I agree with, was not reflected in statements not just by the Minister, the former Minister of State, by the former Opposition Spokesman on Finance and now Minister of Finance when l raised the matter in this House he specifically spoke about the need to understand new financial entrepreneurship. And it was an unfortunate position and it reflected in a sense a division between Government and Opposition in terms of how these matters should be dealt it. So be it but let's go forward.

There is a fundamental issue in terms - and this is an attempt to criticize the judiciary but even the first judgment which allowed existing members to continue then opened the floodgates in terms of - I don't recall the term you used, but everyone became a sub-agent or whatever. And the delay in bringing this matter to some conclusion leaves open the question as to the appropriate nature or the legality of these activities. And in that context-

Kreng, kreng shut up! This is bigger than you.

(Cross talk between Government and Opposition Members)

Dr. DAVIES: Kreng, Kreng shut up! This is bigger than you. This is above your head. This is above your head. This not a horse at Caymanas.

(Cross talk)

Dr. DAVIES: Within that context Prime Minister in looking your indications of the actions to be taken, I think it's appropriate and desirable that you put specific timelines on it. This matter will return, trust me on this. And one of the critical issues, Prime Minister, is that the law as presently structured in a sense places the regulatory authorities particularly, the FSC, in a situation where the law is designed to deal with those entities which it regulates, those who are registered, and those outside of the law, in a sense you have to find a basis on which you can go in on them. Hence the reference to **gestapo** tactics. So I would urge -

Mr. MULLINGS: What you know about that? You don't know nothing ‘bout that.

Dr. DAVIES: I would urge, Prime Minister, that this - a timeline be placed in terms of carrying this matter forward. And I would also suggest that we seek to engage as many persons as possible even before you

formally come to the House with draft legislation in the discussions as to how then do you balance between a person's right to, a fool and his money to part or to protect the public interest. And in regard to the public interest, the fundamental issue is the possible instability to the financial system where there's an entity seeking to give ten times the interest of any other and therefore undermining the credibility of the legal establishment.

So Prime Minister is there a timeline, and what measures will you put in place to allow full public discussion even before we come to the draft legislation?

The SPEAKER: Prime Minister, before you answer I think Mr. Fitz Jackson has a supplementary corollary point.

Mr. JACKSON: The question I had is very much related to that by...

The SPEAKER: Yes, go ahead, Mr. Fitz Jackson.

Mr. JACKSON: To start at the end Prime Minister, my concern is the timeline. Recently, the FSC in appearing before the PAAC was questioned about what it is doing in regard to regulation. And one critical point I wish to make is that outside of political parties who benefit or did not benefit from contributions from people who run this scheme, there are thousands of Jamaicans who have been severely affected and the absence of regulation gives an air to the public that it is okay because the authorities are doing nothing about it. And it is against that background that there is an urgency that we put the regulations in place or the legislation in place.

It is well over two years now since we have witnessed the fallout and as we speak there is no change to legislation or even the regulations to prevent similar schemes from emerging. The FSC informed the PAAC at its meeting that it has to be constantly monitoring the landscape for the emergence of any such schemes even at smaller scale than what we saw before. And they have advised that they have seen such tendencies emerging. Which brings, again, the urgency of having the regulatory and legislative framework in place to prevent a reoccurrence of what we have seen.

The PRIME MINISTER: Mr. Speaker I'd be a little reluctant to give firm timelines. The matter really falls under the Minister of Finance, who is not here. What I will say is that I will ensure that the matter move with as much speed as possible. The note I have from the Executive Director of the FSC states that he has already received the comments of the B.O.J. He is now awaiting the comments of the Attorney General's Department and the Director of Public Prosecutions. I think you are aware that the FSC has sustained a public education alert and that on a quarterly basis it issues a watch list. The last one that was issued has on it 62 entities, some of which are no longer in operation, but still on the radar simply because there are victims that I have been left out there.

Mr. Speaker, I have in my hand here the recommendations that have been made. This is what has been circulated for comment. And surprised I am that the Opposition Spokesman for Finance Minister appears not to have copy of it. I'd like to genuinely ask him to have a look at it and to let us have the benefit of his own comments as to whether or not he feels that what is proposed here are strong enough to capture the mischief that we are seeking. And if I can ask one of the Orderlies to just make this available to the member.

Just to say though, in relation to the comment that he made at the very outset, I don't think any of us here is blameless in terms of failing to maintain a resolute position that ought to have been taken. I mention this just as a matter of demonstrating the fluidity with which positions on this matter were taken. A former colleague of the Member - a former Cabinet Member, a former Minister of National Security acting in his professional capacity made submission to the Member seeking to do two things: to legalize, to recognize in law these entities and in addition to exempt them from licensing requirements under the FSC.

Dr. DAVIES: What was my response?

The PRIME MINISTER: I'm going to go on…

Dr. DAVIES: Okay!

The PRIME MINISTER: And to his credit the response of the then Minister of Finance was very firm in terms of rejecting that proposal.

(Applause by Opposition Members)

That former Minister was not to be daunted because when the new Minister of Finance assumed office.

Mr. VAZ: Protect Bobby money.

The PRIME MINISTER: ....as a matter of fact within six weeks of assuming office, he made a similar proposal to the current Minister of Finance and he was particularly helpful.

He went on to provide him with a draft of the Bill...

(*Sotto voce* comments/laughter)

…a draft of the Bill that is now legitimized...

Government MEMBER: A Bobby him a protect man, a Bobby him a protect.

The PRIME MINISTER: And the current Minister of Finance, with equal firmness, has rejected the proposal. (Applause)

Mr. VAZ: Ol' hypocrite, dem! Ol' hypocrite dem! Ol' hypocrite!

Mr. CHARLES: You knew about it!

Mr. MONTAGUE: Bunting knew about it.

Mr. HYLTON: Mr. Speaker...

The SPEAKER: Yes, Mr. Hylton.

Mr. HYLTON: Mr. Speaker, could the Prime Minister say whether the former member, or the former Minister of National Security, to which he speaks, was the former Minister acting in his professional capacity, as an attorney?

The PRIME MINISTER: Despite all that I have heard said about them, I have never accepted that lawyers, all lawyers, have that kind of gymnastic dexterity. Never.

(MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western, entered and took his seat.)

The SPEAKER: Mr. Bunting.

Mr. BUNTING: Mr. Speaker, I beg to give notice that at the expiration of 21 days, l will ask the Prime Minister the following questions related to the relocation of Up-Park Camp.

Question 1: Will the Honourable Prime Minister explain the rationale and justification for the proposed relocation of the Jamaic Defence Force Headquarters from Up-Park Camp to the Caymanas area of St. Catherine?

Question 2: Would the Prime Minister inform the House whether or not an estimated cost for this relocation has been produced?

Question 3: If the answer to the above is

in the affirmative, would the Prime Minister indicate whether or not the funding for this relocation has been identified?

Question 4: Will the Prime Minister indicate whether or not it is intended for a military base to be maintained in the Kingston and St. Andrew area after the Army headquarters is relocated from Up-Park Camp to St. Catherine?

Mr. HOLNESS: Mr. Speaker, I…

The SPEAKER: Motions...

Mr. HOLNESS: Mr. Speaker, before you proceed, I would like to recommit Notices of Motions Given Orally.

The SPEAKER: Members, the motion before you is for the suspension of Standing Orders to allow the recommittal of the item, Notices of Motions Given Orally.

Put to the House and agreed to.

RECOMMITTAL OF NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: House Leader.

Mrs. DALRYMPLE-PHILIBERT: Mr. Speaker, I beg to give notice that at the next meeting of the House I will seek the leave of the House to introduce and have read a first time a Bill shortly entitled, 'The Lords Chapel of Jamaica Act, 2010'.

And, Mr. Speaker, I further beg to give notice that at a later stage today l will move for the suspension of Standing Orders to enable me to seek the leave of the House to introduce the Bill and have it read a first time.

The SPEAKER: Thank you, Deputy Speaker.

MOTIONS FOR LEAVE TO INTRODUCE BILLS

Mrs. DALRYMPLE-PHILIBERT: Mr. Speaker, I beg to move for the suspension of the Standing Orders to move the motion, notice of which I gave earlier.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the Deputy Speaker to move the motion, notice of which was given earlier.

Put to the House and agreed to.

Mrs. DALRYMPLE-PHILIBERT: Mr. Speaker, I beg to seek the leave of the House to introduce and have read a first time a Bill shortly titled, "The Lord's Chapel of Jamaica Act, 2010'.

The SPEAKER: Members, the motion before the House is that the Bill presented by the Deputy Speaker be read a first time.

Put to the House and agreed to.

Bill shortly entitled:

"The Lord's Chapel of Jamaica Incorporation and Vesting Act, 2010",

read a first time.

Mrs. DALRYMPLE-PHILLIBERT:

Mr. Speaker, I beg to give notice of the second reading of the Bill.

The SPEAKER: Thank you, Deputy Speaker.

The SPEAKER: (Gavelling) Members! Members! We are now at Public Business but there is too much... (gavelling) Mr. Samuda, please. I mean, if you want to have a conversation you have to do it outside. Please, Members. We are at Public Business, we need some quiet in the House.

PRESENTATION OF BILLS WITHOUT LEAVE OF THE HOUSE FIRST OBTAINED

Mr. HOLNESS: We are at Public Business, Mr. Speaker. Oh...

Mr. Speaker, on behalf of the Minister of Finance, at Presentation of Bills Without Leave of the House First Obtained, I beg to move to introduce and have read a first time a Bill shortly entitled, "The Deposit Insurance (Amendment) Act, 2010".

Bill shortly entitled:

The Deposit Insurance (Amendment) Act, 2010,

read a first time.

Mr. HOLNESS: Mr. Speaker, on behalf of the Minister of Finance, I beg to give notice of second reading.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, today, the Prime Public Business, the Prime Minister will bring the regulations to the Public Broadcasting Corporation of Jamaica Act, Regulations 2010.

The Minister of Finance has certain matters which he will address, Mr. Speaker. He is not here yet. We will have the continuation of the Sectoral Debate with the Member from St. Catherine, South East. Mr. Speaker, we have several Private Members' Motions which we will continue, but we would also want to take today, Mr. Speaker, Motion 26, standing in the name of the Member from St. Catherine North Eastern. We would want to complete today, as well, Mr. Speaker, Motion 29, standing in the name of the member from Westmoreland, Eastern.

The SPEAKER: We will start with the Prime Minister and the Public Broadcasting Corporation Act.

The PRIME MINISTER: Mr. Speaker, I beg to move suspension of Standing Orders to allow me to take now the resolution, notice of which I gave earlier.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the Prime Minister to take the motion, notice of which was given earlier.

Put to the House and agreed to.

Prime Minister.

The PRIME MINISTER: Mr. Speaker, I am optimistic that we should be able to dispose of this resolution with dispatch. We had discussed it last week; we had quite a debate on it. And arising out of a number of points that were made and concerns that were raised, we wanted to alter the regulations as had been proposed. But as you are aware, Mr. Speaker, we can't amend regulations, we has: to withdraw them and have new draft regulations presented, which is what I am seeking to do today.

We have done essentially three things. Concern was raised that we were too prescriptive in the kind of persons who could be appointed. For example, somebody had to represent the education fraternity, but it had to be somebody with ten years teaching experience, I think it was the point that was made by the member for South St. James. And it had to be ten (10) years experience in media something or the other.

So what we have done is, we have taken out all of that. We have retained, of course, the definition of electronic media, simply because

the media has exploded beyond what media was understood to be in the past.

But we have done two other things. The Member for Central St. Mary raised a matter suggesting that the person who should be the worker representative, should not require consultation with the Prime Minister and the Leader of the Opposition, since that is the choice of the worker.

(HON. OLIVIA ATAVIA GRANGE, (JLP), St. Catherine, Central, Minister of Information and Culture, entered and took her seat.)

So we have lifted that out of that section, and we have put that in the section that deals with the appointment of the CEO, as a member and a representative from the Financial Secretary or his representative.

And then thirdly, we have included the point - made provision for the point that was made by the Member for South St. James, in ensuring that - we have it here described as the welfare of persons with disabilities, is included as one of the categories that must be represented. And in order to accommodate that, what we have done is that we have increased the size of the Board, since you have to have one from each of those categories. So it now will be not less than eighteen nor more than twenty-one members.

And with those corrections or changes, Mr. Speaker, I ask that the House approve the resolution.

The SPEAKER: Mr. Kellier.

Mr. KELLIER: Mr. Speaker, I wish to - the changes that have been made by the Prime Minister have put it in a more positive light, in respect of the timelines that have been removed, and so on, and the increase in the numbers. And we want to thank him for the consideration of including welfare of persons with disabilities.

I would just like to find out Prime Minister though, when you are closing the matter, under Community Development it says, "Community Development or..." I don't know that the 'or' is necessary.

The SPEAKER: No, the 'or' is for all of the listings.

Mr. KELLIER: No. It says "Community Development or".

The SPEAKER: No.

Mr. KELLIER: And then .it says in 14, "welfare of persons with disabilities." It doesn't belong there. No, it doesn't belong there. It needs to be removed. So that's the observation I want to point out to you in tidying up the matter.

The PRIME MINISTER: It doesn't belong there at all.

Mr. KELLIER: But, as it stands, Mr. Speaker, there is full support for the amendments otherwise, that have been proposed.

The PRIME MINISTER: Mr. Speaker, I am advised that this is a typographical error, and therefore, we can have the proper corrections done without...

The SPEAKER: Remove it then, with that amendment.

Okay, Members, with the - well, it's a typographical error removing 'or', The Public Broadcasting Corporation of Jamaica (Amendment) Regulation, 2010, is before you.

Put to the House and agreed to.

The SPEAKER: Approved. House Leader.

Mr. HOLNESS: Mr. Speaker, we will

now have the continuation of the Sectoral Debate, with the Member from St. Catherine, North East.

The SPEAKER: Okay, Mr. Fagan.

(Applause)

Mr. FAGAN: Thank you. Mr. Speaker.

Mr. Speaker, I would like to start this presentation by saying thanks to the Leader of the Opposition, the MOST HONOURABLE PORTIA SIMPSON MILLER, for the confidence she has placed in my ability to speak on behalf of the Opposition on Local Government and Community Development.

(Applause by Opposition Members)

To you, Mr. Speaker, the Clerk to the Houses of Parliament and her staff, I say thanks for your continued guidance and support. To my family, persons who have contributed to my efforts over the period. I must also say special thanks to my constituents for their continued support and words of encouragement on a day-to-day basis. Also to my supportive staff, task force members, Councillors, Divisional Chairmen and all others who have contributed directly or indirectly. And of course, my family, Mr. Speaker, who has given me tremendous support.

(Applause by both sides)

Mr. Speaker, I do not believe the people of South East St. Catherine would want me to speak today without highlighting some of the achievements that I have made over the period. I want to remind them, Mr. Speaker, that I am committed to the vision that South East St. Catherine constituency will be a first world standard community, which provides for the security, prosperity and well-being of citizenry, through participation, effectiveness and efficiency, consultation, technology, innovation and change. This is to facilitate a diverse set of activities, which will enrich constituents, growth and development while providing opportunities for personal and community development.

With that in mind, Mr. Speaker, I would like to say that over the last year, I have focused on infrastructural development across the constituency, and I would like to highlight a few of the projects, which have been completed or in progress, namely:

- Restructuring parking areas in Westmeade Blocks 3 and 8, as well as in Garveymeade, Blocks D, 2D and B;
- building the Portsmouth Sports Complex;
- the Waterford Community Sporting Complex, Phase 1;
- rehabilitation of the Passage Fort and Edgewater Community Centres;
- resurfaced, marked and fenced the Boston Multipurpose Court in Waterford;
- greening of the Waterford Parkway Median Strip;
- drain cleaning in Washington Mews;
- rehabilitation of the Myrtle Way Road in Passagefort;
- rehabilitating the Independence City Community Centre.

And also, Mr. Speaker, this year there was more need for educational and other welfare support in the constituency.

Understandbly so, Mr. Speaker, based on the economic crisis facing the country, we

have had to assist many students attending tertiary institutions:

- The University of the West Indies;
- the University of Technology;
- University College of the Caribbean;
- Northern Caribbean University;
- Teachers' Colleges.

Additionally, Mr. Speaker, we have assisted schools, basic schools, primary and high schools by providing books and stationery assistance to hundreds of students.

In the areas of welfare and housing we have continued to provide and support on a priority basis many of our constituents. We have also contributed greatly to many sporting groups in the constituency through the Portmore Football League, Portmore Metropolitan Cricket League, Dominoes, Basketball and Netball Leagues. I would like to publicly congratulate Waterford and Bridgeport High Schools for their gallant effort in the Manning Cup Competition. They were placed second and third respectively.

(Applause)

Mr. Speaker, before I get to the more substantive issues regarding Local Government and Community Development, I wish to say something about the Portmore Municipal Council. And I would like the Minister of State in the once of the Prime Minister with responsibility for Local Government to hear this.

The Portmore Municipal Council, Mr. Speaker, was established based on wide consultation with the people of Portmore and an agreement that the St. Catherine Parish Council was unable to manage the vast area of Portmore and there was the need for more concentrated effort of service delivery, especially as it affects vector control, garbage collection and drain cleaning.

It was the previous administration, Mr. Speaker, under the leadership of the Opposition Leader, the MOST HONOURABLE PORTIA SIMPSON MILLER THAT led to the establishment of this council. This council is the first of its kind in the Caribbean with a directly elected Mayor. Mr. Speaker, this government has not given the support or pay sufficient attention to the monitoring and operation of the council.

Opposition MEMBER: You hear that Bobby!

Mr. FAGAN: Over the last three years, Mr. Speaker, people of Portmore are not better off than they were with the St. Catherine Parish Council. As we speak, there are communities which have not gotten garbage collection for upwards of six weeks.

Mr. MONTAGUE: Nonsense!

Mr. FAGAN: The communities are overgrown by shrubs and vegetation. Many drains are not cleaned and/or maintained, which has led to serious mosquito infestation.

Opposition MEMBER: Bobby!

Mr. FAGAN: If the Office of the Prime Minister, Mr. Speaker, does not move swiftly to give support and more significantly bring some order to that Council, I am afraid that if we have not yet lost the intention of the Council we are about losing it. The Councils, Mr. Speaker, are having great difficulty at this time with the Jamaica Infrastructural Development Programme.

I am moving now, Mr. Speaker, to the issues affecting Local Government generally, and I am saying that the Councils are having

problems with the Jamaica Infrastructure Development Programme, especially since they gave up over US$300,000 with the understanding that they would be consulted in the selection of roads to be repaired.

Mr. Speaker, it is not the first time that the Councils have found themselves in this situation. They were caressed into supporting the Special Consumption Tax and found out later that they had no way of benefitting directly from such a programme.

The Memorandum of Understanding this time around was signed between the Mayors and the National Works Agency. And note I said, Mr. Speaker, the Mayors, because most of the Councils were not consulted, there was no consultation amongst the councillors.

Mr. MONTAGUE: Mr. Speaker, Mr. Speaker, a Point of Order

The SPEAKER: Yes.

Mr. MONTAGUE: The Member is misleading the House, because there is no MOU between the Mayors and the department. What we have are resolutions from each local authority, authorizing us to withdraw the money.

The SPEAKER: You want to...

Mr. FAGAN: Mr. Speaker, I am not withdrawing because there is a Resolution that came...

(*Sotto voce* comments by Government Members)

Mr. FAGAN: Mr. Speaker, the Minister asked the Councils for a resolution, and the resolution, Mr. Speaker, was...

The SPEAKER: No, but Mr. Fagan, if the Minister had spoken to the Councils and they have passed a resolution, wouldn't you have considered that as some form of consultation.

Mr. FAGAN: No, Mr. Speaker, those resolutions were not discussed....

The SPEAKER: No, but there was some constellation.

(*Sotto voce* comment by Mr. Montague)

Mr. FAGAN: ....and there was no voting. What happened, Mr. Speaker, the Mayors were called to a meeting and they were asked to sanction what the Minister was asking them to do.

The SPEAKER: Yes, but you see, Mr. Fagan, in that case the Councillors must take up the matter with the Mayors.

(*Sotto voce* comments by both sides)

Mr. CLARKE: The Member says a coalition.

(Laughter)

Mr. FAGAN: I am going to move on, but I am sure you understand what I am saying. It's not the Councils that took the decision, it was the mayors.

Mr. MONTAGUE: Mr. Speaker.

The SPEAKER: Yes, Mr. Montague.

Mr. MONTAGUE: Mr. Speaker, let me correct the information.

Mr. BUCHANAN: Mr. Speaker, on what ground is the Member speaking?

The SPEAKER: As a Point of Order, which is....

(*Sotto voce* comment by Mr. Buchanan)

Mr. GALLIMORE: Point of correction. Sit down and stop the noise!

The SPEAKER: He has raised a Point of Order, Mr. Buchanan.

Mr. BUCHANAN: ....the Member has withdrawn, changed his word.

The SPEAKER: Yes, yes!

Mr. BUCHANAN: And so l want to know on what ground is the Minister speaking.

The SPEAKER: Yes, Mr. Buchanan. Mr. Montague.

Mr. MONTAGUE: Thank you very much, Mr. Speaker.

The SPEAKER: One second, one second, Mr. Montague. Mr. Fagan has changed his position, I think he has withdrawn that - the allegation.

(*Sotto voce* comments by Government Members)

Mr. MONTAGUE: No, Mr. Speaker, he is still misleading the House.

The SPEAKER: What is the Point of Order now, Mr. Montague?

Mr. MONTAGUE: .He is still misleading the House. The mayors came to a meeting. They agreed with the position.

The SPEAKER: No, no!

Mr. MONTAGUE: Wait nuh, Mr. Speaker. We then asked the Mayors, we then asked that Resolutions be sent in, and each council debated.....

The SPEAKER: No, but, Mr. Montague.

Mr. MONTAGUE: ....each council...

The SPEAKER: Mr. Montague, enough, enough. Mr. Montague, we won't take the correction. Mr. Fagan continue, you have withdrawn that position, continue with the point.

Mr. FAGAN: Thank you, Mr. Speaker.

Mr. MONTAGUE: No, but, Mr. Speaker, what has he withdrawn?

Government MEMBER: Nothing.

Mr. MONTAGUE: He has withdrawn nothing.

The SPEAKER: No, he has corrected it that there was... the allegation was there was no consultation, he has now withdrawn that.

Mr. MONTAGUE: No, but what about the part that there is a Memorandum of Understanding between the Mayor?

The SPEAKER: No, no, the point is that he has withdrawn that there was no consultation There was consultation.

Mr. MONTAGUE: What about - there is no Memorandum either, sir! There is no Memorandum of Understanding.

The SPEAKER: Yes, Mr. Fagan.

Mr. MONTAGUE: So he needs to withdraw that as well.

Mr. FAGAN: Mr. Speaker, at a later stage I will, I will show you copies of the signed document.

Mr. MONTAGUE: Mr. Speaker, I am sorry, sir. There exists no Memorandum of Understanding between the Department and the Mayors.

The SPEAKER: Mr. Fagan....

Mr. MONTAGUE: He has to withdraw it or prove it!

The SPEAKER: Withdrawal for the moment until you can prove it.

Mr. FAGAN: The Resolution, Mr. Speaker, the Resolution, I'll accept that there was a Resolution.

The SPEAKER: There was no Memorandum, you are accepting that. There was a Resolution?

Mr. BUCHANAN: He says there is a Resolution.

The SPEAKER: Very well.

Mr. FAGAN: One of the obligations of the National Works Agency and the Council, Mr. Speaker, is to ensure that each Council proportionately benefits from the monies under the programme. On the other hand, one of the obligations of the Council is to select the subcontractors to carry out the works.

Mr. Speaker, I want the Minister to respond at an appropriate time as to why the

councils have not been given the opportunity to participate in the selection of roads to be repaired or being repaired.

Again Mr. Speaker, based on what I have said about that programme and the Gas Tax Programme, you can see that the Councils were again let down.

Mr. MONTAGUE: Can't see the connection.

Mr. FAGAN: You can't see the connection?

(*Sotto voce* comments by Government Members)

Mr. FAGAN: I would like to give some - Mr. Speaker, I would like to give some background information and comments on the Jamaica Road Network and put it in some context.

Jamaica is supposed to have a public road network of about 25,000 kilometers, and this is said to represent the second highest ratio of miles of roads to square miles of land in the region. This has led to a suggestion that consideration be given to the decommissioning of some of the more remote that is not critical to linking communities.

Secondly, ownership responsibility for maintenance of this network is broken down as follows:

- National Works Agency, 5,000 kilometers;
- local authorities, 15,000 kilometers;
- the remaining 5,000 kilometers consist of Government Housing scheme roads, Land Settlement schemes, farm roads; roads in private housing schemes; roads that have not been taken over by the Parish Councils, the KSAC or the Portmore Municipal Council.
- There is also a significant amount of private roads, mostly constructed by the Bauxite companies, and also on large farms, mostly sugar estates. Many bauxite roads are no longer needed to facilitate mining.

There was a Cabinet decision some time ago, Mr. Speaker – I think about 1999 – which mandated the Government Housing Scheme and Land Settlement roads should be transferred to Local Authorities. However, this was conditional on financing being identified to bring these roads up to an acceptable state of repairs.

The majority of network is in poor unsatisfactory condition. The major contributing factor to this situation is as follows: there has never been an adequate provision for proper maintenance and periodic rehabilitation of road network. This situation became worse with the onset of structural adjustment where maintenance was given a low priority. The situation reached crisis proportions, Mr. Speaker, for Parish Council roads in the 1980s when responsibility for these roads was transferred to Central Government, resulting in their almost total neglect. Poor design, poor quality materials and standards in the construction, maintenance and repair of roads are major contributors to the rapid deterioration of newly constructed or repaired roads. Lack of effective supervision of road construction and repairs also contribute to the situation. There is often revealed when breach in the road surface shows that the wearing surface which should be three inches of asphalt concrete is in fact less than one inch. This has raised questions

regarding the connections between those supervising and those contracted to do the work.

Roads in Government Housing schemes are notorious for not being conducted to approved standards and hence the reluctance of Parish Councils to take them over. In the 1990s the Government as part of Local Government reform allocated 662/3% of motor vehicles licence fee as a direct fund for maintaining parochial roads. It was recognize that this was not sufficient to enable Parish Councils to carry out rehabilitation on these roads, particularly since the vast accumulation of roads is in desperate repair. Accordingly, there was an understanding that whenever a mechanism was developed to provide a dedicated fund for rehabilitating the island's road network, Parish Councils would be allocated their fair share of those resources. In the meantime, the Parish Infrastructure Development Project was initiated to assist Parish Councils to rehabilitate some of their roads. Unfortunately, Mr. Speaker, the bulk of loan funds under the project was cancelled therefore Parish Councils have been forced to use the motor vehicle resources to undertake both maintenance and rehabilitation of their roads.

I want, Mr. Speaker, to speak a little bit about the Single Road Authority which is being mooted by the Government. The main justifications advancing support of this proposal are that it would remove the confusion which citizens have in knowing which agency is responsible for a given road and also that the centralization of the function would result in savings by way of economies of scale. A rebuttal of these arguments is as follows: the issue of confusion among the citizenry regarding the assignment of responsibility for roads is essentially a public education matter which can be addressed in other ways. It should not be the basis of making such a far-reaching decision as the assignment of the responsibility for roads which have other - more far-reaching fundamental implications.

Secondly, the claim that it will result in savings earned through economies of scale is subjective and has emotional appeal that is not substantiated by practical experience because of the following reasons: what is often realized is diseconomies rather than economies of scale. Because the great distance between the point of ultimate decision making and control and the point at which operations are carried out or services delivered make it difficult for the centre to make properly informed or timely decisions and to ensure that such decisions are effectively performed and achieve the intended results. The great distance between central control and decision making and communities make the system unresponsive to the needs, concerns or priorities of citizens, communities and mainly serves to increase the alienation that is already a major and chronic national problem.

Local and international experience with this concept of placing all aspects of the function in the single entity is that it does not work and merely results in an entity that is difficult to manage or control and have serious problems with transparency and accountability, as well as being totally unresponsive to the citizens. Our own experience with agencies such as the National Works Agency and Solid Waste speaks for itself. The experience of the 1980s when the parochial funds were transformed to Public Works Department is one of total

neglect of these roads, not only arising from lack of resources, but also because of limited knowledge and the inability of the system to respond to the local need situations. There is no reason to believe that the situation will be much better this time around.

Fourthly the proposal, if implemented, would deal a major and potential fatal blow to concepts of Local Government reform, as it would not only remove the substantial .portion of their revenue sources and one of the main avenues for Councils to respond to the demands for the citizens, but would seriously undermine any claim that localities and their citizens are being given greater scope for managing local affairs, including the determination of their own priorities and control over the resources from which these priorities can be addressed.

Fifthly, Mr. Speaker, experience has also shown that when responsibility is placed in local hands, Councils are often able to get communities and residents to make in-kind contributions or otherwise add value to the process, thereby increasing the reach of the available state resources. A single road authority could lead to the problem of patronage. Patronage, Mr. Speaker, can be administered from the centre and make to operate through Government MPs and Ministers to favour political supporters. This promotes bad governance, not good governance. It defeats the purpose of rationalization and larger purpose of which is good governance. It is a temptation to tribalism.

Mr. Speaker, I have no difficulty in advancing a discussion towards a policy framework of responsibility for the road network. There should be a clear and sharp separation between the function of standard settings, monitoring and evaluation on one hand and ownership and execution of works on the other. Accordingly, I am suggesting that a Central Road Authority be established. This body would have responsibility for setting standards, specifications for the construction, repairs and rehabilitation of all public roads in Jamaica for recommending connection repair methodology and for monitoring and evaluating performance of the executing agencies.

Mr. PERALTO: Not a Single Road Authority, a Central Road Authority.

Mr. FAGAN: Responsibility for the execution of road works would be assigned to the National Works Agency and local authorities as follows: and if you listen you will understand what I am talking about - The National Works Agency would not have ownership and responsibility for all main roads as are currently defined. Local authorities would be given responsibility for all other public roads, example, their own existing network plus roads in Government Housing schemes and Land Settlements and also roads in private subdivisions that have not yet been handed over to them. As part of the transfer of the latter roads to the local authorities, a programme would need to be developed as to how these roads would be brought up to acceptable standards.

Three, a critical aspect of any policy on road maintenance must be the identification and putting in place of adequate and appropriate mechanism for the financing of road constructions rehabilitation and repair and maintenance. And in this regard the following would be key features in establishing much mechanisms: a rigorous

exercise would need to be undertaken to determine whether there are roads whose use should be discontinued and for all remaining roads that are the standards to which each road should be maintained. Having determined the above, the main exercise would be to establish the cost associated with maintaining those roads to the agreed standards, that is, routine and periodic maintenance, rehabilitation and so on.

Fourthly, in addition of assigning responsibilities, in terms of ownership and management, there should also be a division in respect of functions to be performed. In this regard the following is suggested: irrespective of whose road it is, National Works Agency would undertake all designs, construction, major rehabilitation of the roads. Irrespective of whose road it is, local authority will undertake routine maintenance and minor repairs of all roads within their respective jurisdiction. As a consequence of this above, there would no longer be any need for the National Works Agency to maintain parish offices and, therefore, these could be merged with the Parish Council operations with result in significant savings.

Mr. Speaker, it might be necessary for the National Works Agency to operate regional centres to accommodate a pool of equipment and from which to operate within the region.

Mr. Speaker, I speak a little bit now about the reform. It is important to place this reform process...

Mr. MONTAGUE: What reform process?

Mr. FAGAN: The Local Government reform.

Mr. BUCHANAN: You wouldn't know, you wouldn't understand.

Mr. FAGAN: It is important to place this reform process in its rightful context. That process came about of the recommendations of the Nettleford Report on Governance dating back to 1995. The Report was commissioned by the then administration, our administration. In following through on those recommendations, Ministers of Local Government such as ARNOLD BERTRAM, DEAN PEART and present Leader of Opposition, achieved many great advances. (Applause) I will remind Mr. Speaker, the House of some of the main ones. We established the Municipal Government for Portmore, the largest community in the English-speaking Caribbean meeting its own municipal authority. We established the first directly elected Mayor in the English-speaking Caribbean, a new form of democracy in Portmore. We developed models of Local Government management ranging from elected mayors to appointing Town or City managers and we gave citizens the right to choose their model which was best for them. We deepened popular participation in establishing Parish Development committees and Community Development Councils in all parishes through which people could help to plan the development of their parishes and communities. We created the Parish Development Fund to permit Parish Councils to have more funds and greater autonomy in determining their use. We permitted Local Government to have greater revenue powers and sources by making property and road taxes important sources of revenue for Local Government authorities.

We made Parish Council meetings more transparent by opening them to the public. We began to make Parish Councils more

transparent by encouraging them to place information on the awards of contracts on their websites. We committed ourselves to entrenching Local Government in the Constitution. We provided training, introduced electronic governance and improved financial accounting procedures. The current Administration has solid foundation upon which to build.

(The Member's time for speaking having expired, suspension of the Standing Orders taken to allow him a further fifteen (15) minutes to complete his presentation)

Put to the House and agreed to.

The SPEAKER: (Gavels) Mr. Fagan.

Mr. FAGAN: Thank you, Mr. Speaker. Thank you, Members.

The present government Mr. Speaker has consistently acted on the basis that Jamaica is too small for both Central and Local Governments. In their view, central institutions and powerful State agencies provide a far more efficient mechanism for service delivery and community development.

Over the years, it is the JLP-led Administrations which have been associated with the dissolution of the St. Catherine Parish Council in 1954, Portland Parish Council in 1963 and the KSAC in 1964 and 1984. The Government was therefore merely being consistent when on April 16, 1985, its Minister of Local Government the HONOURABLE NEVILLE LEWIS brought a motion to this House to amend the Parish Council's Act in order to reduce powers and authority of local government apportioning its major functions to centrally-directed agencies and institutions.

The services of Poor Relief, Public Health, Water Supplies, Road Construction and Maintenance were integrated with Central Government. The Fire Brigade was transferred to a separate service and Public Sanitation to a State Corporation. The representative functions of local councillors were reduced from 278 to 185, 14 less than 199 divisions established in 1947.

The renewal came, Mr. Speaker, in 1994, when the Administration led by former PRIME MINISTER, PJ PATTERSON established the Local Government Reform Unit. Funds were dedicated to finance maintenance of the parochial road network, solid waste management and street lighting.

Mr. Speaker, under this government we are now again seeing the emasculation of Local Government. And if the Public Sector Rationalization Unit's recommendations are anything to go by, some impact will affect the local government.

Mr. MONTAGUE: Careful, careful, careful!

Mr. FAGAN: And if we look at the recommendations, Mr. Speaker, it speaks to establishment of a small core in the Office of the Prime Minister with responsibility for policy development, monitoring and evaluation and research development. It also speaks, Mr. Speaker, to a Single Road Authority. (Inaudible comments by Mr. Montague) It speaks to the transfer of the Office of Disaster Preparedness and Emergency Management to the Ministry of Water and Housing. It speaks to the transfer of the National Solid Waste Management Authority to the Ministry of Water and Housing. It speaks to transfer all infirmaries, including the Vineyard Town Golden Age Home...

Mr. MONTAGUE: Mr. Speaker, if I may on a point of order.

Mr. FAGAN: ...to the Ministry of Labour and Social Security.

The SPEAKER: Yes, yes...

Mr. MONTAGUE: The Member is speaking to a document, the Public Sector Transformation Unit whose recommendations have not yet even been finally signed off and accepted. So in speaking to it in this manner, Mr. Speaker, he is being...

Mr. PICKERSGILL: So?

The SPEAKER: Yes, it's all speculative. Ahm...

Mr. PICKERSGILL: How you mean speculative?

Mr. MONTAGUE: Yes, very speculative.

The SPEAKER: Speculative because it hasn't been confirmed.

Mr. FAGAN: Mr. Speaker, I said that if the modernization programme should become that Bible...

The SPEAKER: Yes.

Mr. MONTAGUE: Mr. Speaker...

Mr. FAGAN: ...that the Government uses...

The SPEAKER: Yes.

Mr. FAGAN: ...all of these sections will be taken away from the parish councils.

The SPEAKER: No, so basically you are against the recommendations?

Mr. PICKERSGILL: That's what he is saying.

(Inaudible comments by Mr. Montague)

Mr. FAGAN: Against the recommendations, Mr. Speaker.

The SPEAKER: Okay.

Mr. FAGAN: Mr. Speaker, I am...

The SPEAKER: No, one second. Yes

Mr. PICKERSGILL: Don't bother tell him what he is to say.

Mr. MONTAGUE: Mr. Speaker, the gentleman in his written speech spoke what he wrote.

Mr. PICKEKSGILL: Not nuh gentleman. Refer to him properly.

Mr. MONTAGUE: The Member...

Mr. PICKERSGILL: Yes.

Mr. MONTAGUE: ...in speaking again, Mr. Speaker, under this Government, we are seeing the emasculation of Local Government.

A MEMBER: But you say... (lnaudible)

Mr. MONTAGUE: No, he said so. And I'm saying prove it. And then in proving it he goes to some recommendation that have not yet even formally been accepted by the government.

The SPEAKER: Yes.

Mr. BUCHANAN: You said so.... (lnaudible)

Mr. MONTAGUE: You be quiet.

Mr. FAGAN: Mr. Speaker, I'll move on.

The SPEAKER: It's just a change of phrasing, Mr. Fagan.... (Inaudible)

Mr. FAGAN: Recommending, recommending.

The SPEAKER: Yes.

(Inaudible comments)

Mr. FAGAN: Mr. Speaker, I am really disappointed in the Office of the Prime Minister in respects to the reform of Local Government. It's almost like a fatigue to be hearing about Local Government reform. We want to see something happening.

Mr. MONTAGUE: Finally.

Mr. FAGAN: Government needs to decide, Mr. Speaker, whether it is for local

government or it is against local government.

Mr. MONTAGUE: It was being prepared.

Mr. PERALTO: Prepare to say yes.

Mr. BUCHANAN: No, and he must... (Inaudible)

Mr. FAGAN: If it is for, Mr. Speaker, he must demonstrate his commitment and implement. A significant amount of work, Mr. Speaker, has been done.

The NAC Report Mr. Speaker, which both of us on both sides we have accepted, started from 1974 and the Minister has accepted. And out of it, Mr. Speaker, out of that Report Mr. Speaker, the minister has come up with a prototype of ideal local authority. And what is this ideal he is talking about? And I want him now to dispute it. Management of local affairs, including city, town and community management, parish development, local sustainable development planning, poor relief, maintenance of all roads, maintenance of civic order...

Mr. MONTAGUE: Read Poor Relief.

Mr. FAGAN: ...primary health care. You said poor relief, but you want to privatize it. Public health cleansing, indigent housing, parish infrastructure, street lighting, minor water supply, community fire protection, emergency medical services, public markets.

I wonder, Mr. Speaker. I saw on television last night, the Minister painting a market and he said that he is going to do rehabilitation over the island. It was about seven markets, seven (7) markets. And the when I listened, he said he has something like Two Million Dollars to the rehabilitation of markets?

Mr. MONTAGUE: How much you have?

Mr. FAGAN: Seven markets, Two Million Dollars? Mr. Speaker, he is not serious. Transportation centre...

Mr. MONTAGUE: Mr. Speaker, again the Member is misleading the House. Mr. Speaker,

Mr. FAGAN: Mr. Speaker, I have Twenty Million... (Laughter) ...in CDF.

Mr. MONTAGUE: Mr. Speaker, Mr. Speaker, the Member...

The SPEAKER: Yes, Mr. Montague.

Mr. MONTAGUE: We said we have Two Million Dollars to spend on the Constant Spring market only. Not on the seven (7) markets.

The SPEAKER: You understand, Mr. Fagan?

Mr. FAGAN: But, Mr. Speaker, that was not the understanding. I don't think the media had that understanding. And the general public doesn't have that.

The SPEAKER: So it's a misunderstanding.

(Inaudible comments by Mr. Fagan)

Mr. MONTAGUE: No, Mr. Speaker, the JIS release and I saw it on CVM, that is what was said. Obviously something is wrong with his hearing or his sight. (Laughter)

Mr. FAGAN: Mr. Speaker, I am moving on. He did not name the seven (7) markets. And to move on Mr. Speaker, as part of the prototype, he says that the Local Government will be responsible for playfields, recreation grounds, civic cultural centres, municipal improvement schemes, disaster preparedness and mitigation, emergency relief, early childhood education, day care facilities. I mean, it's a long list, Mr. Speaker, it will take all day to... But it's a whole heap of things that Local Government is going to be responsible for.

Mr. MONTAGUE: And you against it.

Mr. FAGAN: You need to decide what you can manage.

In my Sectoral presentation in the House in 2009, Mr. Speaker, I argued for the importance of a ministry a ministry of Local Government and Community development. The Minister of State would want to hear this. We can now see, Mr. Speaker, the benefit of a ministry more clearly now, in about four ways.

Firstly, that the ministry would have a voice at the level of Cabinet to speak to local government and community development, in this period of coming public sector lay-offs, reduced service delivery, and indeed the supervision of the Local Government reform and modernization programme. This ministry needs a voice independent Mr. Speaker, of the Prime Minister's who supposedly speaks on Local Government and Community development from the Office of the Prime Minister. I say 'supposedly', because I don't really hear him speak at all, Mr. Speaker. I really don't hear him speak at all.

Mr. MONTAGUE: Yuh not listening...

Mr. FAGAN: Mr. Speaker, You know, I think it was last week Friday l was listening to the newscast. The Prime Minister had a press conference and he spoke about the importance of having the people of North-East St. Ann having a representative in Parliament. You know, the Prime Minister is the same person who is in charge - Minister who is the Minister for Local Government. We have a division in Duncans, for argument's sake, is a year now. He has not said one word of whether or not those people in Duncan should have a voice at the local level.

Mr. PICKERSGILL: Who said that? You mean the Minister?

Mr. FAGAN: The Prime Minister.

Mr. PICKERSGILL: Not the Minister.

Mr. FAGAN: He spoke two weeks ago. He did not say one word about Local Government in respect to...

Mr. BUCHANAN: All him do is postpone.

Mr. FAGAN: Mr. Speaker, he is not speaking in Parliament when he should have been reporting on the impact of the IMF agreement and government, central and local. He is not speaking about Local Government and Community development at all. The latter of intent... Sorry. The Letter of Intent has nothing about local government and makes no reference to community development. It completely leaves out the parishes, our communities and a role for councils and development committees.

This is the more reason why the Opposition demands that the business of government be brought to Parliament and why we must speak to local government and community development.

Secondly, a ministry of local government and community development would have been able to prioritize programmes for community development. Many communities have been hit hard - sugar, bauxite, tourism in particular.

I give this example. The privatization of water utilities has tended to be associated with IMF conditionalities. Does the present economic plan intend to permit this or it is cognizant of this possibility? We need a clear statement from the Government that water will not be privatized. In fact, we need to know precisely what agencies providing what services will suffer retrenchment. Only then will we know the role of Local Government in communities. How will the medium-term plan

affect waste management disaster management, environmental protection, road work, parks and markets and the many services that Local Government plays a vital role in providing?

There is a third reason why the ministry is so important at this time. The fiscal crisis that the government has brought upon us will mean that the Ministry of Finance will be centralizing fiscal management in order to control spending and revenue to meet quarterly performance targets as required by the IMF. What will the fiscal impact on Local Government and community development be under such circumstances?

Opposition MEMBER: Audley!

Mr. FAGAN: Central Government will centralize even more fiscal power around itself, even as we have more and more reason to have less and less confidence in the management competence of the Ministry of Finance. Isn't that ironic, Mr. Speaker?

(*Sotto voce* comment)

Mr. FAGAN: As this power grows hungrier for every cent of avenue, we will not be able to guarantee the local government and community development agencies will receive their budgetary allocations from Central Government on a regular and timely basis because there is no Minister to watch over the Ministry of Finance and make sure that these disbursements take place.

There is no guarantee that revenue designated for Local Government and community development will not be hijacked and hoarded by Central Government to meet fiscal performance targets every quarter. What will become of the Road Fund, for example?

There is a fourth concern. Without a minister, ministry, a programme, fiscal support and services, democracy becomes hollow and empty of substance. We held Local Government Elections in December 2007. We are due to hold another round of elections soon. Democracy is a vital part of local development...

Mr. PICKERSGILL: Hear, hear!

Mr. FAGAN: ...but we do not know what Local Government will be able to deliver and what plans for community development will be possible to implement. We do not know because we were not a part of any community process of developing a Medium Term Economic Plan. We do not know because we don't know how much the Central Government's budget will be used for local development. We are uncertain because... about what services will be provided, and will come out of Fire Service on our public programmes.

Mr. MONTAGUE: I don't understand that point. Explain that.

Mr. FAGAN: I am certainly not making a case for not holding local government. It is the people's democratic right to elect their representatives. I only wish to say that the Government should not hollow out the democracy by making elections empty.

(*Sotto voce* comment by Members)

Mr. FAGAN: That will be the case if we elect people with little government capacity to do anything for development. Let us not make a bad situation - let us make a bad situation, Mr. Speaker - Mr. Speaker, let us make a bad situation better, not worse.

Mr. Speaker, I speak without any fear of contradiction to my party's Commitment to local government.

(*Sotto voce* comment by Mr. Montague)

Mr. FAGAN: Our record is an eloquent

testimony to this fact. Let me hope that this Government will build on the performance of our great past.

Mr. Speaker, I thank you.

A MEMBER: Hear, hear! (Applause)

The SPEAKER: Thank you Mr. Fagan. House Leader.

Mr. HOLNESS: Mr. Speaker, I would like to recommit the item - that item, 'Announcements' - recommittal of the item 'Announcements'.

The SPEAKER: Members, the motion before the House is for the recommittal of the item, 'Announcements'.

Put to the House and agreed to.

The SPEAKER: Announcements.

The Deputy Clerk by leave, laid on the Table of the House a copy of the Revenue Measures for the Financial Year 2010/2011 entitled: **Ministry Paper Number 96.**

Rev. THWAITES: Mr. Speaker, where is that?

Mr. HOLNESS: Mr. Speaker, if... Mr. Speaker...

The SPEAKER: It's coming shortly.

Rev. THWAITES: Why announce it before it's available?

Mr. HOLNESS: Mr. Speaker, if the Member would allow.

Mr. Speaker, I would now ask for the recommittal of the item: Statements by Ministers in order to allow the Minister of Finance to address the matter just Tabled, and will be presented to Members.

The SPEAKER: The motion before the House is for the recommittal of the item, 'Statements by Ministers.'

Put to the House and agreed to.

STATEMENTS BY MINISTERS
(Recommitted)

Mr. SHAW: Thank you, Mr. Speaker. Mr. Speaker, as you are aware, we have Tabled the First Supplementary Estimates. The Leader of the House Tabled it on my behalf, and it is expected that it will be referred, in the first instance, to the Public Appropriations Committee.

(*Sotto voce* comment by some Members)

Mr. SHAW: PAAC. And thereafter, Mr. Speaker, it will be referred to the Standing Finance Committee for consideration and debate.

But, Mr. Speaker, Jamaica has been in a long process of reform of its tax system, going as far back as the 1980s.

(*Sotto voce* comments by some Members)

Mr. SHAW: It was never considered feasible to reform every aspect of the system all at once. Neither the previous Administration nor this one, feels that it can do - can be done overnight. And in this regard, from time to time, Mr. Speaker, we The Government will come to the House to tidy up aspects of the system that are glaringly iniquitous, or simply flawed.

Today is no different as we seek to tidy up aspects of the tax on alcoholic drinks and tobacco products. We are not introducing new taxes. We are simply modifying the existing rates to achieve greater equity, simplicity and efficiency.

We have for some time been very concerned about aspects...

(*Sotto voce* comment by some Members)

Mr. SHAW: You will fully understand as I continue to speak.

We have, for some time, been very concerned about aspects of the taxes on

alcoholic drinks which we have found to be, in some instances, discriminatory, cause distortions and result in a loss of revenue. In some...

A MEMBER: What?

Mr. SHAW: A loss of revenue. In some respects also, the way taxes are applied unwittingly, encourages irresponsible drinking decisions by consumers.

These distortions and revenue losses have led to a number of recommendations for change to be put forward by players in the industry, consultants employed by the International Monetary Fund and ourselves, as well as the World Health Organization.

The Government will be implementing taxation, based on the specific alcohol content of drinks. Our goal is to have the same rate per liter of pure alcohol for all beverages. And we will not get there in one step however; we will have to do it in stages.

The application of a specific tax on alcohol content is seen as the best practice, globally. Indeed, all but two of the third-three OECD countries use this approach. When we examine the rates in these countries, Jamaica comes out at the low end of the tax rate. If we use the US Dollar per liter of pure alcohol, the tax range ranges from US$7.13 in the United States, US$11.01 in Canada Japan and Italy; US$18.09 in Germany, U5$35.97 in the United Kingdom and U5$62.30 in Australia. That is the tax per liter of pure alcohol content. Jamaica's rate, Mr. Speaker, is US$6.10 per liter, $6.10 per liter by comparison with what I just gave to you.

In the case of tobacco products, the existing differential tax structure has created a loophole that needs to be blocked. The changes introduced in 2008/2009 resulted in a different rate for cigarettes confining tobacco and cigarettes containing tobacco substitutes compared to other similar products. As a result, cigars, cheroots and cigarillos of tobacco pay a much lower rate of tax, resulting in unfairness and proof and distortions. We intend to correct this.

This Honourable House is therefore being requested, Mr. Speaker - and I ask the Member to distribute Ministry Paper that has been prepared - to take note of the following revenue measures that we have found it necessary to impose at this time for fiscal year 2010/2011.

The first has to do with an increase in the Special Consumption Tax on alcoholic beverages. The Honourable House will recall that in 2009/2010 Budget the various *ad valorem* Special Consumption Tax rates on underproof distilled spirits increased from 16 per cent, 21 per cent, 22 per cent and 24 per cent, up to a flat rate of 25 per cent. The *ad valorem* SCT on overproof spirits and wines, cordials and liqueurs had then remained unchanged at 30 per cent and US 40 cents per liter, respectively.

Studies have shown - well, I have indicated that in my opening remarks already. It is being proposed now, Mr. Speaker, to apply a single specific SCT rate, based on the alcohol content at the rate of J$960 per liter of pure alcohol for the following alcoholic beverages. And for purposes of easy comparison, it means it will be about the US$11 range, which is currently the range paid in Canada. Just so you can follow me.

This rate will apply now to beers and stouts, wines, including beverages commonly known as tonic wines, cordials, liqueurs, vodka, whisky, brandy, gin, under-proof and

overproof rum, excepting overproof white rum.

I should indicate here, Mr. Speaker...

(*Sotto voce* comment)

Mr. SHAW: I should indicate here, Mr. Speaker, that although the accompanying table - the accompanying table that is attached to the Ministry Paper, would, in this context indicate a sharply lower rate for beers, I am to indicate that the present rate for all beers and stouts and so on will stay exactly where they are. There will be no reduction in the present rate of taxation on beers of all kinds.

(*Sotto voce* comments)

Mr. SHAW: And those will not be increased. Those will not be increased, but they will be staying at precisely where they are now.

A special regime, Mr. Speaker, will be put in place to maintain the existing SCT rate of US 40 Cents per liter on wines, cordials and liqueurs imported directly, or taken out of bond by only hotels, resort cottages registered with the Tourist Board, and are processed through the Tourist Board and using the procedures that are set out by the Commissioner of Customs.

Mr. Speaker, that is considered necessary in order to remain competitive in the tourism sector, in terms of wines, cordials, liqueurs. I must indicate that white overproof rum will attract a specific SCT rate of $450 per liter of pure alcohol, which is the equivalent of the current 30 per cent *ad valorem* SCT. In other words, there will be no increase for white overproof rum.

Mr. CLARKE: Thank you very much.

(Laughter)

Mr. SHAW: Mr. Speaker, this measure is expected to yield $618 Million between now and the remainder of the fiscal year, and the effective date for implementation is December 1, 2010.

Mr. Speaker, in respect of certain other alcoholic beverages, there will be an increase in the additional stamp duty. And I will explain why. It is being proposed that the current multiplicity of additional stamp duty rates on brandy, whisky, gin and vodka will be changed to a single *ad valorem* rate of 35 per cent. And the reason why this is being done is that if you use... Mr. Speaker, if you use the simple rate of the alcohol content, it means that there will be a sharp reduction in the price of the imported whiskeys and gins and vodkas, and so on. And that is not the intention, Mr. Speaker. The intention is that those prices will remain where they are or there will be a slight increase. And this measure, as I have just indicated, will therefore, yield a modest $54 Million.

And in terms of the tax structure on tobacco products, in 2008/2009, the tax structure on tobacco related products was reformed by eliminating some of the ad valorem tax types and have them incorporated within one rate of special consumption tax.

The 08/09 reform resulted in the elimination of the additional stamp duty and *ad valorem* SCT on cigarettes, increase in the specific tax from $2,300 to $6,000 per 1,000 sticks and remit 20% of the tax revenues to the National Health Fund. Note that on January 1, 2010 the SCT was further increased to $10,500 per 1,000 sticks with 20% remitted to the National Health Fund. Elimination of the excise duty because the tax revenue had been shifted into the specific tax range.

The 08/09 reform only applied, Mr. Speaker, to cigarettes containing tobacco and

cigarettes containing tobacco substitute. Cigars, cigarillos and cheroots were not affected by that reform and this created a loophole in the law as cigarettes could be imported under the guise of *inter alia* cigars, cigarillos and cheroots.

It is being proposed that in order to plug the loophole created by the different tax treatment on tobacco related products that a uniformed tax treatment should be applied. Cigars, cigarillos and cheroots of tobacco and tobacco substitute will now attract the same tax treatment as cigarettes.

And, Mr. Speaker, both in respect of the additional stamp duty on the imported hard liquor to which I referred a while ago, it will pretty much keep that hard liquor at the same rate or slightly above and in respect of the tax on tobacco products these too will become effective on December 1, which is tomorrow.

In summary, Mr. Speaker, the increase in the SCT on alcoholic beverages will yield $618 Million at the end of the fiscal year. The increase in the additional stamp duty on certain alcoholic beverages will yield $54 Million and the increase in tobacco products as a result of the reform of tax system as proposed, will yield $100 Million to the end of the fiscal year for a total additional revenue of $772 Million, Mr. Speaker.

It is also a point that I will develop during the debate on the Supplementary Estimates that a happy coincidence is that this increase assists us in meeting our revenue targets for the fiscal year in terms of both our primary balance as well as taking care of the many unforeseen obligations that we have had to take on board during this fiscal year.

We have to take on board not just the additional cost of Tropical Storm Nicole, Mr. Speaker, we have had some extraordinary demands that have come from the allowances that we have had to pay to public sector workers of $1.45 Billion and we have and to find $500 Million to settle with the teachers in accordance with the ruling of the Industrial Disputes Tribunal. So that, the public sector alone, in terms of what we have had to find is just under $2 Billion for this fiscal year which was not anticipated during the formulation of the budget.

So, Mr. Speaker, in terms of the Supplementary Estimates, the appropriate debate will follow at the appropriate time.

Thank you very much.

(Applause).

The SPEAKER: Yes, Mr. Kellier. The time now is only for questions for clarifications.

Mr. KELLIER: Mr. Speaker, I just want to - for the Minister to - with your guidance in reference to Standing Order 65 (a) the Committee on tax measures and I need not refresh your memory as to what it says, I am sure you are fully conversant with this section. But for those who don't know what it says, I will just quickly read what it says Mr. Speaker:

> "*The Committee on tax measures shall have the duty to examine all matters relating to new tax measures for the ensuring financial year presented to the House*."

The SPEAKER: These are not new tax measures?

Mr. KELLIER: Yes, yes. If they are additional, they must be new.

The SPEAKER: I understand from the statement that they...

Mr. KELLIER: They are new. If they

were not new they could not yield an additional $772 Million. So it must be new taxes.

So in keeping with the Standing Orders, Mr. Speaker, I am craving your indulgence to ensure that the House Leader addresses this problem. Not in any opposition to the taxes.

Mr. HOLNESS: Mr. Speaker, as you are well aware we have never, from my history, my knowledge of the history of the Parliament Mr. Speaker - Mr. Speaker, we have never done that even though it is on the Standing Orders. Nevertheless, Mr. Speaker, based on the new legislation for the fiscal responsibility framework these measures will go to the PAAC for review which, Mr. Speaker, would be the equivalent of the committee referred to by the Member.

Mr. KELLIER: Mr. Speaker, 65(a) has a specific heading, Committee on Tax Measures, but it is quite different from the other committee...

The SPEAKER: But Mr. Kellier, it can't be... I accept that but...

Mr. KELLIER: It is quite different, so the House Leader can't attempt to link the two by doing that. We will have to take a decision here.

The SPEAKER: But what he is recommending is that it be sent to that committee.

Mr. KELLIER: He would have to move a motion to that event so that we do all of it at one time. He could not arbitrarily disregard the Standing Orders. But he could move a motion that we could, maybe support.

Mr. HOLNESS: By legislation now, Minister of Finance, we are required to send these measures to PAAC, by the new fiscal responsibility framework. Yes, we passed that earlier yes. So it would a bit of redundancy in the administration of Parliament.

The SPEAKER: There needs to be a tidying up of both the Act and the Standing Orders. So what the Leader of the House is proposing is that we send it to the Public Administration...

Mr. HOLNESS: Mr. Speaker, I am not proposing it, we have to send it there by law.

T**he SPEAKER:** So it is a duplication to have another committee.

Mr. HOLNESS: The legislation would have over shadowed, Mr. Speaker.

The SPEAKER: Section 65(a). Yes, Dr. Guy.

Dr. GUY: Mr. Speaker, the fiscal responsibility framework indicates that any supplemental budget is to go to the PAAC. Are you saying, therefore, that any tax measure that comes up, say at the beginning of the financial year where does that go in relation to the tax measures?

The SPEAKER: When we get there we will decide.

(*Sotto voce* comments by Members)

Dr. GUY: No, no, Mr. Speaker, not a matter of when we get there.

The SPEAKER: With due respect, I cannot answer that question. Your question, Dr. Guy, is relevant to the extent that you agree that the supplementary measures go to PAAC - Public Administration Committee, your next question is, what happens at the beginning of the fiscal year?

Dr. GUY: As it relates to tax measures, because what the Opposition - Leader of Opposition Business is indicating is that as per the Standing Order this ought to go to the Tax Committee of the House, and I do agree with him there.

The SPEAKER: So the position is that we are now dealing - that question can only arise at the beginning of the new fiscal year.

Mr. WARMINGTON: Mr. Speaker, the House Leader mentioned that the legislation requires that the Supplementary Estimate goes to the PAAC Committee. I don't recall that legislation coming here, that requires this. Can I be advised...?

The SPEAKER: Mr. Warmington that does not mean that it didn't come...

Mr. WARMINGTON: I am asking a question. Can I be advised or reminded of that legislation?

The SPEAKER: No, it came while you may have been away, but it was...

(*Sotto vote* comments by Members)

Mr. WARMINGTON: Can be I advised of what legislation the House Leader is speaking about?

The SPEAKER: Mr. Warmington, it was an amendment to the Financial Administration Act.

Mr. WARMINGTON: On what date?

Mr. HOLNESS: Mr. Speaker,

be just to be clear. We have not appointed a tax committee under Section 64, so there is no such committee appointed as yet.

Mr. Speaker...

The SPEAKER: Well, I cannot tell you the date, but it was done.

Mr. WARMINGTON: But I am not aware of such legislation, Mr. Speaker, I am not aware of it.

The SPEAKER: Mr. Warmington, that amendment was passed. Yes, it was passed, Mr. Warmington. Yes, Mr. Kellier.

Mr. KELLIER: I don't want to belabour the point, but I think we are barking up two different trees, we are barking up two different trees. Just allow me, Mr. Speaker, and let us see if we can get it cleared. We don't want this to be any controversy, you know, it is not a controversial issue. We just want the thing to be streamlined properly.

Those matters that go to the PAAC, as it says here, clearly to examine budgetary expenditure of Government agencies, monitor expenditures and so on. This is a tax measure which is completely different, that is all I am saying. So we want to know how we are going to treat it, that is all we want to know. It is not being contentions.

Mr. HOLNESS: Mr. Speaker, just to be clear. We have not appointed a tax committee under Section 64, so there is no such committee appointed as yet. Mr. Speaker...

(*Sotto voce* comments by Members)

The SPEAKER: Leader of the House, the only time - Mr. Kellier, the time that Section 65 (a) is relevant is at when new tax measures are being imposed. Now, when you have a Supplementary Budget it goes to the Public Administration.

(*Sotto voce* comments by Members)

Mr. KELLIER: It cannot be.

The SPEAKER: And I am guiding you that in the Supplementary Budget it goes to the Public Administration, the Supplementary...

Mr. HOLNESS: Mr. Speaker, the matter is not one that we can decide at this point. The fact is that there is no such committee existing, and we would now, Mr. Speaker, have to go and name that committee. Mr. Speaker, there is a committee of the House that is empowered already to examine both the estimates and the taxes as well. That committee....

(Cross talk)

Mr. HOLNESS: But Mr. Speaker, the

PAAC will be reviewing what is presented and tabled in the estimates.

So, Mr. Speaker, we would not need to go and present again, Mr. Speaker, to the tax committee.

Mr. JACKSON: Mr. Speaker, the matter before us, the reference to the tax committee I think we are overlooking the basis on which the tax committee was set up in the first instance. We all agreed that it was not in the best interest of the House and the country for new tax measures to just be announced at the beginning of each financial year by the Minister of Finance; and therefore, we felt it was best to refer these proposals to a committee of the House so you can have full ventilation by the House, and also the country would become familiar with what is to come. We have not set up, as was said, the tax committee, as yet, as we should. So as one Member muttered, it is a dereliction of duty on our part as a House not to have put in place the tax committee that that can be addressed.

I am raising this, Mr. Speaker, because we have the tendency, that we agree to these things and we make them slide and then we come and again and we go over the me motion over and over. I am just suggesting that, let us use this opportunity to make good on what we all agree; ought to be good order.

We have the measures proposed by the Minister of Finance which is affecting what - another four months remaining in the financial year. That we agree - first acknowledge that we are derelict here, and agree on an interim arrangement going forward one. And two, that we set to correct what we have failed to do going forward.

And the next point I wish to make, the reference to the PAAC, House Leader, is not about taxation and therefore referring the supplementary budget to the PAAC does not, does not cover or substitute for going to the Tax Committee. The remit of the Tax Committee is far different than what the remit of the PAAC is.

(Applause)

Mr. PICKERSGILL: Hear, hear!

The SPEAKER: Yes, Prime minister.

The PRIME MINISTER: Mr. Speaker, might I suggest that the matter - we are not too far away from the new fiscal year and I suggest that the matter be the subject of discussion between both sides. And I tell you why I make that suggestion. We're going to have to revisit the proposals which were captured in the Standing Orders. I say so for two reasons: When tax measures are referred to the Committee, and the Committee has, I believe, in the Standing Orders up to 60 days, up to 60 days to deliberate. What happens to the Government's fiscal programme in the meanwhile?

And secondly, and secondly, I would like to see the terms of reference of the Committee redefined, because at the moment it allows - and I'm not saying this because they are on that side now - but what it does it provides an Opposition with the opportunity to reject every possible proposal for tax without having any responsibility to say, we propose alternative measures to secure the revenue.

There has to be some requirement that in the deliberation, the Committee is going to recognise that there is a deficit that has to be met, so that the Committee can focus its mind and conduct its discussions around how best to address that problem. But it can't be just a question to consider and make recommendations, because the consideration

can be no tax measures, we recommend that all these proposals that the Government has put forward be rejected. Then what do you do? You wheel and come again, you present a new set and you have 60 days in which to consider that new set again.

What happens to the Government's programme in the meanwhile?

Mr. PICKERSGILL: That is if the Committee is all powerful.

The PRIME MINISTER: What's that?

Mr. PICKERSGILL: That is if the Committee is all powerful.

The PRIME MINISTER: No, it recommends. So I believe that the leaders on both sides need to have some discussions and try and see if we can agree as to how the Committee is to be activated, how it will function and make sure that we have that in place for the new fiscal year coming up. Those of us who recall the genesis of it, it came out of the 1999 gas demonstration; it came out of the recommendations of the Peter Moses Committee that there should be some consideration.

Now I will say, Mr. Speaker that I have always had a difficulty with the provisional collection of gas tax. I've always had a - when I was in Opposition I had a difficulty with it, because I believe that the intent of the framers of our Constitution was that Parliament should deliberate on these measures and that it is Parliament - no taxation without representation - it is Parliament through its representatives who should have the power to impose taxation.

The Provisional Collection of Tax Act was first introduced by NORMAN MANLEY; it was retained through Independence and since. There is an argument which mustn't be dismissed, but l don't believe it's an insurmountable argument, there is an argument that if, for example, the Minister were to Announce or to present proposals that he intends to put a 50% ...

Mr. PICKERSGILL: Yes, you can announce it.

The PRIME MINISTER: ...special consumption tax on cigarettes, cigarettes disappear from the market.

Mr. PICKERSGILL: Yes.

The PRIME MINISTER: And whether you spend a week, two weeks, a month - in America they will spend three, four months debating tax measures - the entire market would go into a tailspin. The point I'm making is that I think it may have been a spontaneous reaction to the situation in 1999. I would love us to sit down and say now, how can we capture the intent without at the same time creating problems that all of us would well do without, and to have some discussions on it and say how we can refine the approach that we take when the next budget is presented.

Dr. GUY: Mr. Speaker...

The SPEAKER: Yes?

Dr. GUY: ...you did indicate that after the Minister made his presentation there'll be time for some questions, right?

(Inaudible comments by Mr. Holness)

Dr. GUY: Minister, you can ask. Does that mean therefore - according to Appendix 1 - that the popular drinks such as Red Stripe Light, Red Stripe, Heineken and Guinness ought to see a decrease in the price?

The SPEAKER: Reduction of price, Minister.

Mr. SHAW: I answered that already.

Mr. CHARLES: You weren't here, he answered that already.

Dr. GUY: I wasn't here.

Mr. BUCHANAN: No, no, Mr. Speaker, that is contentious.

(Cross talks)

Dr. GUY: No but, Speaker...

Mr. SHAW: Mr. Speaker, you will recall that in my presentation I pointed to the particular area that the Member is referring to now, and I indicated that notwithstanding what is seen on that table, that the price of beers would remain at where they are now. There'll be no increase in beers, there'll be increase in the other things that are indicated there, but there'll be no increase in beers. It also means that there'll be no decrease in beers.

Dr. GUY: But, Minister, and forgive me, but I detect that if there is no increase in the price of beer and there's a reduction as per this equalisation of the taxes across, does that mean therefore that the manufacturers will have an edge over what previously obtained and the Government would have a shortfall in terms of the taxation from that?

Because certainly, certainly if, if the manufacturers of Red Stripe Beer were to say, as per this Ministry Paper, we are only paying X amount on the price per bottle, if it is at 3.6% now then there should be a $9.19 reduction. If the Minister is saying that there'll be no reduction in the price of the beer, does that mean therefore that the manufacturers will benefit at the cost of the consumer?

The SPEAKER: House Leader, we are back to Public Business.

Mr. HOLNESS: Mr. Speaker, before we go back to Public Business I want to recommit the item Questions and Answers to Questions. The Member from St. Andrew South, had raised a matter regarding questions he wanted to answer immediately, the Minister of Finance has the documents.

Mr. KELLIER: Mr. Speaker, I was asking the House Leader through you to - based on the intervention of the Prime Minister and the general sentiments as to the nature of how the Standing Orders are structured that we should need to look at that for next year. However, you need to give us a final ruling as to how we are going to proceed and not consider being in breach of the Standing Orders. That's what we would like to settle at so we know exactly where we are and we will be clear for next year.

The SPEAKER: Well to be fair it only comes up when we debate the supplementary budget.

Mr. KELLER: Hmm?

The SPEAKER: It only comes up when we start the debate. What was dealt with awhile ago, you know, is the Statement by Ministers. The Supplementary budget is coming up later, so at that point we can deal with it.

The motion before the House is for the recommittal of Questions and Answers to Questions.

Put to the House and agreed to.

Mr. HOLNESS: Mr. Speaker, on behalf of the Minister of Finance who is responsible for Questions, in response to Question 20...

The SPEAKER: The contracts?

Mr. HOLNESS: Yes, the Minister would want to table them so that we can take this matter...

The SPEAKER: So that they can be... Very well. So the contracts that was requested

by the Member from South St. Andrew, they are here and they are available.

PUBLIC BUSINESS

Mr. HOLNESS: Mr. Speaker, I would like to move for the suspension of the Standing Orders to allow the Minister of Finance and the Public Service to refer the First Supplementary Estimate of Expenditure to the Public Administration and Appropriations Committee for consideration and Report.

The SPEAKER: The question is for the suspension of Standing Orders to allow the Minister of Finance and the Public Service to refer the First Supplementary Estimate of Expenditure to the Public Administration and Appropriations Committee.

Put to the House and agreed to.

Mr. SHAW: Mr. Speaker, I ask that the First Supplementary Estimate of Expenditure be referred to the Public Administration and Appropriations Committee for consideration and Report.

Mr. HOLNESS: Mr. Speaker, in continuing Public Business, we have several Private Members' Motions which are on the Order Paper which we have started. Mr. Speaker, we have started the motion brought by the Member from Central Kingston, regarding each Member declaring their status, The Member is not here and if Members want they could indicate if they would like to speak in this debate.

The SPEAKER: Which one do you propose to move now?

Mr. HOLNESS: Mr. Speaker, I'm merely saying it to Members that we could take this debate, it is on the Order Paper, to continue.

But we also have, Mr. Speaker...

The SPEAKER: You have Number 29, which the Member who proposed it is here?

Mr. HOLNESS: Yes.

The SPEAKER: So we could - let us finish up this one.

Mr. HOLNESS: We have 29 as you said, Mr. Speaker, but we also have motion 26 - Private Members' Motion 26 - standing in the name of the Member from St. Catherine North Eastern, which we would want to start today as well. So I am proposing, Mr. Speaker, that since the Member from Central Kingston is not here...

(Inaudible comments by some Members)

Mr. HOLNESS: All right. Well what we will do then, Mr. Speaker, for good order, the Minister of Transport and Works is here and that debate is close to closing...

The SPEAKER: Yes.

Mr. HOLNESS: ….so we could start with that debate - I believe the....

The SPEAKER: And probably close with 29?

Mr. HOLNESS: So we will close that debate, we would start 26, standing in the name of the Member from St. Catherine North East, and then if Members choose to participate in the motion brought by the Member from Central Kingston, then we could close the evening with that.

The SPEAKER: Okay. So we will start then with Number 29?

Mr. HOLNESS: Yes.

The SPEAKER: And the Minister of Transport and Works ... Are you ready, Mr. Henry?

A MEMBER: Twenty nine?

Other MEMBER: Twenty-six?

The SPEAKER: Twenty-nine on the Order Paper.

Very well, Minister Henry.

Mr. HENRY: Thank you very much, Mr. Speaker.

Mr. Speaker, I have great pride to answer all questions on this programme, as it's one that has evoked a great deal of interest, but it's the one to which the public and even the Members on that side of the House have spoken eloquently on. Because indeed, the programme is meant to address the continuous words of every Member of Parliament and everybody in Jamaica, 'give us better roads, more roads and better ways to drive on the better roads'.

Therefore the programme is meant to address the neglect and the ills of the past and therefore move us forward in a development and implementation programme, which allows people to move across the mountain a more civil and civilized way.

The Government of Jamaica decided that the implementation of a US$400 Million infrastructure programme was one that was needed, and in the pursuit of this having inherited a road master plan, a road master plan which demanded for over 10 years that we put in place a cess to create a dedicated fund that we'll be able to attack the deteriorating roads. And therefore by extension find it at an interest rate much lower than what we have had to deal with in the past in the development of roads.

Therefore the Ministry of Transport and Works pursued a loan from the People's Republic of China through the China EX-IM Bank. It's a loan of 340 Million and 60 Million from the Government of Jamaica in order to address the development areas across the island.

JDIP is aimed at the development and rehabilitation and the maintenance of all roads whether they be main roads, parochial roads, farm roads, housing estate roads, bridges and gullies and other related infrastructure. The idea of that is that in many instances, financing of roads today demand kinds of studies that sometimes deny the interior roads and therefore we decided to begin to reform that system by this programme and therefore deal with the people's roads.

The roads slated for maintenance and rehabilitation are included in the main and parochial road network and are all essential for the movement of goods and services throughout the island.

The main objectives of the programme, Mr. Speaker, is the increase driver comfort along roads, improve road safety, increase capacity of roads to handle vehicular volume, improve traffic management in town and city centres, rehabilitation of parochial roads, rehabilitation of main roads, better periodic maintenance of roads, and the institutional strengthening to improve the quality of roads throughout the country.

For this programme the subcontractors are to be selected by the main contractor. The main contractor is China Harbour Engineering Company. They did carry out a pre-qualification exercise. They'll advise the Ministry of Transport and Works and the NWA of the results and of their intention to use particular local contractors and those will be Grade One contractors on the NCC list.

The programme may differ in many instances of other programmes through the

Government of China because the Ministry took a decided position that rather than have imported labor, we would ask the lending government through the company that they loan to, to ensure that what we use is Jamaican contractors, Jamaican labour and therefore expand the flow into the system of Jamaica.

(Applause by Government Members)

Mr. LAWRENCE: On that side what happen?

Mr. HENRY: The NWA will offer no objection subject to the selected subcontractors being duly registered with the National Contracts Committee. The Ministry has approved the projects which are included in work orders 1, 3, 4, 5, and 6 in the process, 7 and 8 to come, 9 and 10 to come, 11 and 12 to come, 211 to come, 212 to come, 213 to come, 214 to come, 215 to come, of which I'll be here to administer them from this side of the House through that Bill. Those work orders have been issued to check.

(*Sotto voce* remark by Opposition Member)

Mr. HENRY: I did say I worked on 1, 3, 5, 7, 10 and you've heard it, man.

(*Sotto voce* remarks by Government Member)

Mr. HENRY: I'm always positive.

Government MEMBER: No, not you.

Mr. HENRY: Oh, them? Because they have complete confidence in their new chairman.

(Cross talk)

Mr. HENRY: I'm just showing how long like Johnny Walker I can go. You know I'm the hope of everybody under 50, so you look at me very carefully. (Laughter)

Full disclosure of these road works will only be available prior to the commencement of work when subcontractors have been analyzed by the main contractor; and I cannot interfere in the contracting process all the way done the line. The process for selecting roads under JDIP was inclusive and thorough, but again I hark back to my words. Every member on that side and on this side and in the country are crying roads. Therefore, I'm aware that you all want every road to be fixed. I'm aware some of you don't keep friendly with your councillors. I'm aware that within the structure of politics there's divisiveness even within ourselves as to who should get first. In your case is which P first, but we'll deal with that at another point.

Main roads are selected based on traffic counts and economic analysis as well as on the road maintenance master plan, which I referred to. A road condition survey was carried out by the NWA recently which also informed the selection process. The selection process relates to the fact that we are fast seeing the deterioration of roads. Indeed, when I got into the Ministry and inherited what was there we were about 60-odd per cent to 70 per cent. We're running nearly to 80 per cent. . We have to correct that.

Parochial roads were selected based on the socio-economic factors, population density across the essential services, and agricultural interests. The Department of Local Government and the parish council in collaboration with the NWA - and my colleague, Minister of State for Local Government addressed the process that that goes through. I don't think that I need to go over that. And the Works Agency and them agreed for the roads to be fixed as well as the prioritization of the roads.

Periodic maintenance is determined by a

road condition survey which was carried out by the NWA recently which informed the selection process as I said. Bridges will be selected based on condition and urgent needs. Traffic management locations will be prioritized based on the traffic flow and the main towns that demand that. River training locations are prioritized based on the areas prone to flooding, scouring and damage. And retaining walls are selected based on areas that are prone to landslides.

Damage formality is addressed, Mr. Speaker, and therefore I have here the briefing notes in condition of the status of bridges across this country - bridges in urgent need. It is no point you repairing a road and don't repair a bridge, if not you're taking the road to no where. So bridges equally become a criteria and an important part of the development.

A main road, Mr. Speaker, is usually described or interpreted as by it roughness index, the traffic count, the importance of the road as it relates to schools, health centres, civic centres as well as social institutions, the areas where communities have been cut off due to subsequent damage to the infrastructure and the population density.

Parochial roads included under the JDIP were selected by the respective parish councils using established guidelines. The Department of Local Government informed the parish council of a planned road programme and asked them to submit prioritized roads for inclusion. Each parish council compiled a list of roads and submitted it to the Department of Local Government. The lists were compiled the basis that every electoral division should be represented. Roads from these lists were included by the JDIP after consultation with the Department of Local Government who provided further prioritization based on discussions with mayors and others.

I'm advised that parish councils considered socio-economic factors, as I said population served. Roads that serve significant residential populations were considered high in priority. Obviously, if we went only on population count then I should have given all the roads to Portmore, then I would be accused of favouring one area over another. Therefore I spread it across the country based on this criterion that every parish could get through.

Mr. FAGAN: I don't get any. I don't get any?

Mr. HENRY: You're in the next year then if you don't, but if you get any when I look at the list I'll take those back and give them to someone else till next year.

Locations will be prioritized using traffic flow data - you heard what I said you know. I said the details of the roads will be done when the subcontractors are signed. So at that point, you can get all the details that you wish, but if you're happy now to concede some back to me, I have some…

Locations of river training are based on areas prone to flooding and retaining walls are similarly. Mr. Speaker, I don't know that most of us here as Members of Parliament recognize how important roads are and the need for the roads. And I therefore, could go equally and rehash that we have launched the programme in some eleven (11) parishes. That all of these launches, we made sure to have everyone in the political scale being involved. We made sure that whichever parliamentary M.P. area we're in, they become the host M.P., they become someone that brings greetings etc. We made the Member and the former Minister speak at these launches. They're all

allowed to speak, make the observations and at all times they support me because they maintain they don't have enough roads, they don't get enough roads, the roads have been neglected or in need of so much repairs that they thank me for having the programme to be launched. (Applause)

So thank God for the fuel cess and that indeed, I must thank the Prime Minister. I must thank the Prime Minister because it was on the visit of the Vice President of the People's Republic of China that this whole issue came to light and that the Prime Minister saw it - was supportive enough to go to China and ensure that we receive this facility and loan which is so important to Jamaica.

(Applause by Government Members)

For indeed let me recast that. For the road maintenance master plan I inherited when I became Minister three years ago, included two or three things that were required. It included that dedicated fund through a cess, and it included a need for weight enforcement programme to be put in place. For whatever reason that laid in languish, and when the Prime Minister looked at the road master plan and we assessed what we inherited, we inherited a road master plan which only spoke road agencies main roads. It did not include parochial roads, it did not include farm roads, it did not include housing estate roads. In fact, it did include not - and the Prime Minister said to me, please don't bring this to Cabinet, go back to the drawing board and deal with all the roads of Jamaica, which is what we have done and which what this programme is going to speak to. (Applause) (Cross talk)

Thank God we did that and in that time, the policy as someone has just said, relates to a single road authority. It is part of the manifesto of the Jamaica Labour Party. And the single road authority means that what you do is divide the roads in the manageable proportions that maintain the roads, that equally protects the tax dollar of the Jamaican and therefore marry them both when we deal with Jamaican roads and not with which is parochial roads or who is hiding behind whom. And indeed, I don't wish to announce a major programme of maintenance which is going to flow from this. That will come in year 2012. In addition to that –

(*Sotto voce* comments Dr. Harris)

Mr. HENRY: I know I won't see you though, but I'll be happy to deal with whoever is on that side.

So in that context, Mr. Speaker, we looked at the fact that since becoming Government in the last three years we have had more rains than anyone else had to put up with in this country. In fact, Mr. Speaker, please remember that within a year of us becoming Government when we had some heavy rain all of Ocho Rios was covered with muck. We had to wear - the Prime Minister had to wear high-heeled boots above his knees to cross any roads in Ocho Rios. Since then we have had all the rain of Nicole and Gustav and Ocho Rios has not had any flooding of that kind.

(Applause by Government memory)

When we came in the bridge that was left, I found 15 bridges in store, 15 bridges in store. I've since put in nine (9) bridges and we still have six (6) lying in parts which have got to be accommodated under this project.

Government MEMBER: We build bridges.

Mr. HENRY: I don't want to talk about the bridge we had to build in 48 hours to connect St. Thomas and Kingston. I don't want to speak to the fact that it will be a six-lane bridge taking you from the airport. Those I will leave for '11, '12, '13, '14, '15, '16, '17, '18 '19 '20.

So we are approaching the work that needs to be done. We have: Hall's Delight is in progress, Red Light/Hardware Gap is in progress, Red Light/Hardware Gap, Mile Post *et cetera*, Cavaliers; all of these are projects that have now restarted.

And so, Mr. Speaker, in the essence of time - because as my grandmother once taught me, the proof of the pudding is in the eating and therefore the implementation. And as we are a Government not of promise but of fulfillment, we'll ensure that we will fulfil the reality of the infrastructure needs of the country.

(Applause by Government Members)

So when anyone talks about bringing the people, letting them know - I have an interesting story for my colleague who brought this motion here. Because I visited Westmoreland to launch this programme. We sent out all the invitations to Westmoreland and Hanover, because I needed to interface with the people. Now, I know that some of the people there are represented by people on that side. But would you believe it, Mr. Speaker, the only people who came were the MPs and four (4) Councillors. They did not bring one citizen to come and face Mike Henry, and hear about the JDIP Programme.

So I am going to come into your area when the road that I am giving you starts, and I will visit the corner, and I will speak to the people to correct the fact of information. I have with me the list of the launch of every programme, and who spoke and who said what. I have on the back of every programme - if I dealt with Hanover, this is the infrastructure programme fact sheet, inside is everything I have said. Inside it are projects to be undertaken in Hanover, Blenheim, Baukhill, Chambers, Penroad, Bruck Heart Lane, Sandy Bay to Montpellier, Great River to Queue Bridge, Queue Bridge to Lucea, Lucea to Green Island, Shettlewood to Mackfield, Riley to Dias, Shettlewood to Chester Castle, and I could go on.

And then on the back of it the NWA is responsible for 280 - this is what they kept out of the hands of the people who should have come to take.... And I will deal with Westmoreland, if you want.

Since we have been government, rehabilitation of six (6) bridges under the Segment IA contract. These include:

- Probyn Bridge
- White Gut Bridge
- Barbican Bridge
- Lucea East Bridge
- Davis Cove Bridge
- Mosquito Cove Bridge and
- Construction of the Queen's River Bridge in Green Island

(Applause)

Mr. MONTAGUE: Shame on you! Dishonest!

Mr. HENRY: Westmoreland is here, St. Catherine is here, Clarendon is here...

Mr. MONTAGUE: Read Westmoreland for him!

Mr. HENRY: Okay. I like to oblige you, my colleague Minister.

Westmoreland, to come in the programme:

York Road, Chantilly Road, Church Lincoln Road, Good Hope to Bottom, Madam Lane, Ferris to Georges Plain, Whithorn to Darliston, Lambs River to Chesterfield Bridge, Dunbars River to Torrington, Grange Hill to Little London, Chester Castle to Jacks Gate, Scotts Cove to Smithfield Bridge, Standpipe to Prospect, Mango Hall to Broughton School, Solas to Rocky Hall, and the retaining wall at Belmont. (Cross talk)

The SPEAKER: Please! Please!

Mr. HENRY: And, Mr. Speaker, on the back, this is work completed. When I say we are a government of fulfillment and not of promise - construction of five (5) retaining walls, which form the highest amount of employment in Transport and Works - conduction of five (5) retaining walls...

Mr. MONTAGUE: What parish?

Mr. HENRY: ....in Westmoreland...

Mr. PERALTO: What!

Mr. HENRY: Bath Fountain, Strawberry, Darliston, Seaforth Town and Content.

Government MEMBER: Under JLP rule!

Mr. HENRY: Under JLP.

(*Sotto voce* comments)

Government MEMBER: I don't believe it!

Mr. HENRY: And, Mr. Speaker, we are not to hide, because here are the ads that went out in the paper about the parishes, listing the roads. So anyone who came here and said they did not know, it could be that they haven't passed me a note across the aisle. So I will keep those for another time… (Laughter) ...and perhaps another place.

And to put it in perspective, Mr. Speaker, I think I owe it to China Harbour Engineering Company to read in the records... (Applause)

Government MEMBER: Hear! Hear!

Mr. HENRY: China Harbour Company is a world-renowned international contractor that is a subsidiary of China Communications Construction Company Limited. It has 31 overseas branches and offices, with business on the continents of Asia, Africa, Australia, Europe and North and South America. The company is currently employing 20,000 professional and technical staff across the globe to undertake US$9.5 Billion worth of projects.

China Harbour, as a group company before its merger with China Road, is part of the Fortune 500 companies of the world, and is ranked seventh on the engineering news record of top global contractors. (Applause) China Harbour has business in marine engineering, dredging and reclamation, roads and bridges, railways and airports, complete plants.

And achievements, Mr. Speaker. China Harbour has won many awards. China Harbour built the Shanghai Donghai Bridge. That is the world's longest sea-crossing bridge, 32.5 kilometers, with a six-lane dual carriageway. It built the Macau International Airport, built on an artificial island by reclamation and dredging. It built the Shanghai-Chengdu Expressway, one of the most challenging projects in the mountainous areas of the world with complex geographical terrain. It built the Friendship Bridge of Macau, linking Taipai Island with the Macau peninsula; the Friendship Bridge as a trans-oceanic two-lane.

In 2009, they entered into raising the standards of the quality of work we are doing. Within this agreement we have, China Harbour is giving fifteen scholarships to

Jamaicans to go in the engineering field, to be trained in China. (Applause) Under this programme they have decided to work with us to strengthen the quality of the National Works Agency's ability. And for the want of the public to know, they have provided me with an organ, a special test machine, which is now in the back of my car, which I will be driving across Jamaica to check on the quality of the contractors, and checking on which MP is supporting me to ensure that the quality is maintained, in terms of implementation.

(Applause)

Mr. MONTAGUE: Check out Fagan one first.

Mr. HENRY: A couple of the Members, Mr. Speaker - in trying to wrap up - a couple of the Members, Mr. Speaker, raised specific areas of discussions. I was asked about Scotts Cove to Ferris, in Westmoreland.

That road section - and I want everyone to listen to me very carefully - that road section is scheduled under the IDB Programme, which I inherited. However, the National Water Commission had indicated a serious problem with their pipeline. That pipeline was laid under the previous government years ago, and was raised without any sand on the pipes, they are a busting, and I have made my commitment that l am not going to repair a road if we have to dig it up shortly to relay the pipeline, and I face that challenge.

I am not here to talk about which company may have done it, but the person who moved the motion should be able to consult with his colleague and let me know who it was that built it.

Mr. MONTAGUE: A him cousin do it! Shoddy work!

Government MEMBER: Shoddy work!

Mr. HENRY: So based on the assessment, following the passage of Tropical storm Nicole...

Mr. BUCHANAN: And you are bordering prison!

Mr. HENRY: ....I want to also clarify for the public, being flooded and under water does not necessarily mean the same damage.

Mr. BUCHANAN: ...one load of marl out of every...!

The SPEAKER: (Gavelling) Please! Please, Mr. Buchanan.

Mr. MONTAGUE: Mr. Buchanan, don't be vulgar.

Mr. BUCHANAN: You keep quiet!

Mr. HENRY: Is alright, Member of Parliament, I still going help you so you can face the people.

(Laughter)

Government MEMBER: Don't be vulgar!

Mr. HENRY: I know that you have some African ancestry, you know, and I want to save you. I want to guide you in the right way, because perhaps you might be a member of the Falasha Jews, so I want to be clear I can protect you. (Laughter)

So following the passage of Tropical Storm Nicole, I want it to be clear for you, MP - Westmoreland had the second least impact, in terms of road damage. You were more flooded in that area. And until the water recedes for me to see what the road damage is - but after the completion of the assessment, compared to other areas, you cannot claim to be the worst damaged.

Parochial venue Fund. Reference was made to the comment regarding how the Councils would benefit directly from funds

that had been put forward by the Parochial Revenue Fund. It should be noted that the Parish Councils were putting up US$3.4 Million through the Parochial revenue Fund, and they will be getting, Member of Parliament, US$100 Million worth of works in return. That's a hell of an investment and a hell of an achievement, and you deserve to clap the Minister of State for that.

(Government Members applaud)

Mr. MONTAGUE: Clap me! (To Opposition Members)

(*Sotto voce* comments)

Mr. HENRY: In closing, Mr. Speaker, I will deal with the ones from Portland. Because that Member of Parliament...

Government MEMBER: Him a get fired.

Mr. HENRY: ....whom I would support to run again, actually...

Mr. MONTAGUE: I would support him too. Them rod him!

Mr. HENRY: The problem is, you didn't know which side of which 'P' you were on, so I can accept that. (Laughter)

The first thing that MP should always make a statement is that the area he refers to receives the second highest rainfall in the world.

Government MEMBERS: Hear! Hear!

Mr. HENRY: In the world. That includes monsoon areas, that includes heavy rains every day, therefore, it becomes a problem. And if I inherit from a government who didn't plan properly the geo-technical needs that must be addressed, and how you plan to deal with shale, as against clay, as against marl - in fact, we have had to change the specification on most roads, that we don't use any more limestone marl, because it makes your car skid and gives you a different surface.

And that was the same MP that congratulated me - what is the bridge again which had been neglected for twenty (20) years?

Mr. BUCHANAN: Al.... Church Bridge.

Mr. HENRY: Alligator Church Bridge. I do have a tape of his encomiums on that day. (Laughter) But I know he was seeking to be reelected; I can understand why you made the presentation here. But it's politics, so I accept it.

The expenditure on the roads in Portland from 2001, under the National Road Improvement, a Programme called NARIP, 2001 to 2005, works to address accumulated damage on the roads was $390,372,028.86. That was spent in your parish. I am not sure where it was spent fully, but it was spent in your Parish.

Mr. MONTAGUE: Is that true, Rhodd?

Mr. HENRY: I inherited the special flood damage of 2006 when we became Government in 2007. And like many other things, we gave $291 Billion - Million - we gave $70 Million priority to drains, $206 Million to road rehabilitation, $15 Million to Parish Council. Does that look like a Government that is victimizing anyone, or politically selecting anything?

Government MEMBERS: No! No! Victimizing JLP.

Mr. HENRY: Critical retaining walls programme, $121,810,000.

(*Sotto voce* comment from a Member)

Mr. HENRY: Same, same! Retaining Wall, 2007, $17 Million that was spent after the overall accident. Emergency response to flood rains, 2008/2009, $151,342,165.75.

(Cross talk)

Mr. MONTAGUE: And them still rod him!

The SPEAKER: (Gavelling) The Minister's time for speaking has expired.

Government MEMBER: Life nuh fair at all?

Mr. HOLNESS: Mr. Speaker, I move for the suspension of Standing Orders to allow the Member sufficient time to complete his presentation.

The SPEAKER: The motion before the House is for the suspension of Standing Orders to allow the Minister enough time to complete his presentation. .

Put to the House and agreed to.

Mr. HENRY: In 2010, Emergency Response, Flood Rains, including Nicole, to reopen temporary and effect repairs, $160 Million. And under the OFFID proposed 2010/2011 breakaway, we intend to spend $339,209,510. If that sounds like politics, I would hope they don't allow me to go to politics.

So, I hope - as we have other pursuit of some search that I do not know of, when you are benefitting for developmental programme, and I have more issues to answer as they unfold, and as I have to respond to the PAAC and others, because they have tried to break many rules even in terms of it because we even had the Ministry wanting to give the PAAC what work we are doing. The PAAC must address policy, policy is Government and we better let the PAAC know that too. You don't question policy. You can check what policy has implemented, right or wrong.

A MEMBER: Hear, hear?

Mr. HENRY: However, that's for another stay and another time.

So the work orders are now in place, and in the context of ensuring that just as the previous government recognized in some areas the economic need for roads, but failed to understand the multi-modal plan of transport.

(Applause by Government Members)

Mr. HENRY: To appreciate that when you wake up, you have to walk; after you walk, you have to ride; after you ride, you have to drive; after you drive, you have to swim; after you swim, you have to fly, and all these are modes of transport which takes you on the wings to the future, which is what the Jamaica Labour Party Government is about.

(Applause)

So as I said, work has started, the majority of work will be starting by the 7th of December. It will continue past April into '11, into 12, into 13, into 14, into 15, into 16, into 17, into 18, into 19. And I am begging the Prime Minister not to remove me because I want to be here 2030 to let you know how everything is going....

(Laughter/Applause by Government Members)

Mr. MONTAGUE: Everything is all right.

Mr. HENRY: But I will hold it against because I am not sure you were fully advised the right way. When you next want to consult on what is taking place, call me. My phone lines are open, my door has always been open to you because indeed, what they were trying to do is place you into such a position that when a couple of them call me and sey take away your roads and give it to me…

(Laughter)

…..I am still on your side. Because remember, I got the calls. I got the calls.

So, in that context, Mr. Speaker, I think I have addressed as much as I can and I will

have more to come back to this House on this programme. There are things that have been asked for, like what is the EX-IM Bank loan agreement? What is the Agreement with all of that is going to be brought to the House, made in a full statement, because this Government has nothing to hide. And indeed, as I said, we are not promised, we are fulfillment of the dreams of the people.

(Applause/Laughter by Government Members)

The SPEAKER: Mr. Hutchinson.

Mr. HUTCHINSON: Mr. Speaker, I would like to congratulate the Prime Minister, the Minister of Works on this massive programme that has come about in this country. It is one where I might have some concerns about. And one of the things I appreciate about it is that it is now touching the base of the small man. It is one whereby we are not only looking at highways but we are looking at Parish Council and farm roads.

(Applause)

It is the base on which most of the development of the country has to come about.

I am concerned, Mr. Speaker, when the Minister announced quite a number of projects in quite a number of constituencies and some constituencies you don't hear anything happening; and some seem to be victimized in the years gone by, and still not much happening. But I have to thank my Minister for having had something started in the constituency of North West St. Elizabeth.

(Applause)

A MEMBER: Yes, long sufferer!

Mr. HUTCHINSON: And what I must say, Mr. Speaker, is that what needs to be done is that we should not be looking across-the-board but we should be looking at constituency by constituency, because there are some constituencies....

Dr. HARRIS: Me agree with you.

(Applause)

Mr. HUTCHINSON: ...that have been victimized, that have been left one side for a number of years. And one of the things is that I want to speak specifically of North West St. Elizabeth, which I had the honour of representing in 1997, and when I came in I was the only JLP Member of Parliament the whole Western section of this island, the only JLP MP. And what we found out is that nothing happened between 1997 and 2002.

Mr. FAGAN: Mr. Speaker, a point of order, sir.

The SPEAKER: What is the point of order?

Mr. FAGAN: Mr. Speaker, I would like to be guided, sir, I thought that the...

Government MEMBERS: Guided on what? Guided on what?

Mr. FAGAN: What is the....

The SPEAKER: What is the point of order?

Mr. MONTAGUE: What's the point of order?

Mr. PAGAN: What is the.....What is the...

Mr. MONTAGUE: What's the point of order?

(*Sotto voce* comments by Government Members)

Mr. MONTAGUE: What's the relevance of your Point of Order?

Mr. PERALTO: He's contributing to the motion. You don't know what's the Point of Order?

Mr. FAGAN: I wanted to find out, what

is the Member speaking on?

(*Sotto voce* comments by Government Members)

Government MEMBERS: Sit down now! Sit down!

The SPEAKER: He's speaking, he's speaking on the.... (Laughter)

Continue, Mr. Hutchinson.

Government MEMBERS: Sit down! (Laughter)

Mr. HUTCHINSON: Mr. Speaker, I am speaking on the motion that was raised by the Member from Eastern Westmoreland.

Mr. MONTAGUE: Right, right, don't embarrass yourself anymore. You have embarrassed yourself enough from day.

(*Sotto voce* comments by Government Members)

Mr. HUTCHINSON: What is happening, Mr. Speaker, is that North West St. Elizabeth has 34 roads that are in need of rehabilitation, not patching, rehabilitation. And in 2002, we found that - just before the election, a road was given out between Retirement and Accompong. And that one was given out by the Ministry/NWA, and it was given out - although I was the MP, it was given out to be done by the Opposition...

Government MEMBER: Caretaker!

Mr. HUTCHINSON: ...Caretaker of the constituency.

Government MEMBERS: Oh! Shame!

Mr. HUTCHINSON: The contractor was told to go to the caretaker and he would be the one to supervise that road.

Government MEMBER: What!

Mr. HUTCHINSON: And during that election, you would be surprised to see the amount of orange. And I am going to ask the Minister of Transport and Works to investigate that road, because that road is in a more deplorable condition now than before. Over $30-odd Million was spent on that road in 2002, and it is in a more deplorable condition at this point in time.

Mr. MONTAGUE: Pickersgill, a who yu gi de contract Buckie?

Mr. HUTCHINSON: Mr. Speaker, when...

A Government MEMBER: ...you are talking ‘bout victimization...

Mr. MONTAGUE: Yes.

Mr. HUTCHINSON: ....there is blatant victimization that has taken place for the constituency of North West St. Elizabeth.

(Applause)

Anybody who is travelling from Montego Bay...

Mr. MONTAGUE: Yes.

Mr. HUTCHINSON: ...will travel through the parish of St. James.

Mr. MONTAGUE: Yes.

Mr. HUTCHINSON: They go through the parish of Hanover.....

Mr. MONTAGUE: Yes.

Mr. HUTCHINSON: ...they go through the parish of Westmoreland...

Mr. MONTAGUE: Yes.

Mr. HUTCHINSON: ....and as soon as they come to the border of St. Elizabeth....

Mr. MONTAGUE: Yes.

Mr. HUTCHINSON: …the good road stops. (Applause)

Mr. MONTAGUE: Yes!

Mr. BUCHANAN: Mr. Speaker, Mr. Speaker, on a Point of Order.

Mr. HUTCHINSON: Very good road....

Mr. BUCHANAN: Mr. Speaker, on a Point of Order.

The SPEAKER: What is the Point of Order?

Mr. HUTCHINSON: ....coming straight to New market.

Mr. BUCHANAN: The Member is misleading the House, Mr. Speaker.

The SPEAKER: In what way?

Mr. BUCHANAN: Mr. Speaker, allow me.

The SPEAKER: But he's giving an opinion.

Mr. BUCHANAN: No, it's not an opinion, Mr. Speaker; he said when you get to…

(*Sotto voce* comments by Government Members)

Mr. BUCHANAN: ....he said when you get to the border of St. Elizabeth.

The SPEAKER: Yes.

Mr. BUCHANAN: Mr. Speaker, *en route* which he is speaking, the border is at Jacks Gate and the road, Mr. Speaker, was rehabilitated for some mile and a half from Jacks Gate into New Market on the St. Elizabeth side, Mr. Speaker, and that is misleading the House, Mr. Speaker. Lie!

Mr. HUTCHINSON: Mr. Speaker, I don't think - I think he did not wait until I have finished my sentence and completed my statement.

Mr. BUCHANAN: Mr. Speaker....

The SPEAKER: Let him finish.

Mr. HUTCHINSON: The road travels from St. James, through Hanover, through Westmoreland to the border of St. Elizabeth where the good road stops.

(Laughter by Government Members)

Mr. MONTAGUE: Stops, that's a fact.

Mr. BUCHANAN: That's rubbish, Mr. Speaker, absolute garbage!

Mr. HUTCHINSON: When you look there you see the sign "**Your Tax Dollars At Work**", right at the border of Westmoreland and St. Elizabeth "**Your Tax Dollar At Work**" that is where It stops.

Mr. MONTAGUE: Stand up now! Stand up now!

Mr. HUTCHINSON: And that is where "**Your Tax Dollar At Work"** means that, that is where the good road was supposed to stop.

Mr. PICKERSGILL: That's not what it means. That's not what it means.

(*Sotto voce* comments by Government Members)

Mr. HUTCHINSON: I made representation –

(Disturbance by both sides)

Mr. Speaker, I made representation to the then Prime Minister....

The SPEAKER: Let him finish no, let him finish!

Mr. HUTCHINSON: I made representation to the then Prime Minister and asked him...

Mr. PICKERSGILL: How many times you hear that speech?

Mr. MONTAGUE: Pickersgill, be quiet

Mr. HUTCHINSON: Yu going hear it more too! You going to hear it more too! And you must listen now, because I am not finished with you!

A Government MEMBER: Listen!

Mr. HUTCHINSON: You listen!

A Government MEMBER: You… man!

Mr. HUTCHINSON: You have heard it many times because I have been in this House year after year, talking about your victimization to the constituency.

One Government MEMBER*:* And you have no shame.

Mr. HUTCHINSON: And you listening to it now.

Mr. MONTAGUE: (To Opposition Members) Sit down and listen. Tek yuh lick!

Mr. HUTCHINSON: And if you don't want to listen to it, you can walk out, but you must listen to it, because you are the victimizer, and you must listen, and the saboteur.

(Laughter by Government Members)

Mr. PICKERSGILL: Tell us 'bout sit down!

Mr. HUTCHINSON: That is in you.

(Laughter)

Mr. HUTCHINSON: Mr. Speaker, that's why I monitor you. I monitor you, seeking yu nose.

(Laughter by Government Members)

Mr. HUTCHINSON: If you look and watch, I can tell you where all your personal things gone.

(Laughter/*Sotto voce* comments by Government Members)

Mr. HUTCHINSON: Mr. Speaker, what has happened is that I asked the then Prime Minister, the HONOURABLE P. J. PATTERSON....

Mr. MONTAGUE: Juk dem J.C.

Mr. HUTCHINSON: ....what had happened to the road that was supposed to have gone straight to Middle Quarters? He said…

Mr. MONTAGUE: Gone a Ewarton.

Mr. HUTCHINSON: ...he asked them to carry it down to New Market. The road then left where you saw "**Your Tax Dollar At Work**".

(Laughter by Government Members)

At the border.

Mr. MONTAGUE: Yes.

Mr. HUTCHINSON: And it then came into New Market, and instead of going down to Middle Quarters it turn to go to Darliston ....

Government MEMBER: What!

Mr. HUTCHINSON: ...back into the constituency of Westmoreland.

Mr. MONTAGUE: Oh!

Government MEMBERS: Oh!

Mr. HUTCHINSON: And up to this day…

Mr. BUCHANAN: Mr. Speaker, hold on, Mr. Speaker.

Mr. HUTCHINSON: ...up to this day, the road has not gone to Middle Quarters.

Mr. BUCHANAN: Mr. Speaker.

(*Sotto voce* comments by Government Members)

The SPEAKER: Alright, Mr. Hutchinson, for a moment. Hutchinson, for a moment. Yes, Mr. Buchanan, what's the Point of order?

Mr. BUCHANAN: Mr. Speaker...

The SPEAKER: Let's hear the point of order.

Mr. BUCHANAN: Seems the chip is malfunctioning, sir. Because, Mr. Speaker, the truth is that, when you turn right at New Market at that point, you are still in the parish of St. Elizabeth, Mr. Speaker, for two and a half miles more going towards Westmoreland.

(*Sotto voce* comments by Government Members)

Mr. HUTCHINSON: Mr. Speaker....

The SPEAKER: But, Mr. Buchanan…

Mr. BUCHANAN: Sir.

The SPEAKER: ...what he says is that when it reaches New Market, instead of going to Middle Quarters it turns back to Darliston.

Mr. PICKEKSGILL: The road can't turn. The road can't turn. How the road must turn.

Mr. BUCHANAN: But he's giving the impression as if it is Westmoreland.

The SPEAKER: But it must be in St. Elizabeth.

(*Sotto voce* comments by both sides)

The SPEAKER: He said it turn on the same road - on a different road to Darliston. I don't know the constituency.

(*Sotto voce* comments by both sides)

Mr. PICKERSGILL: What turn? What turn?

The SPEAKER: What turn, Hutchinson?

Mr. HUTCHINSON: The work, the work turn and went back into Westmoreland.

The SPEAKER: Mr. Hutchinson, is that the same road or a different road that was resurfaced?

Mr. HUTCHINSON: The same road, sir, the same road went right around.

Mr. BUCHANAN: Mr. Speaker, Mr. Speaker, it's a different road!

The SPEAKER: it's a different road.

(Laughter)

Mr. BUCHANAN: It's indeed a different road, Mr. Speaker. That is the road leading from New Market through Payne Town into Oakland. That is a different road from the road leading from New Market into Jacks Gate into.... Town, Mr. Speaker.

Mr. HENRY: Mr. Speaker, Mr. Speaker...

The SPEAKER: Yes.

Mr. HENRY: ...the Member is closing the debate.

The SPEAKER: Exactly.

Mr. HENRY: ...he can therefore answer everything that is said.

(Disturbance)

The SPEAKER: (gavels): Please, no, nol

A MEMBER: You must shut yu mouth.

(*Sotto voce* comments by both sides)

The SPEAKER: (Gavels) Members, Members, please. A lot of us, including myself we are not aware of these corners and so on in St. Elizabeth and Westmoreland. So, Mr. Buchanan, as soon as he is complete, make notes and when you are closing you correct him.

Mrs. HAY-WEBSTER: Exactly, make notes.

Mr. PICKERSGILL: Make notes.

The SPEAKER: He can correct him. Continue, Mr. Hutchinson.

Mr. HUTCHINSON: Mr. Speaker, just to show, sir, that this constituency has been one which had made representation for years and nothing has been done. That after making representations to the Minister of Works...

A MEMBER: Who was that?

Mr. HUTCHINSON: ....I had to - and I just want to quote, sir, I want to quote, Mr. Speaker, talking - a number of questions were asked of the Minister of Works of July 26, 2005:

> Will the Minister state when will the road from Whitehall via Prospect to Lewisville, Mocho via Woodlands, Springfield, Pisgah and Mulgrave to Red Gate be rehabilitated?

A MEMBER: I remember that question you know.

Mr. HUTCHINSON: The response: We are aware of the poor condition of these roads. However, these roadways are not scheduled for rehabilitation under any of the current rehabilitation programme.

Mr. MONTAGUE: Shame!

Mr. PICKERSGILL: Weren't you the man in charge that time?

Mr. HIBBERT: No. In 2005 I was here behind...

Mr. HUTCHINSON: Two thousand and five. Question Three on that same Order Paper, Mr. Speaker.

Question: Will the Minister state which roads in the parish of St. Elizabeth are slated to be rehabilitated since the passage of Hurricane Emily and how much will be spent on each road?

Answer: The cost for the restoration of roads in St. Elizabeth as a consequence of the passage of Hurricane Emily was estimated at approximately $39.3 Million and covers damage on fourteen (14) road sections listed below: South West St. Elizabeth $34.8 Million, North East St. Elizabeth $1.7, South East St. Elizabeth $700,000, North West St. Elizabeth $500,000. (Laughter)

I wrote on September 16, 2005, Mr. Speaker.

Mr. MONTAGUE: And you have the gall to come in here and question this programme!

Mr. HUTCHINSON: Mr. Speaker, I am putting this on record. Because this is one of the things I want…

Mr. PICKERSGILL: It is already on record. It is already on record.

Mr. HUTCHINSON: You keep quiet. I want you to hear again. This was written to the HONOURABLE P. J. PATTERSON.

Mr. MONTAGUE: Honourable man.

Mr. HUTCHINSON:

"On behalf of the constituents of North West St. Elizabeth I write seeking your assistance in the rehabilitation of three roads" - and these were the same three roads that are asked for - The Prime Minister at the time answered. "I acknowledge receipt of your letter on September 16, 2005. As you are aware the entire National Road Programme has been somewhat derailed by the need to find funds which were not projected in the annual budget. I am sending a copy of your letter to the HONOURABLE DR. FENTON FERGUSON…

Mr. MONTAGUE: What! A him dweet, man?

Mr. HUTCHINSON: ...with an instruction that you both meet to see where these roads can now fit into the work schedule for the remainder of the financial year. I will also ask Dr. Ferguson to inform me as to the outcome which will enable us to rehabilitate these roads and eliminate the difficulties".

Mr. Speaker, one thing I can say is that….

Mr. PICKERSGILL: …discuss it with me.

Mr. HUTCHINSON: Dr. Ferguson did his best....

MEMBERS: Ahh.

Mr. HUTCHINSON: ....but the buck stopped up at the top and that is where the problem was, at the top, and that was where the problem remained.

Mr. Speaker, I don't want to read the other set of questions that were even by the Minister.

Mr. MONTAGUE: Now you speak about victimization. Hear victimization here. Shut up and listen!

Mr. HUTCHINSON: But two set of questions, Mr. Speaker, is one where I had asked for the roads in my constituency to be rehabilitated and all the response I got was "temporary restoration works were done last year November, marl was used for these restoration roads". Everyone of the roads that I asked about marl was used on these restoration roads.

Mr. PICKERSGILL: What happen with the marl?

Mr. HUTCHINSON: My constituency is a hilly constituency. My roads are in a hilly area and one shower of rain washes out everything. Mr. Speaker, I have said this because I want to once again congratulate my Minister and the Prime Minister for having started the work on the Mocho to Springfield road and that one is being rehabilitated. And I want to say that when it was launched I did not have an input into the roads.

They came and they went through my constituency and found which were the worst roads. And, as such, those roads that are being done have been looked at by the technocrats; and I agree with whatever they are got to decide on, because everyone of the road in my constituency needs rehabilitation.

But the other thing, Mr. Speaker, is that working on the roads now we have a number of truck men.

Mr. MONTAGUE: See one a dem deh.

Mr. HUTCHINSON: I just want to say, because something was brought up here, even if it takes four (4) years it is going to be difficult to rehabilitate all my roads. So I have asked the truck men that if for every 15 loads of marl that they draw they can donate one load free to one of the roads that is in deplorable condition.

Mr. MONTAGUE: And they have agreed.

Mr. HUTCHINSON: They have agreed. I have asked the marl owners that…

Mr. MONTAGUE: Innovative.

Mr. HUTCHINSON: ...if they can donate for every 10 loads of marl drawn one load free to be put on to some of these roads that are not in the first phases to be done, and they have need.

Mr. MONTAGUE: Innovative.

Mr. HUTCHINSON: I bring that up Mr. Speaker, because I hear the person who moved this motion saying that I am taking marl.

Mr. PICKERSGILL: The Member.

Mr. HUTCHINSON: I don't know about his - and one of the things, Mr. Speaker, is that these truck men and the marl owners are now cooperating with all of us so that we will get more roads fixed with less money. And with this I would like to congratulate them for coming onboard and assisting with this thing.

(Applause)

Mr. Speaker, it is one of those projects that I have looked forward to for years and it is one of those projects, infrastructure projects that North West St. Elizabeth is grateful for after being victimized for over 13 years. It is now coming to fruit where we have got rid of all the victimizers and the saboteurs and we are moving. And I say to the Minister don't stop the progress. (Applause)

A MEMBER: Go deh Hutchie!

The SPEAKER: Okay, Mr. Buchanan.

Mr. BUCHANAN: Thank you, Mr. Speaker. Mr. Speaker, the questions I asked…

Mr. MONTAGUE: Have been answered.

Mr. BUCHANAN: …have not really been answered. But, Mr. Speaker, what I really asked for was transparency,

accountability and tax dollar prudence and the preservation, Mr. Speaker, of the autonomy of our parish councils.

(*Sotto voce* by Mr. Montague)

Mr. BUCHANAN: And, Mr. Speaker, the Member who is attacking me as I address this Honourable House can be found guilty in eroding the autonomy of parish councils. Mr. Speaker...

Mr. HUTCHINSON: Ten Million Dollars of CDF gone.

Mr. BUCHANAN: I will close, Mr. Speaker, by saying that which I was seeking can never be achieved from that side, Mr. Speaker, with the attitude of the Member from St. Mary Western. So Mr. Speaker, what I will do I will await the people's response. As the Minister of Transport has said the proof of the pudding is in the eating. I will rest my case right here, Mr. Speaker.

Mr. Speaker, I now ask that the motion be approved.

The SPEAKER: Members, before you is the motion just debated. It's No. 28 on the Order Paper.

Put to the House and agreed to.

A MEMBER: Divide!

The SPEAKER: Are you asking for a divide?

Mr. JACKSON: Mr. Speaker, on a point of order. You can't ask for a divide after the motion has been carried.

The SPEAKER: Once there is a nay vote it's a motion for a divide.

Mr. HOLNESS: Before we get to that point, Mr. Speaker, may I suggest Mr. Speaker, that we amend the resolution to send these requests, these prayers in the resolution be reviewed by the Infrastructure Committee.

Mr. MONTAGUE: Why?

Mr. BUCHANAN: Agreed, Mr. Speaker, agreed.

Mr. HUTCHINSON: Vote and done. We have looked at it already.

Mr. JACKSON: Mr. Speaker, if I may, with your indulgence, the recommendation by the House Leader I think is a very useful one; and, given what has transpired, I think that for good order and a sense of shared objectives it should be given due consideration by us for the amendment to be adopted by the House Leader.

Mr. MULLINGS: There is a divide.

Mr. BUCHANAN: Comrade Mullings, there is no divide.

Mr. HENRY: Mr. Speaker, Mr. Speaker.

The SPEAKER: Yes, Mr. Henry.

Mr. HENRY: I don't know if any Members of the Public Accounts Comments are here. But Members of the Public Accounts Committee was already given how much money was to be spent on the roads, the basis of the project and prioritization. Nobody can give the names of subcontractors because that's the...

Mr. BUCHANAN: China Harbour... (Inaudible)

Mr. HENRY: China Harbour has only one subcontractor, I guess the Grade 1 contractor. In the effort of the Government to spread it as wide, we use Grade 2, Grade 3, Grade 4. I can't interfere with the subcontractors and those agreements. So that's why I ask the Member to be better guided by the questions.

But l also will be bringing to Parliament, because we had another request under this, as I said earlier, the full disclosure of the loan with EX-IM Bank, the full disclosure of how the contractors are done in the widest of

documents. Therefore I think I've answered everything...

Government MEMBERS: Yes, yes.

Mr. HENRY: ...that was on here for youth have voted and moved on because there are areas which the Government can't answer because you begin to interfere in some of the areas of the contract.

The SPEAKER: Well, Mr. Henry, you said except for Number One and Number Two in the resolution.

(Inaudible comments)

Mr. HENRY: I gave an answer how the contractors are chosen because...

The SPEAKER: But not for Number One and Number Two. You say you have no control on the subcontractors. So...

Mr. HENRY: Because the subcontractors - To explain it again for my colleagues. National Works Agency guides China Harbour. China Harbour asked how to be guided to choose the contractors. We said go on the NCC website and we recommend you only choose Grade 1. That stops as far as our recommendation. Their subcontractors isn't a Grade 1 contractor. The Grade 1 contractor going into the constituencies...

If they want me to make China Harbour and no Grade 1 contractors for Jamaica work, I can do that. Then l can interfere all along. And if not, we won't get any Grade 2, Grade 3, Grade 4 working. So I'm explaining what it is why we went the route too, eh. So I can't find the subcontractors at Grade 1 - I can get the details after they have done, but I can't provide it before. And that is part of what was explained in my full presentation. But if your House Leader wants to put it to a committee or what, personally I have no problem.

Dr. HARRIS: Mr. Speaker, I had no intention of contributing to this particular.... (Inaudible)

The SPEAKER: No, the debate is closed you know.

(Cross talk)

Dr. HARRIS: No, man, no, no, no, no!

The SPEAKER: Dr. Harris, the debate is closed. It's just for a clarification.

Dr. HARRIS: Yes, but the clarification has raised a major issue, Mr. Speaker.

(Interruptions)

The SPEAKER: That what?

Dr. HARRIS: Has raised a major issue, Mr. Speaker.

The SPEAKER: What is it?

Dr. HARRIS: That issue speaks to... Okay, you have one contractor, China Harbour...

The SPEAKER: No, we cannot deal with that now.

Dr. HARRIS: No, no, no, no, no!

The SPEAKER: We cannot deal with that now, Mr. Harris. Mr. Harris, we can't deal with that now.

Government MEMBERS: No, no, no!

Dr. HARRIS: But you need to listen, Mr. Speaker.

The SPEAKER: We cannot deal with that now.

Dr. HARRIS: But you need to hear it, Mr. Speaker.

Government MEMBERS: No, no, no!

The SPEAKER: No, no, we cannot deal with that.

Dr. HARRIS: Hear it and then you decide.

The SPEAKER: No, we cannot deal with that now. The debate is finished. House Leader, have you agreed on a change?

Dr. HARRIS: Mr. Speaker...

The SPEAKER: We cannot deal...

Dr. HARRIS: If you don't want to hear this you know...

Government MEMBERS: No, no, no!

The SPEAKER: The debate is closed.

Dr. HARRIS: ...the problem that we are having...

(Cross talk)

The SPEAKER: The debate is closed. It's closed.

Mr. HOLNESS: Mr. Speaker, I'd like to propose that the prayer of the resolution be slightly amended to read:

> And be it further resolved that for the protection of our tax dollars and transparency and equity that the Infrastructure Committee of Parliament examine the procedures for how subcontracts are awarded.

Mr. Speaker, I am suggesting that we strike Number Two which would be to look at the names of the subcontractors, given the presentation made by the Minister and then we would keep Question Number Three and Number Four.

So basically, Mr. Speaker, the Infrastructure Committee of Parliament would look at the procedure for awarding the subcontracts, the amount of money spent on each road and the basis for prioritization.

The SPEAKER: Is that acceptable?

Mr. BUCHANAN: Yes, Mr. Speaker.

The SPEAKER: Okay. Members, if this is agreeable, I now put the amendment to the resolution.

Amendment to the resolution put to the House and agreed to.

The resolution as amended put to the House and agreed to.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. Mr. Speaker, we therefore move that the House do adjourn until December 7, 2010, when we will do our business.

The SPEAKER: (Gavelling) Members, the motion before the House is that this Honourable House do adjourn until Tuesday, December 7, 2010, at 2:00 p.m.

Motion put to the House and agreed to.

The SPEAKER: (Gavelling) This House stands adjourned.

The House accordingly adjourned at 6:16 p.m. until Tuesday, December 7, 2010, at 2:00 p.m.

THURSDAY, December 7, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.14 p.m.

PRESENT
THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister, Minister of Planning and Development and Defence.

DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

MINISTERS OF STATE

THE HONOURABLES:

WILLIAM JAMES CHARLES HUTCHINSON, (JLP), St. Elizabeth, North Western, Minister of State in the Ministry of Agriculture.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

MR. ERNEST AUGUSTUS SMITH, (JLP), St. Ann, South Western.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 2.14 p.m.

The SPEAKER: This Honourable House now resumes its sitting.

CALL OF THE ROLL
(See Listing)

ANNOUNCEMENTS

The Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 97**
  Cabinet Agenda issues for November 22, 2010
- Planning Institute of Jamaica
  Annual Report and Audited Financial Statements for the year ending 31st December, 2009
- Electoral Commission of Jamaica
  Report to Parliament on continuing legal reform
- Jamaica Public Bodies
  Revised Estimates of Revenue and Expenditure for the year ending March 2011

(DR. DONALD GLADSTONE RHODD, (PNP), Portland, Eastern, entered and took his seat.)

(MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition, entered and took her seat.)

NOTICES OF MOTIONS GIVEN ORALLY

Mr. HOLNESS: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it Resolved that the Electoral Commission of Jamaica Report to Parliament regarding continuing legal reform which was laid on the Table of the House on the 7th day of December, 2010 be approved.

Mr. Speaker, I further beg to give notice that at a later stage today I will move for the suspension of the Standing Orders to enable me to take the motion.

(MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal, entered and took his seat.)

The SPEAKER: Thank you, House Leader.

Mr. WARMINGTON: Mr. Speaker, do you think we should get some time to read through this before we accept it today?

The SPEAKER: Yes.

Mr. WARMINGTON: But the Leader of the House just said later on today he is going to move for us to accept the Report.

The SPEAKER: But then, when he moves the opportunity will be given for you to…

Mr. WARMINGTON: Mr. Speaker, I am seeing it for the first time. I believe, as elected member to this House, I need an opportunity to review what is inside here before it's accepted.

Dr. DAVIES: Hear, hear! No rubber stamp!

(Applause)

(DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central, entered and took his seat.)

Mr. WARMINGTON: I need time to review it.

The SPEAKER: But the relevant time, Mr. Warmington, is to ask for - even if he opens the debate on it at Public Business, you can ask for its postponement for the debate to continue next week as the case may be.

Mr. HOLNESS: Mr. Speaker, in deference to what the Member has said, this Report has been before this House before. But to give the Member enough time and to give other Members enough time, we will not pursue it at Public Business today. I will at a later stage, at another time, Mr. Speaker, I will move for the adoption of the Report.

The SPEAKER: Sure. Okay.

Mr. HOLNESS: Mr. Speaker, before you proceed away from Notices of Motions, I have another.

Mr. Speaker, I beg to give notice that at the next meeting of the House I will move the following motion:

DISCLOSURE/EXEMPTION

Whereas subsection (1)(f)(i) of section 41 of the Constitution of Jamaica requires a member of this Honourable House of Representatives to vacate his seat if he becomes a party to any contract with the Government of Jamaica for or on account of the public service;

And whereas the Member of Parliament for St. Andrew South Eastern in her capacity as an adjunct member of the faculty of Social Sciences, has been invited to be a member of an Advisory Committee for a project on youth policy, financed through the Jamaica Development Bank and being undertaken through the Centre for Governance and Leadership in the Faculty of Social Sciences at the University of the West Indies, Mona, the project is the responsibility of the Ministry of Youth, Sports and Culture:

Be it Resolved that this Honourable House pursuant to subsection (1)(f)(i) of section 41 of the Constitution in recognition of her having disclosed the nature of such contract and in the interest of such committee of which she is a member, exempt said Member from vacating her seat for reasons of the contract as aforesaid;

And be it Further Resolved that this motion be referred to the Ethics Committee for consideration and Report.

Dr. DAVIES: Financed by the Jamaica Development bank?

Mr. HOLNESS: This particular one, it's financed by - yes, the Jamaica Development Bank.

Dr. DAVIES: There is no such entity.

Mr. HOLNESS: I suspect you are correct. It is the IDB. I am aware of the project and I know it's the IDB.

Dr. DAVIES: So you will have to revise that.

Mr. HOLNESS: We will have to make an amendment here. You have keen hearing.

Dr. DAVIES: I am the only one listening to you. (Laughter)

Mr. HOLNESS: Mr. Speaker, I further beg to give notice that at a later stage today I will move for the suspension of the Standing Orders to enable me to take this motion.

QUESTIONS AND ANSWERS TO QUESTIONS

BOJ - GOVERNOR'S CONTRACT, ETC.

Dr. DAVIES: Mr. Speaker, at the expiration of 21 days I will ask the Minister of Finance and the Public Service to respond to the questions listed in my name:

1. Does the Minister recall Prime Minister's presentation to Parliament in November 2009 when he gave reasons for the termination of the contract of former BOJ Governor, DERRICK LATTIBEAUDIERE?
2. If the answer to Question 1 is in the affirmative, does the Minister recall that the Prime Minister gave a figure of $38 Million *per annum* as the former Governor's "package"?
3. If the answer to Question 2 is in the affirmative, will the Minister disaggregate this $38 Million?
4. Will the Minister provide a corresponding disaggregation of the new contract for the new Governor?
5. Will the Minister confirm that the allowance for the education of the children of the Governor represents an additional benefit, not contained m the previous Governor's contract?
6. Will the Minister indicate the annual value of this new allowance?
7. Will the Minister indicate the tax treatment for the various components of the compensation package of the present Governor?

The SPEAKER: Yes, Rev. Thwaites.

Rev. THWAITES: Mr. Speaker, this being the appropriate day, I would crave your leave to ask the Honourable Prime Minister a question.

The SPEAKER: Yes, Reverend, if the question - the answer is yes. The Prime Minister, as you know, can respond appropriately.

FATHERS/CHILDREN'S BIRTH CERTIFICATES

Rev. THWAITES: Mr. Speaker, will the Honourable Prime Minister say what is the status of the Government's policy to ensure the mandatory registration of all fathers on their children's birth certificates, what stage has it reached? And I am hoping for the support particularly of the lady Members of Parliament in this request.

The PRIME MINISTER: Mr. Speaker, the matter has already been approved by Cabinet. Drafting instructions were issued. It has not yet returned to the Legislation Committee before final authorization of the Cabinet for the matter to be tabled in the House.

I am aware of one technical issue that has arisen, which I do not consider to be insurmountable, but I believe which has elongated the purpose of dealing with it. I know the Member is passionate about it, I am equally passionate. And I will certainly get an update tomorrow, as to where it is at now and endeavour to see that all the processes are

completed in order that it can be in Parliament during this current legislative session.

Rev. THWAITES: Thank you, Mr. Speaker.

The SPEAKER: Very well.

(MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central, entered and took his seat.)

Mr. HOLNESS: Mr. Speaker, I would like to indicate that the Prime Minister is ready to take two questions, if the House will so permit. These questions are not yet due for answer. One question standing in the name of the Member from East Central St. Andrew and the other standing in the name of the Member from Central Manchester, who is not in the House, but I suspect will be attending today's sitting?

The SPEAKER: Well first of all, are you - I know the Member from East Central wouldn't mind.

Mr. KELLIER: Well in the case where the Member from Central is not yet in the House, Mr. Speaker, I would suggest that the item could be recommitted. If the Prime Minister so wishes to address it, it could be recommitted. We could seek your permission to recommit it, if that is the case. The East Central Member is here and he can speak for himself, as to whether he wants to take it now or not.

The SPEAKER: Would you mind, Dr. Phillips, accepting the...

Dr. PHILLIPS: Mr. Speaker, I certainly would accept though I would have preferred some notice, because there are some issues and I don't have my notes specifically here. So I will accept if I will have the opportunity afterwards, in the event that there are things that are not covered, to put some questions.

The SPEAKER: You could ask for recommittal at the appropriate time.

Dr. PHILLIPS: Yeah.

The SPEAKER: We will take it and then the Member is now - I see the Member from Central Manchester standing outside.

(Sotto voce comment by Mr. Kellier)

The SPEAKER: Very well. Could we go ahead then with the Question Number 24, Dr. Phillips.

(MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central, entered and took his seat.)

(DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern, entered and took his seat.)

Dr. PHILLIPS: Mr. Speaker, I ask the Prime Minister to answer questions standing at No. 24 in my name.

NEW FALMOUTH CRUISE SHIP PIER

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, the question - two part question as follows:

Question 1: Will the Prime Minister indicate the date of the completion of the new Falmouth cruise ship pier?

Answer: Construction of the new Falmouth cruise ship pier has already been completed and is now ready to receive the first cruise ship call scheduled for January 2011. Ancillary works, including the terminal building, are expected to be completed by April of 2011. Temporary facilities for processing cruise ship passengers will be provided in the interim.

Question 2: Will the Prime Minister indicate whether there are plans to extend the current capacity of the Ocho Rios cruise ship pier? If yes, would the Prime Minister indicate the status of these plans.

Answer: Negotiations are being conducted with a major cruise line for the expansion and redevelopment of the Ocho Rios cruise ship pier.

I should perhaps insert here that it would be at their investment expenditure to be recovered overtime through the fees that they would pay for the use of the port.

The project entails the dredging of a section of the Ocho Rios harbour to create an additional three acres of land space. This would facilitate the construction of a new terminal building and finger pier. The contemplated works would allow for the undisrupted use of the existing pier by cruise ships while expansion is being carried out.

Dr. PHILLIPS: Thank you, Prime Minister. Mr. Speaker, if I may, could the Prime Minister indicate the cost of the Falmouth works on the maritime side and on the land side, total, if you have it.

The PRIME MINISTER: No, I wouldn't be able to provide that information now. It wasn't included in the brief that was provided to me. But I would certainly make that information available if not tomorrow, certainly by Thursday.

Dr. PHILLIPS: Would you, Prime Minister, would you indicate that in the absence of work being done on Ocho Rios is there is an estimate as to whether there will be any diversion of use taking place. My understanding is that, as it stands now, without further work on Ocho Rios, there is likely to be significant diversion. And in fact Ocho Rios is likely to see a cut in half of its current throughput, which I believe you would agree would cause a serious problem for the commercial community linked to the cruise ship operations in Ocho Rios.

The PRIME MINISTER: It is an issue that we have considered, but the information we have from the cruise lines that are currently calling at Ocho Rios is that this is not, likely to happen. As you know, the Falmouth Pier is designed to accommodate bigger vessels, and we are filling out the slots in terms of the schedule calls for Falmouth. Ocho Rios, notwithstanding the challenges that the deficiencies in the port facilities there offer, Ocho Rios still remains an attractive port of call partly because of its reputation, tradition, it has name brand, but also because of its proximity to the major attraction for cruise ship passengers which is Dunn's River Falls. And therefore, I am more than guardedly optimistic I say a little better than guardedly optimistic that we won't see any diversion. I can get a more current forecasting of that and make that available to you as well, later this week.

Dr. PHILLIPS: Mr. Speaker, if I may - would it be the case that a major impediment to the conclusion of negotiations, which I might add, I understand to be at a standstill, is the fact that there is - the most attractive area of that port is being used for the export of

aggregate and that there is no decision, the Reynolds Pier specifically, and that there is no decision forthcoming as to whether to relocate those operations to some other point. And there is a sentiment that without that, there is unlikely to be any conclusion of those negotiations.

And the final question in this regard, Mr. Speaker. Could the Prime Minister indicate what is the value of the expansions which would be necessary at Ocho Rios, if you have that information, in order to ensure that it remains an attractive port of call for the cruise ships?

The PRIME MINISTER: On the first question, Mr. Speaker, we spent a considerable amount of time looking at transferring down to - at Discovery Bay, the commercial exportation that takes place there; that proved not to be feasible. It was also tied up in a long term arrangement, contractual arrangement that had been entered between a limestone exporting company and the owners and managers of the port facility. It is not something that could not be broken but it had to be broken at cost. We considered that because, currently shipments are made, I think, in terms of aggregate once a month of limestone aggregates. The sugar exporting companies as you know, were also accustomed to using the port. But in subsequent discussions it was considered that it would not be necessary to - what I had wanted to do, and what I had advised the Port Authority to explore was actually bringing the two ports together and creating one major cruise ship facility. For a number of technical reasons that was considered after they examined it not to be the best way to go and hence, the discussions with the cruise line company with which we are negotiating was for creation of additional land space to expand the existing cruise ship pier and to enable it to handle, I think, as many as three ships at one time. And that is the direction in which we are going at the moment.

On the second issue, the value of the investment, I don't know that any precise numbers have yet being nailed down, but I certainly can give you some ballpark figures in terms of the level of investment that is being contemplated, because that would have been part of the negotiation as to how they would recover that investment overtime.

And I mentioned - it is the not true to say that the negotiations are at a stalemate. The issue a major issue that still has to be resolved are the terms and conditions under which the port will be used. I will concede to you that, we are being asked to facilitate the use of the port on terms that would see virtually no revenue coming into the Port Authority for a considerable period of time. That is something that we have to resolve. Now bear in mind now that this is not the Port Authority's investment but at the same time the Port Authority have operational costs that will have to be met. And therefore, an effort is being made to ensure that at least those costs can be met from the arrangement rather than the Port Authority have to be in fact subsidizing the operations of the port for an extended period of time.

Dr. PHILLIPS: If I could just make one comment really, Mr. Speaker. There are consequences, I believe, which would flow from the gap in time between your Falmouth being opened with certainly a very much improved port environment as compared with Ocho Rios and that, in that circumstance of

Falmouth having this level of operations and we are being asked to combine an export of aggregate and cruise operation, in Ocho Rios, which would detract from the kind of standards of service that the cruise passenger has come to expect and will even more expect in the context of a Falmouth, then what is likely to happen is a medium - an immediate and medium term diversion of traffic to the detriment not only of the taxi drivers and attractions people, but the general commercial environment in tourism in Ocho Rios. And that it is urgent I would think those negotiations be concluded or some other solutions found.

The PRIME MINISTER: It's not a concern that we would be inclined to dismiss, but it's not a concern that we feel is as serious as the Member may be postulating.

Certainly the major cruise line utilizing Ocho Rios has an investment in Ocho Rios, both a historical and a futuristic investment. And I have every reason to believe that the assurances that they have given in terms of maintaining their existing calls at Ocho Rios, which is a firm undertaking that has been given, I believe that those will be maintained. The question may arise as to whether they may choose to route additional ships to Falmouth in view of the newness of those facilities. I have no information. I have no information on that.

We certainly will endeavour to conclude any negotiations as quickly as possible. The last time I spoke with the President of the Port Authority, I got the impression that he was fairly close to a point where he would make a submission that would have to go to Cabinet for approval. I think there are a couple of not overwhelming issues that had to be addressed, and I know that he was - and this is last week I believe I spoke with him. I believe that efforts are being made to resolve those. So that, Ocho Rios is certainly not going to fall off the map. Ocho.Rios has its own natural appeal, its own natural facilities.

The other thing that you need to bear in mind as well, is that the people who service the cruise ship passengers, although they may be domiciled in particular areas, there tends to be a... In other words, cruise ship passengers who come into Falmouth are likely to be moved from there to their various destinations by many of the same people who are currently doing that in Ocho Rios. So that, in terms of loss of benefits, I don't think that, that risk is as great as one may consider.

I also believe, I also believe - only time of course will tell, but I also believe that a significant percentage of the passengers that disembark at Trelawny, at Falmouth, are likely to head East, simply because the established known attractions are there and these, of course, are things that the shipping companies, the **cruise line** companies would already have to plug into their market.

Now - and I see the Member for Northern Trelawny looking at me. We are developing a package of attractions for the Falmouth area. As a matter of fact, the Minister of Youth, Sports and Culture has a very impressive programme, which is called “The Falmouth Experience”, that involves significant cultural components, very indigenous, consistent with the history of Falmouth.

I have indicated to her that it needs to develop in such a way that it can be privatized rapidly, because the Government is not going to have the resources to mount it. And quite frankly, I don't think the Government ought to.

These things are profitable ventures and consultations are taking place. I hope that the Member has been engaged in those consultations to see how we can get the local business community of Falmouth to come onboard to identify those aspects of the packages that they would want to take on, and to ensure that we get that programme going as quickly as possible.

The cruise ships, as you know, that will come into Falmouth are huge and they convey large numbers of passengers. We are already facing a serious challenge; but it's a challenge that we have been working on as to how we handle those numbers once they are deposited in that town, and to ensure that they enjoy their experience while they are here, but at the same time to ensure that they don't create an inconvenience to the people of Falmouth and how do we sort of bring the two together. So it involves, for example, pedestrianizing Water Square.

There are issues that have been raised about some of the business people in Water Square that we are trying to work with them on, because once you pedestrianize it, then motor vehicle traffic is no longer available. So, in the initial stages, for example, the pedestrianization will perhaps take place on cruise ship days and for cruise ship hours but not on a permanent basis. The intention, I think eventually, is to do it permanently, once we have been able to provide the alternative infrastructure, the question of parking facilities, the question of sewage disposal, the construction of the Police Station, which is getting ready to restart.

The Member for North Trelawny may be pleased to know that just last week the PetroCaribe Fund approved the loan from which the construction of the Police Station will restart. The work is going to be undertaken by the Jamaica Defence Force Engineering Corps. It is going to take us about a year to complete, but we want to get that started as quickly as possible.

There are still some issues that have to be dealt with between now and January when the first cruise ship call is made, There are some continuing issues that will have to be addressed over the medium term, and by medium term I mean, over the next six to twelve months. But much of the success of the Falmouth Port is going to depend on the engagement, the involvement, the entrepreneurship of the people of Falmouth themselves. And I am going to urge the Member for North Trelawny, who has been very involved in all of the activities, that it is necessary to try to mobilize the Falmouth business community and to do it quickly because quite frankly, the opportunities that are going to be created are so attractive that if they don't grab them quickly, there are others that are likely to come onboard.

Can I just mention one other thing, Mr. Speaker, because it's relevant. We anticipate - and I believe that we have started to see signs of that - we anticipate that people, from all over, are going to start moving into the Falmouth area. And we know how it's normally done: they move in, they find a piece of land somewhere and before you know what happens, there is a settlement. We have to anticipate that, not just to prevent it but to provide for it.

There is significant housing development taking place in Trelawny. Just last week, the Minister of Water and Housing launched a major Private Sector Housing Project. But, we

also have to be mindful that good as that is, that does not necessarily address the housing needs and affordability of the people that are likely to be there.

So the Housing Agency of Jamaica is working hard to get projects going, to facilitate the orderly, orderly settlement of people, both people within Trelawny who are going to want to move closer to Falmouth, as well as persons from outside who we are not going to be able to prevent from moving in. But to ensure that when they are moving, they don't squat, but they seek to obtain location in an orderly, planned and managed development.

(Dr. Harris on his feet**)**

The SPEAKER: No, we have an order. Reverend Thwaites, then Mr. Bunting, then Mr. Kellier, then after that, Dr. Harris.

Dr. HARRIS: On this particular issue?

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, I yield, my questions were asked by Dr. Phillips.

The SPEAKER: Very well then, Mr. Bunting.

You yielding too?

Mr. BUNTING: I believe Dr. Harris has questions on this said... I have a new set of questions.

The SPEAKER: No, but you wanted to ask in relation to...

Mr. BUNTING: Not in relation to.

The SPEAKER: Oh, okay, very well. Mr. Kellier then Dr. Harris.

Mr. KELLIER: Thank you, Mr. Speaker.

Prime Minister, you are the Minister responsible for Planning and I take it that this particular matter to which we are answering regarding Falmouth, and based on what you have said and what we expect to happen, when a cruise ship comes and descends on Falmouth with 10,000 people, it is going to create a crush on the town, no doubt. We know what the capacity of the town is and the ability to really give these people enough to see before they get back and to leave and to be able to spend the dollar that they come with. I am asking, Prime Minister, in light of the proximity of areas of historical value that are close by like Flagstaff and Maroon Town; and even Accompong Town, whether or not your...

(Laughter)

Right J.C? (Laughter)

(Laughter by Mr. Hutchinson)

Mr. KELLIER: ...that has the greatest maroon history tied up in those areas and a great set of people, whether or not in your planning you would consider establishing some kind of consultative committee to look into the development of that, because we could off-load thousands of those people between Falmouth and Maroon Town and Flagstaff, as well as Accompong Town, improved infrastructure, we could create a lot of jobs there and we could build back the rural economy in those areas as well by developing this tourism product to its fullest. It would really help to move the people out of the town of Falmouth. So I am just throwing it out to you for your comments.

Dr. DAVIES: And the answer is yes. (Laughter)

The PRIME MINISTER: You gave me an excellent idea. Maybe we should also think of interesting them in coming to places like West Kingston and looking at like Trench Town where Bob Marley originated from and so on.

(Laughter by Members, including Dr. Davies)

Dr. DAVIES: I assume that was a given. (Laughter)

The PRIME MINISTER: I would suggest, however, that perhaps you need to seek the endorsement of the Member for Northern Trelawny. I have no doubt if he is not able to handle the numbers then he'll be quite happy to send some to Flagstaff. But let me say this: One of the restrictions of course with cruise ship, with the cruise ship industry is that the people are here for very limited hours and, therefore, where they go is very often prescribed by how much time they have. So, that's a factor.

I believe, that until Falmouth and its environs get up to speed in terms of the attractions that they offer, you are still going to end up with a number of them heading off to Dunn's River, Dolphin Cove, Chucka Cove and so on. Which is why it's so important for us to get the business community to recognize the opportunities that are there. But before the people sort of get set in a certain pattern, where the moment you come off the ship you get on a bus, and you head to Dunn's River, very quickly, we have to make sure that they know that there are attractions in Falmouth that are also exciting.

And I would suggest, if you haven't already done it, that perhaps you should have some discussions with TPDCo, in terms of what could be done. Because you do have some genuine, natural attractions there, but there are, as you know, infrastructural and other development that would be necessary in order to bring it in.

The Minister of Transport and Works is not here, but, yes, I agree with you that let's explore the possibilities.

The SPEAKER: Dr. Harris.

Dr. HARRIS: Thank you, Mr. Speaker.

Mr. Prime Minister, I would endorse the proposition by the Member from South Trelawny to extend the road...

Mr. WARMINGTON: You don't know your parish? That's South St, James! Just a minute. You don't know your own parish?

Dr. HARRIS: South St. James, I am sorry... to make the road accessible between Liberty and Maroon Town, for many reasons. It would open up a transportation line all the way from St. Elizabeth and coming all the way to Falmouth, and the future plans of that particular area would be secured. But that is a different issue and I endorse and we have had several discussions on that one.

But, Mr. Prime Minister, thank you for setting up the Inter-Ministerial Committee that was set up two weeks ago. It is something that we had spoken about before and it is timely in its implementation, sir. But, just to say to the Member here that...

Mr. WARMINGTON: Say thanks.

Opposition MEMBER: He said so.

Mr. WARMINGTON: For the work.

Dr. HARRIS: ...the Falmouth Cruise Ship Pier or should I say the historic Port of Falmouth, which we will now, after today, everyone will refer to Falmouth as the historic Port of Falmouth and not just a Cruise Ship Pier, because we are a destination by day and by night. (Laughter) But, the product that we are trying to develop, Mr. Prime Minister is not in competition with any other destination. And Jamaica's cruise ship offerings are not competing with the Jamaican destinations, we are competing with world destinations. Jamaica is a preferred destination today, and we are not harnessing that market in the way that we should.

And in Falmouth, we really want to provide a different type of tourism as well; we want to provide that product, that discerning visitor, that historic cultural visitor, that person that needs a little bit more than sand and sea and the other Ss, but, it brings me to another question, Mr. Prime Minister.

We are comfortable with building capacity, but the original concept was really to have a world-class town that could match the world-class facility that is being set up. This is where I think I'm very nervous with, because the Port, I have no doubt will be completed and be ready to accept visitors, first-class, world-class. The town needs...

Mr. WARMINGTON: Mr. Speaker, the Member ought to be asking questions, but he is making a speech across there. He ought to be asking questions, but he is making a speech instead of asking questions. Could you direct the Member that he should be asking questions of the Prime Minister, but not to make a speech.

Mr. KELLIER: *Lou* the Member, *nuh man*!

The SPEAKER: Your point is taken. I am giving the Member whose constituency is affected, a little leeway. Continue, Dr. Harris.

Dr. HARRIS: The question here, Mr. Speaker. Mr. Speaker, if the Member would permit me. I don't want to take up his time, but I mean, there is a lot to be told that is not being told. We spend a lot of time discussing bad things, but we don't spend a lot of time discussing the good things that are happening in the country.

But, Mr. Prime Minister, my question really is, the timelines for the phasing of the development of the Falmouth area, the lines are a bit blurred now and right now - you mention pedestrianization and you mention the new business districts that are going to be created - we would like to see them implemented now. Funding, I am assured is not the major problem because the business persons that are willing to move into these areas are willing to be contributors to the development and the infrastructure that are going to be in those areas. But they want this development now so that they can be prepared to accept the visitors whenever they come. And that goes for both sides of Market Street, both the East and the West sides. Mr. Prime Minister, if you will just address this in a kind of expeditious kind of way, it would assist the community to adjust more to the new environment and be in a better position to take Care of the visitors when they do come.

The PRIME MINISTER: Mr. Speaker, the Member is perfectly right. There is a programme of development that has to take place to compliment the modern, elaborate facilities at the Port, for two things I would say.

Because of the current financial constraints, we have had to compress the Government's expenditure geared at this stage to ensuring that the basic things that are necessary to facilitate the arrival of the cruise ships, commencing in January, are in place. They involve a number of things, which I am sure you are aware of. They involve, for example, the relocation of the people at Dump. They involve work that has to be done to address the sewage problem. They involve work that has to be done to address parking. So that, we are working within a very tight, clearly defined budget to do those things.

I might mention, I am sure it has been discussed with you already, but we have made

arrangements to transfer those vendors, the ones that sell carvings and so on, from Coopers Pen because you .know of the problem that they have there, we are going to relocate them in sections of the old warehouses, which have been retained, right.

(Applause by Dr. Harris)

The PRIME MINISTER: So, we are doing all the things that we can do to try to get those basis things in place, but, but, but, going forward, the Government, through agencies like the Jamaica National Heritage Trust, the UDC, will have to undertake and will have to provide the funds to restore some of the historical buildings and to make them live facilities, not just things that you walk up and down and look and take photographs of, but that they must become part of the adventure, experience.

But let us understand that the whole thing has to be driven by private sector investment. We must create the opportunities, provide the infrastructure, provide the regulation, provide the kind of environment in terms of ensuring that there is order, security and so on, but it is the private sector that must now recognize these opportunities and must jump in. They are the ones who are going to primarily be responsible for the kind of transformation you are seeking. Here is an opportunity to do it though. There is money in the banking system. Interest rates are the lowest they have been in more than three decades. We are probably going to have to, we are probably - well, let me put it in another way. I will certainly ask the Development Bank of Jamaica to look at creating a portfolio of funds to help to finance entrepreneurs who want to take advantage of some· of these opportunities. But I am asking the Member to help us, since he is more familiar with the local business communities than I would be, to help us to excite them, to get them to recognize that, that is an opportunity and if you don't jump in now somebody may jump in and displace you, and it is important to get them onboard. Maybe we could have a meeting to look at how can we help to facilitate, how can we help to provide access to financing that some of them need? But they need to get onboard quickly because they are the ones who are going to really make the project work and they stand to be primary beneficiaries of the success of the project.

The SPEAKER: We need to wind up on this, Dr. Harris, so a short question.

Dr. HARRIS: Mr. Speaker, it is not very often that you hear Members come into this House in an 'attitude of gratitude' to quote my Chairman.

The SPEAKER: Just say thanks and sit.

Dr. HARRIS: Mr. Speaker, this evening 86 families in Coopers Pen are going to be having a party because 86 households that was out of work since January, will be celebrating this evening because they would have had the location of their choice. Mr. Prime Minister, thank you for that one.

(Applause)

There are two other things, Mr. Speaker. Falmouth, the original concept of Falmouth was one of a historical cultural town. The museums, the development of the museum part of the attractions is lagging behind. We had looked at about six museums that we could have put into Falmouth. I do not hear anything being said on them. I know that there is funding available to them that is outside of the Government budget, outside of the Consolidated Fund. So funding is not the major issue. We might need to do some

ceding, yes, but it is not the major issue and the ceding that we are going to do, Mr. Prime Minister, is going to be ceding for development and prosperity for an entire region. If we were to view it from that perspective we would have seen that it would have been money very well spent. So I ask you to look at the museum component of the historical attraction of the Falmouth area.

The SPEAKER: Yes, thank you, Dr. Harris.

The PRIME MINISTER: Mr. Speaker, I don't have any information that would enable me to respond to that, but I certainly will research the matter.

The SPEAKER: In due course. Very well. Thank you very much, Prime Minister. Dr. Davies, could you - He had asked his question already.

Dr. DAVIES: Yes...

The SPEAKER: Yes, very well.

Mr. HOLNESS: Mr. Speaker, before the Member from Central Manchester poses new questions, the Prime Minister had also indicated that the questions that are not yet due for answer, posed by the Member, Question No. 26, I believe it is, posed by the Member from Central Manchester, if he would agree, the Prime Minister would be willing to…

The SPEAKER: Is that acceptable, Mr. Bunting?

Mr. BUNTING: Yes, that is acceptable.

The SPEAKER: Very well. Could you just pose it then?

Mr. BUNTING: Mr. Speaker, permission to speak from a seat other than my own.

The SPEAKER: Yes.

Mr. BUNTING: Mr. Speaker, would the Prime Minister answer Question No. 26, on the Question Notice Paper standing in my name?

The SPEAKER: Yes, sir. Prime Minister.

PROPOSED RELOCATION UP PARK CAMP

The PRIME MINISTER: Mr. Speaker, first of all I want to apologize for the fact that the answer to Question 1, because of the nature of the question, is going to be somewhat lengthy in order to properly position the facts in response to the question that the Member has asked.

Question 1: Will the Honourable Prime Minister explain the rationale and justification for the proposed relocation of the Jamaica Defence Force Headquarters from Up-Park Camp to the Caymanas area of St. Catherine?

Answer: A number of considerations informed the proposal to relocate the JDF Headquarters from Up-Park Camp to the Caymanas:

(a) The layout, structures andFacilities at Up-Park Camp were established several decades and, in some instances, more than two centuries ago and are not appropriate for a modem military base. The JDF Headquarters is m urgent need of reconstruction. An issue that had to be addressed, therefore, is whether substantial parts of these

facilities should be demolished and rebuilt at the present site or a greenfield approach be adopted for providing appropriate facilities for the JDF.

(b) Developments which have taken place in the Corporate Area, particularly over the last 50 years, have been project-driven and in the absence of an overall plan to guide the growth and development of the nation's capital and its environs. This has led to urban sprawl inefficient traffic flow, contradictory land utilization and the fragmentation of the country's preeminent urban centre. There is an urgent need to retro-design and retro-fit the City of Kingston and the urban sections of St. Andrew. The Up-Park lands, which comprise one 200 acres, provide the only available space to facilitate this re-planning. Its proximity to Cross Roads, the historically and strategically located major nodal point of the Corporate Area makes it a pivotal development asset for realigning and refreshing the Corporate Area.

(c) The Corporate Area has largely exhausted its room for expansion reflected in the development of Portmore, which now has a population estimated to be in excess of 200,000. Rapid urbanization within the Kingston and St. Andrew, Portmore, Spanish Town triangle, suggest the inevitable emergence of a large metropolis. It is something that I had pointed to before that in not very long from now you are going to have one huge city. You can call different segments by different names, but it's going to be one large metropolis, which will comprise more than a third of the country's total population. How this emerges must be planned rather than simply allow to happen and the Caymanas corridor is critical to this planning process. The proposed Headquarters has taken this fully into account.

(d) The proposed use of the Up-Park Camp lands envisages a mix of sporting and recreational,

cultural, commercial and residential development. The planning is still at a design/concept stage but it will include the largest developed public green space within the Kingston Metropolitan Area. Historically important sites such as the Garrison Church and Briggs Park would be preserved as heritage sites.

Question 2: Would the Prime Minister inform the House whether or not an estimated cost for this relocation has been produced?

Answer: It is much too early to provide cost estimates of the establishment of the new JDF Headquarters at Caymanas. This is subject to detailed designs that have not yet been undertaken.

Question 3: If the answer to the above is in the affirmative, would the Prime Minister indicate whether or not the funding for this relocation has been identified?

Answer: Please see answer to Part.2. The approach being taken is to package the project 1n commercially viable segments and then to invite investor proposals by way of a competitive process. The income derived from this will go towards the cost of establishing the new JDF Headquarters at Caymanas.

Question 4: Will the Prime Minister indicate whether or not it is intended for a military base to be maintained in the Kingston and St. Andrew area after the Army Headquarters is relocated from Up-Park Camp to St. Catherine?

Answer**:** Provisions for facilities to accommodate a JDF base within the project area is part of the design consideration.

The SPEAKER: Yes, Mr. Bunting.

Mr. BUNTING: Thank you, Mr. Speaker. Prime Minister, from your answer here, it is clear that we are still at a sort of pre-feasibility stage of this idea and, therefore, I take it that nothing is cast in concrete at this time. But what is clearer from the answers is that it is being driven from an urban planning perspective, rather than an initiative from the JDF or a security initiative.

Could you say which agency of Government or which private entity has been commissioned to do the design and urban planning work for this project? And given the grave - let me just say, given the reservations expressed by many, many different segments of the society, albeit in something of a vacuum - because we did not have much information as to what was informing this idea - would the Prime Minister commit to having some wide consultations on this or, at least, some consultations in the form of a **Green Paper** or a Joint Select Committee, or maybe what UDC normally would go through when they are planning a substantial urban development

like this, so that the wider community of Kingston and St. Andrew can be informed, make their input and also concerns generally be raised, whether from the Jamaica Defence Force point of view or other segments of the society, before anything is cast in concrete?

The PRIME MINISTER: Mr. Speaker, in relation to the first part of the question, the project is being anchored by the UDC. Since the initial announcement of the concept, which was not recent, was announced over a year ago, there have been some submission of proposals or interest by private planners, architects, developers, but these are just proposals. The UDC is responsible for anchoring the programme.

As far as the second part of the question is concerned the answer is, yes. And I would be quite happy to arrange for the UDC to outline to the Member and such other Members as may be interested what the concept is, what the · thinking is, bearing in mind as you alluded to at the start we are still in design stage, but there has been a policy decision that has been made.

I mentioned when I referred to the matter two weeks ago, that we have already transferred to JDF over 4000 acres of land in Caymanas, which is now in their possession, but we are still in design/concept stage and we are still a long way off before any final decisions: (a) in relation to the project because its feasibility will have to be established. And let me just say that this is not something that I have any intention whatever of visiting on the budget and, therefore, it is being - the concept is being developed in such a way that it must be private-sector driven, private-sector financed and it must yield sufficient to the Government that would enable us to finance the relocation of the JDF with minimal, if any at all, minimal Government expenditure.

The SPEAKER: Yes, Mr. Bunting.

Mr. BUNTING: Prime Minister, given where we are now, would you say that we are sort of speaking three to five years sort of time-frame down the road, before you would expect, to sort of suggest for operationally to get in place if we assume. But in sort of a time-frame when we think we would have the concept fleshed out sufficiently to discuss. You have any idea when that would be?

The PRIME MINISTER: I certainly again have not been...

Mr. BUNTING: Including the numbers.

The PRIME MINISTER: Yes. I haven't been told so but in the discussions that I have been involved in, I would certainly expect that we should get to that stage within six months, in terms of the concept and so on. It will perhaps take us another year for the detailed designs and for the financial...

One of the things that was recommended to me last week when I had a briefing with the planners, was the necessity to get on board early, a financial advisor who can advise on the financial opportunities and feasibility as we go along. Because that may in fact influence some of the design decisions that are being taken. Because we want to make sure that this thing is an attractive investment opportunity.

Mr. KELLIER: Just one quick question...

The SPEAKER: Yes, Mr. Kellier.

Mr. KE.LLIER: In conceptualizing this project Prime Minister, and moving as swiftly as you have, was an environmental impact assessment done prior to undertaking the transfer to rebuild the headquarters out there? Was anything of the sort done?

The PRIME MINISTER: That would have to be done.

Mr. KELLIER: So would it mean then that if the AE were to say that it is not feasible, what then would be the situation?

The PRIME MINISTER: It is not feasible. It is almost impossible for any environmental impact assessment to say that anything is not feasible on four thousand acres of land. It may not be feasible on this piece. It may not be appropriate for that piece, but it is over four thousand acres of land, larger than some CARICOM states.

The SPEAKER: Dr. Phillips.

Dr. PHILLIPS: So, Prime Minister, in summary, would it be true to say that what you have now is a concept rather than a determined plan?

(The Prime Minister nods)

A MEMBER: What a nightmare...

(Inaudible) (Members chuckle)

Dr. PHILLIPS: Could I ask, Prime Minister, as part of the planning, is there, what I might call a security audit underway to determine the minimum needs from a military point of view of protecting the capital city and its critical installations, and as part of this, a risk assessment of the threats that exist for the capital?

Mrs. SIMPSON MILLER: Yes. Hear, hear!

The PRIME MINISTER: I can't give you a specific answer to that because I don't recall seeing it. But what is quite significant is that this concept didn't originate with me. It was presented to me shortly after I took office by the JDF itself. (Inaudible comments) And, therefore, I am surprised that the Member who was the Minister of National Security appears to be so surprised by it. I don't think that it could have been developed in the two months after I took office, before I was actually presented with the proposals. And I would imagine, I would assume that in presenting that proposal that the issues that you have raised would have been taken into account. I can get more specific information on that.

Dr. PHILLIPS: No doubt, Prime Minister, the JDF would have different responsibilities than you in determining the viability of any particular proposal that might originate with them. But the...

Mr. SHAW: What was your role?

Dr. PHILLIPS: In what?

Mr. SHAW: In developing the plan.

Dr. PHILLIPS: I don't develop plans for the JDF. (Cross talk) But let me ask, Prime Minister, in relation to the - on the military side - and this I can say they did raise, is it contemplated that the headquarters facility envisaged, would incorporate the training facility or the training needs now being provided for in St. Ann and elsewhere? I might add also, does this affect - the new proposal - does it affect, in any way, the existing plans in relation to the Air Wing being relocating as far as its headquarters is concerned, to Vernamfield?

The PRIME MINISTER: In relation to the first, my understanding was that the training facilities that would be established at Caymanas would be in addition, certainly to New Castle. New Castle would be retained. And I believe that they would modulize their training programme so that a recruit would perhaps spend some time at New Castle and some time at this other facility. I'm not sure what implications it would have for

Moneague. I can't give you a definitive answer to that.

Insofar as the Air Wing is concerned, the thinking, yes, the thinking was that the Air Wing would be located at Vernamfield. That, of course, is contingent on the development of the Vernamfield facility. Depending on what is the outcome of that, some consideration would, therefore have to be given in terms of what is to be done with the Air Wing itself. The Minister of Industry, Investment and Commerce has included in the planning for the Caymanas Enterprise Zone, a relocation of Tinson Pen.

I think you know the issue of Tinson Pen and the needs of the Port Authority to take over that space. And therefore, we are looking at relocating the Tinson Pen Aerodrome to the Caymanas lands. Not far away. There are some issues that we have to be addressing now. One is the proper alignment...

Dr. PHILLIPS: Not far away in time or...?

The PRIME MINISTER: Pardon me?

Dr. PHILLIPS: Not far away in time or in distance?

The PRIME MINISTER: In distance. I mean it's across the Causeway, across the Causeway.

There are two issues that have to be addressed. One is the alignment to make wind sheer and so on. And the other, which perhaps is even one that worries me more, is the effect that would be had on the operation of the Airstrip on those occasions when we have fires at the Riverton City dump and the smoke and so on which could in fact put the Airstrip out of operation. Those are issues that the Civil Aviation Authority is addressing.

What I'm trying to convey is that because there is uncertainty about the viability and the operationalization of Vernamfield, a possibility would be to look at locating the Air Wing at Caymanas which will be very close. It would be across the road, across Mandela from the proposed site for the headquarters.

Dr. PHILLIPS: Prime Minister, well, it's apparent that, certainly on the security side, that there are many issues unresolved. On the urban planning side, is it contemplated that the plan for Up-Park Camp lands would be fit within a new development plan for the Kingston Metropolitan Area?

The PRIME MINISTER: Absolutely.

Dr. PHILLIPS: Is there any specific timetable on the completion of the overall plan for the KMA? I believe we are now operating with Development Orders and the like on something which was concluded in the 1960s, early '70s, thereabout. And there is urgent need, I would agree for there to be a major re-do, so that whatever is being contemplated for the development, commercial, recreational, *et cetera,* as you point out, really fits into some overarching plan.

It is said that there is not a lot of land for the expansion of the Corporate Area. But it is also true that there is a lot of possibility for not only in-fill housing all around the city, but also for a transformed land use pattern in areas. And I fear that we may be using up a last bit of major green field without having this overarching plan so that we can in fact put the commercial interest to work in all the different areas of need.

The PRIME MINISTER: The answer is yes. The overall master plan is being developed almost simultaneously now. Bear in

mind that various elements of that would already have been identified, placed on the table. Not approved as a development strategy. But a lot of work has been done, both by public sector professionals as well as by private. And all of that is being pulled together now.

Let me just say two other things on that. One of the things that we have recognized is that we have missed several opportunities to create the road infrastructure in the Corporate Area that would facilitate the efficient movement of traffic.

We missed the first opportunity back in the 1960s when there was a proposal for a ring road.

(Dr. Phillips indicates the ring with circular movements of his right hand)

Sorry, there was a proposal for an expressway. And what was then the Public Works Department had identified the corridor, had actually gone so far as to value the land, but it was considered by the Government of that time that it was too expensive a project and there were other priorities.

What we didn't do was to secure the land, or at least reserve it. So that all of that land has now been developed. To do that now, you would have to be purchasing multi-storey buildings and tearing them down. There was also a proposal, as you were suggesting, for a ring road.

One of the essential elements of the planning has got to be, how do we manage our traffic flow? But in addition to that, there is another very important element. I mentioned in the answer to the question, the society, the Corporate Area as a city, as our premier city is fragmented. It ought not to have been fragmented, because - give credit where it is due - those who originally designed the City of Kingston laid it down on a grid that is so precise, and straight, and symmetrical that we really ought not to have allowed it to have become as disturbed as it is. It has also been fragmented because of social and political happening. An attempt needs to be made to reintegrate the city.

One of the things that immediately jumps out at you is the kind of isolation now of, say the Vineyard Town community. And I imagine the same can be said of Allman Town, which were prime residential areas many years ago. And, therefore, it's - I use the word retrodesign and retrofitting, trying to see how we can undo some of what ought not to have been done and how we can integrate the city again.

The final point I want to make on the issue of land use - and this is where I believe we need to engage a conversation. We are going to have to determine the density levels that are appropriate to Jamaica going forward for the next 20/50/100 years; whether we are going to continue to develop on the basis of spreading out, or going up.

Now, as you know, we have been working hard - it started in the previous administration and it is continuing now – to provide sewer facilities for the Corporate Area. It is no point in investing this enormous amount of money to provide centralized sewer systems, if we are going to be maintaining densities of, even fifty. Right now, if you can connect to a central sewer system, you can go up to fifty habitable rooms. To date, I believe you can even go more than that.

But, if Singapore had approached the development in the way we are doing it, they would have expanded into the sea. And that is

something that has to be discussed. Some of the arguments that are advanced against it is that it is imprisoned living. Well, interestingly enough, people live a good life in places like Manhattan where they may live on the 46th floor of a building. But, they can step out of that building and they can be in open space: parks and gardens, and so on. It is a whole new thinking, in terms of urban planning and urban development that we now need to take onboard. I am not suggesting where we should finally rest on that issue, but it is an issue that we need to start talking about, because the population is going to continue growing, and the capital of every country, no matter what crisis it goes through, will continue to have an expanding, growing population. And we have to make provisions for them.

It cannot be simply to, sort of, build more Portmores, and so on. We have to - because not everybody who needs to live in the Corporate Area is going to find it appropriate to live in some environs of the Corporate Area or in some dormitory town. It is something that we have to take seriously onboard.

The SPEAKER: Mr. Arscott, then Dr. Duncan.

Mr. ARSCOTT: Thank you very much, Mr. Speaker.

Mr. Speaker, the Prime Minister spoke about the relocation of the Air Wing. And I am glad the Member from Central Clarendon is here because the very success of Vernamfield was predicated on the Air Wing being relocated to Vernamfield. Now, I am wondering if the - in fact, given the **2030 Vision**, and the millennium projects, Vernamfield was one of those, in terms of representing the catalyst of development of central Jamaica.

Now, I am wondering, Prime Minister, whether the argument now, of thinking about relocating the Air Wing to Caymanas ,will, in fact, now affect the viability of the entire Vernamfield project?

The PRIME MINISTER: I don't think so. It is not true to say that that was the sort of, centerpiece of Vernamfield development. The Air Wing is a relatively small operation.

(*Sotto voce* comments)

The PRIME MINISTER: We don't have a big fleet of…

Dr. DAVIES: Not yet.

The PRIME MINISTER: …of FIs.

Dr. DAVIES: Not yet.

(*Sotto voce* comments by some Members)

Dr. DAVIES: Not yet.

The PRIME MINISTER: And, quite frankly, if we had a big fleet, we wouldn't know what to do with it because we don't have any enemy to fight. And it is still intended; it is still intended. I mean, the JDF had signed off on that. They have gone there and looked at the facilities there. They have signed off.

What I said was, since Vernamfield is still a work in progress, JDF and Caymanas, insofar as the relocation is concerned, is also a work in progress. But if it became necessary - because the Caymanas relocation may gather momentum, and may gather investor support faster, and it became necessary to relocate the JDF, then that could be accommodated at the new aerodrome facility that is to be created at Caymanas Park.

The SPEAKER: Dr. Duncan.

Dr. DUNCAN: Through you, Mr. Speaker. Mr. Prime Minister, I am sure I heard you correctly to say that you first learned of this project some two months after taking office. Was that correct?

(*Sotto voce* comment by the Prime Minister)

Dr. DUNCAN: Two - maybe three. Would you agree that this is a project of a critical magnitude, a monumental project, a significant project? If you were to agree with that, would you agree with me that such a project - and especially the origins of the project, in terms of the JDF and all that has to do with national security, that in terms of good governance, decision making, that, that concept ought to have been discussed in its conceptual - conceptually, prior to, say, whatever the agency, UDC, or somebody just handing you a project on the basis that the JDF asked them to develop a project?

Do you see - a project of this size, ought to have, if not originated with the political directorate, but at least, should have been put forward for all of the concerns that have been raised here. And I am sure you have heard some other concerns in relation to the security, in relation to the expenditure, but critically in importance to - important in relation to the decision-making process, as far as such a project was concerned;

The PRIME MINISTER: No, I wouldn't agree at all. In fact, I would say that it is not late for that sort of consultation to take place. When I was presented with the proposal, I didn't say to the JDF, *don't you think that before you got to the stage where you develop these proposals, you should have come to me, and you should have bounced it off me so that we could have had a discussion as to whether this is the direction.* They presented a proposal, and I said, I would just look at it. I said to the UDC, *you are best capable of looking at this thing to determine what the approach should be, and so on.* It is not too late, and the Member for East Central St. James said, 'can *we get it on the table for discussion?'* So, it is not too late for that.

But, you know, there is a - let me make sure I express it right - there is a point at which consultation is necessary, and at which consultation can assist in the process. But, we mustn't take it to the extreme where we have to have a consultation before we come up with an idea. So, we have to consult to say, should we, should we come up with an idea, and if so, what type of idea should we come up with.

An idea is put forward, discussions take place, the idea certainly has to be fleshed out to a point where when the discussion starts and you start asking me questions, I don't end up being accused that, how you come with hair-brained idea and you can't answer any questions. So that, at least we have to have sense of the shape and form of the project. At that point, the discussion can say, let's scrap this thing because it don't make sense. Or, the discussions can say don't scrap it, but modify it or adjust it this way or include this or exclude that. And, as I said there is still adequate time for that.

The SPEAKER: Dr. Davies.

Dr. DAVIES: Following along that, Prime Minister, will you give a commitment that there is an assessment of a Plan B, in case the numbers just don't work out, the Plan B would be to do whatever remedial work needs to be done at Up-Park Camp and New Castle, because that is a critical problem. The deterioration has taken place, and if the numbers don't compute in terms of the capital cost, I would ask that a Plan B be prepared concurrently, to deal with what we already have.

The PRIME MINISTER: That is a good

point - a good point, and I agree with you. It is something that we have to...can I just use the opportunity, Mr. Speaker, since I am on my feet. I have just been provided with some information by the Minister of Transport and Works - a question that was raised by the Member from East Central St. Andrew, in relation to the Falmouth Cruise Ship Pier. Give me the name again...The Historical Port of Falmouth…

Dr. HARRIS: The National Community Cruise Ship Pier, destination by day and by night.

The PRIME MINISTER: On the maritime side, the expenditure - the investment is US$120 Million, and on the land side, the expenditure is US$45 Million.

Mr. SHAW: Phase 1.

The PRIME MINISTER: There is a Phase 2 - Minister of Finance, I am sorry. And, there is a planned further expenditure of US$55 Million. And that is on the land side for further development of further facilitates there.

Dr. PHILLIPS: (Inaudible)...manage to get the information on what is projected for Ocho Rios. You don't have the...?

(*Sotto voce* comments by Members)

The PRIME MINISTER: Bear in mind that those would not be very precise, but because we have to negotiate how the investment will be recovered, we have some square bracketed numbers. And I will get those for you.

The SPEAKER: Very well.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, at Public Business today, we will take the Exemption Motion, notice of which was given earlier... The Deputy Speaker of the House has a Private Member's Bill that she will - a Private Bill rather, that she will take.

The Prime Minister will take the - AN ACT to further amend the Constitution of Jamaica to preclude the appointment to office of Prime Minister, of a person who has previously held the office for a period specified which we would call, Mr. Speaker, the Term Limits Legislation. And then, we have a Report which the House should note. We are expecting a Report from the Public Administration and Appropriations Committee. At that time, we will recommit for that item to be taken. So, the Order of Business then, Mr. Speaker, is for me to take the Notice of Exemption; the Deputy Speaker will take the Private Bill; the Prime Minister will take his Bill. And when the Report is ready from the PAAC, we re-commit.

The SPEAKER: Very well, House Leader, go ahead.

Mr. HOLNESS: Mr. Speaker, I now move for the suspension of Standing Orders to enable me to take the motion, notice of which I gave earlier.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the House Leader to take the motion, notice of which was given earlier.

Put to the House and agreed to.

DISCLOSURE/EXEMPTION - SOUTH EAST ST. ANDREW

Mr. HOLNESS: The motion, for the benefit of Members, Mr. Speaker. Earlier, we gave notice of an Exemption Motion, the Member from South East St. Andrew. So, we

are now taking it. Mr. Speaker, I now move that the motion, notice of which I gave earlier be agreed to.

The SPEAKER: Members, the motion before you, as indicated by the House Leader.

Put to the House and agreed to.

The SPEAKER: Motion approved.

Mr. HOLNESS: Mr. Speaker, before we continue, I should also put the House on notice that we may take a Private Member's Motion, so that we will have time to give the Report - for the preparation of the Report. So, if the Report does not come in time and we are through with the matters that we have listed...

Dr. DAVIES: They are going to get something right.

Mr. HOLNESS: It is ready; it's ready. Okay good. No need for that then, Mr. Speaker. The Report is ready.

The SPEAKER: Deputy Speaker.

The DEPUTY SPEAKER: Mr. Speaker, A Bill entitled: "AN ACT for the incorporation of the Lord's Chapel of Jamaica, and the vesting of the property in the body, so incorporated" was tabled in this Honourable House at the last sitting. This Bill will be referred to the Private Bills Committee for consideration and Report. But before this can be done, it must be read a second time. I now move that the Bill be read a second time.

Bill entitled:

"AN ACT for the incorporation of the Lord's Chapel of Jamaica and the vesting of property in the body, so incorporated,"

read a second time.

The DEPUTY SPEAKER: Mr. Speaker, I now move:

Be it Resolved that a Bill shortly entitled: The Lord's Chapel of Jamaica Incorporation and Vesting Act, 2010, be referred to the Private Bills Committee for consideration and Report.

The SPEAKER: Members, the question by the Deputy Speaker is that this Private Member's Motion be referred to the Private Bills Committee.

Put to the House and agreed to.

TERM LIMITS/PRIME MINISTERS

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, I think it's known - well known - that in our Manifesto prior to the elections of 2007, one of the commitments we gave was to introduce term limits for the office of Prime Minister.

We feel, Mr. Speaker, that the political system and the institutions that it gives rise to, are in need of renewal and we feel that that renewal ought to be, if not an ever continuing process, certainly it needs to be in - it needs renewal periodically.

Our politics and the way we practise our politics is defined also by our culture, not just by the institutional arrangements that we put in place. And our culture, for good or bad, over the 60-odd years that we have exercised full political rights, our culture has largely - I say largely because I don't think that it is as predominant as it was in earlier years, but it has been largely leader centric, not institution based but essentially leader centric.

And I think that this has impeded the process of renewal that I believe that the political system needs. It is in that context that we declared our commitment prior to the elections, to the imposition of term limits on the office of Prime Minister.

One of the things that we also need to appreciate, Mr. Speaker, is that power, the control of power, has almost inevitably an

addictive effect. The addiction may be one to which some persons are more likely to succumb than others, but it has that effect. And, therefore, our experience has been, that the need for change in this leader centric political arrangement, that need for change is normally played out at the party level. Sometimes quite uneventfully, at other times with considerable trauma and disruptiveness. But it has been dependent on the working of the structures and the processes and the dynamics within the political party.

But what is in effect being determined, is not just the leadership of a political party, but the potential, if not actual leadership of the country, which basically has to sit and wait until the party decides how the question of succession, how the question of transition, how the renewal ought to take place.

And the question that arises that I'm inviting the House to consider, is whether the punctuation in that process - the process of leadership over an extended period of time - whether that punctuation should be in the hands of the party or whether it should be institutionalized within the Constitution?

It is our view, Mr. Speaker, that the interest of continuing development of leadership, the question of succession planning, the question of infusion of new blood, new thinking, the question of creating greater momentum within the political process, so that people who have the capacity to offer leadership do not feel in any way intimidated by pursuing that as an objective naturally subject to the choices that are made within the political parties, but also putting the political parties in a position where they understand that there is need for this constant infusion; this constant refreshing of leadership.

We believe that the Constitution ought to create the framework that requires that in one sense, and encourages it in another. It is quite possible, and we've seen for example what has happened in countries like Singapore. It is quite possible that sometimes you have different leaders of government, but the control of the political machinery behind that particular government may remain under the same kind of direction. We can't legislate against that, but we can certainly encourage and facilitate the kind of new dynamic, broader based, more open accession to leadership that we feel is necessary.

Now I have readily conceded, Mr. Speaker, that term limits, while quite a dominant feature of some, if not - well some and indeed most presidential systems. And you think of places like Chile where you are elected for eight years. Is it?

Dr. DAVIES: Four.

The PRIME MINISTER: Four?

Mr. SHAW: No man, six I think.

Dr. DAVIES: Four.

The PRIME MINISTER: Chile does not allow a second term.

Mr. SHAW: Six years, one term.

The PRIME MINISTER: Six years, but you can only serve one term.

Dr. DAVIES: Mexico is what?

The PRIME MINISTER: Mexico does the same, Mexico elects a President for six years…

A MEMBER: Seven.

The PRIME MINISTER: …Seven? One term and that's it. Some States will allow you only one term in the first instance, but

allow you to be reelected if there is an interruption between one term and the next. Many of them provide for a maximum of two terms like Brazil, Nigeria, South Africa.

Term limits I will concede, Mr. Speaker, is not - it is not a feature of Westminster parliamentary system, but I will argue that there is no reason why it can't be of ours. There is nothing in our Westminster system that would preclude it.

It is really a question of our own decision as to whether we feel that this is appropriate for Jamaica. And quite frankly, the Westminster system is constantly evolving. Those of us who have been - and I have not been myself in - I'm talking about CPA conferences, the last time I went to a CPA conference, I believe was in 1974 - but if you follow the *CPA News Letters* you can see that there is a constant evolution of parliamentary systems, with different parliaments, different countries adopting particular variations, particular elements. So much so that it is no longer possible to make this sharp distinction between presidential systems and parliamentary systems, because very often they are elements of each that is to be found in the other.

And Jamaica, I suggest, Mr. Speaker, ought not to be afraid to be the first. We mustn't be unwilling to break new ground, we have broken new ground in so many other areas. We must be prepared to show the way.

Now, the Bill that is before us, Mr. Speaker, is a Bill which seeks to amend the Constitution to make provision for precisely what I have outlined. It is a Bill which seeks to amend the Constitution at ordinary provision of the Constitution, and therefore we are not seeking to amend an entrenched provision. I certainly would want to hope that when we do get to the point of determining the changes that ought to be made to the entrenched provisions of the Constitution that we would consider including this in entrenchment. But bear in mind that you can't entrench anything without amending Section 49 of the Constitution and you can't touch Section 49 of the Constitution without having a referendum.

But it would give you an opportunity to see how the system works for such time as may elapse between now and whenever we do get to the point where we are seeking to amend the Constitution to entrench provisions, or to amend entrenched provisions. And they are many and many of them are the subject of agreement. The question of a Republic, for example, is something that we have already agreed on, but in order to do that you would have to change – I think it is section 68, don't hold me to it, the section that vests executive authority in Her Majesty the Queen. That section is deeply entrenched. In order to change that you have to change section 49, in order to change section 49, you have to go to the people. Even if we approve it here, by unanimity, you still have to go to the people.

The provisions of the Bill are quite simple, I mean they are simple provisions to give effect to the significant policy objective that I have outlined. And it is intended in section 70 of the Constitution to insert two new subsections, lA and 1B. And IA would simply say:

> A person shall not be appointed to the office of Prime Minister if he or she has held that office for period, whether consecutive or not, which when added together total more than nine (9) years.

I am going to explain the significance of nine (9) years and some nuances that arise. And 1B:

> A person appointed to the office of Prime Minister shall not be required to vacate that office by reason only that while in office the period of his hold in office when added together with any previous period, that his hold in office total more than nine (9) years.

And that, Mr. Speaker, requires as well, some explanation.

I intend to move an amendment to the Bill just to make even clearer, these provisions, not to alter them, but in fact, just to make them clearer. And perhaps if you could have that copied and circulated, certainly, to the Opposition so that - it's a fairly simple amendment, but the Chief Parliamentary Counsel felt that it was necessary to make...

Mr. HOLNESS: It's already circulated.

The PRIME MINISTER: It's already circulated? Okay good.

…to make it clear what the intention was.

But let me just indicate, Mr. Speaker, the provisions as I mentioned, what the precise meaning is. The proposed section lA says:

> A person shall not be appointed to the office of Prime Minister if he has held that office for a period whether consecutive or not, which when added together total more than nine (9) years.

We have not used the word ‘term’ because under the present Constitution a term is as long as the Prime Minister chooses to make it, subject, of course, to the maximum of five (5) years plus the *brawta* period that is allowed under the Constitution.

So essentially, you could have a situation where a Prime Minister is in office, for whatever reason an election is called within two (2) years. Let us say that that person is reappointed Prime Minister and he would serve at maximum another five (5) years, he would have served seven (7) years. What this would allow is that that person could also be appointed as Prime Minister for another period. But once he has exceeded nine (9) years, he couldn't be appointed Prime Minister again.

The Bill as drafted makes provision that if you have served for nine (9) years and you're still in office, you continue to serve. So that is not a matter that at once you have reached nine (9) years you become no longer eligible and, therefore, you must demit office. But what it means is that at the expiration of that term, and the dissolution of Parliament and the holding of new elections you could not be appointed again because you would already have served for a period in excess of nine (9) years.

We have made special provision for the emergency that may arise after Parliament is dissolved and before a new election is held. The Constitution now makes provision that in that relatively short *interregnum* - but bear in mind that it can be as long as three (3) months. I mean the Prime Minister can advise the Governor-General to dissolve Parliament today but he doesn't have to call the elections until three (3) months after that. During that period something can happen that requires the appointment of a Prime Minister. The Prime Minister could die, for example, or the Prime Minister could resign because the Prime Minister remains in office until a new election is held and the Governor-General advises that

he intends to appoint a new Prime Minister and at that point, his appointment comes to an end.

We've made provision that the nine-year limit would not apply during that *interregnum*. So that if Parliament is dissolved and somebody resigns, the fact that somebody else may have served before for that period of time would not preclude an appointment during that limited period of time.

The only other point that I think I would need to make, Mr. Speaker and may I indicate that I don't know what discussions have taken place between the two Leaders of the House in terms of how we're *gonna* treat this, whether we're *gonna* conclude it today. We're not *gonna* conclude it today?

(Mr. Holness and Mr. Kellier make inaudible remarks)

Okay.

It's a matter that we wouldn't want to rush to conclude because it's a matter on which, I believe, the public has an interest, and therefore, even though it is something that we have spoken about and attracted some level of comment, I believe that we should allow time while the matter is before Parliament for public comment that may be made.

There's only one other point that I would need to make and that is to…No, I've already dealt with the amendments which are intended simply to put beyond any doubt and any question the provisions in the Bill that we are seeking to enact.

As I said, Mr. Speaker, this is a commitment we made prior to the election. It's a manifesto commitment. It's one of a number of commitments that we are going to be seeking to deliver on by legislation and in some instances, constitutional amendment, which will be brought to Parliament in rapid order and in short order.

The one other closing comment I want to make is this. We had also committed ourselves to seeking to amend the Constitution to restrict the power of any Prime Minister to call an election at any time that the Prime Minister feels it suits him. That is a standard feature of the Westminster Parliamentary system. We just feel that it is a facility and a power that is open to abuse. And it has been abused by Prime Ministers all over the world.

Dr. DAVIES: Especially the last section.

The PRIME MINISTER: That you call an election when you feel that it is in your best interest so to do, not in the country's interest, not in the country's interest but in your interest.

Dr. DAVIES: The last section.

Government MEMBER: The last election was 1983.

The PRIME MINISTER: So if, for example, there's some great fortune that has, that has - that the Government's side has come into that's the time to go.

Dr. DAVIES: 1983, 1983.

The PRIME MINISTER: And if the Opposition is going through a particular difficulty, that's the time to go. And we have never, we have argued that, that cannot be in the interest of the democratic process. It can't be a thing where it is a chess game and, therefore, I have the power to do that, so I exercise that power.

Now, we had actually prepared a draft Bill, which would have limited that power, I don't say remove it, I don't say remove it because we were making provision in that Bill to allow for situations as could possibly arise where both Government and Opposition may

agree that it is necessary for an election to be called ahead of time, and in such circumstances to require a two-thirds majority in both Houses that the House should be dissolved, Parliament should be dissolved and the new election date held. And we were planning, Mr. Speaker, to bring both Bills at the same time. We were stopped short because in the opinion of the most eminent legal minds in the Attorney General's Department, to do so would involve and let me just quote:

> *"The Judicial Committee of the Privy Council recently held that in effect there can be entrenchment by implication. In that case…"*

this is the famous case of the attempt to remove the right of appeal to the Privy Council.

> *"In that case, legislation had been enacted by the Jamaican Parliament which amended section 110 of the Constitution so as to replace the Privy Council with the Caribbean Court of Justice, as Jamaica's final Appellant Court."*

Section 110 is not an entrenched clause. In the Bill that we had designed, that we drafted, we were seeking to amend, I think it may have been 64, subsection - whatever is the section. Section 49 entrenches one or more subsections of that section, but there are subsections of that section that are not entrenched by Section 49, and we were seeking to amend one of the non-entrenched section. But it was argued that because it formed part of what I think is called a scheme, a constitutional scheme of arrangement, we would end up seeking to amend an entrenched section by implementation. Let me go on to read:

> "*The Law Lords observed at paragraph 19 that when the Constitution required a particular procedure for an amendment to one of its provisions, that also applied to an alteration by implication. They went on to hold that* the *relevant legislation had the effect of undermining the protection given to the people of Jamaica by entrenched provisions of Chapter 7 of the Constitution. From this it follows…"*

and I'm quoting from the Law Lords,

> *"From this it follows that the procedure appropriate for amendment of an entrenched provision should have been followed."*

And we were stopped by that legal advice. It's not 1 matter that we have abandoned, but to the extent that it would require an entrenched provision amendment, that is one that would require discussions, discussions on both sides.

(*Sotto voce* comment)

Well there's nothing to preclude, there's nothing to preclude discussion. The advice that we have, however, is that this does not require two-thirds majority and therefore it is not something that is subject to a consensus. But is one on which I would prefer and I would hope that there could be consensus. We have to bear in mind, though, have to bear in mind - let me just make this final point, Let me just make this final point. Where matters require a two-thirds majority of the House, of both Houses, that cannot be done without consensus. But I ask everyone and the Opposition in particular, to understand that where we place matters before the people of Jamaica in our manifesto and the people, in

response to our appeal based on that manifesto, said we approve of this commitment that you have given, we can't be told at that stage that we mustn't proceed to discharge our manifesto obligations unless there is consensus. Right. So by all means but…

Mr. BUCHANAN: You know is the same manifesto mash up health care.

Government MEMBER: Have some respect.

The PRIME MINISTER: ...but we can't withhold our obligations to the people...

Mr. BUCHANAN: No, man! Is the same manifesto mash up the health care.

The PRIME MINISTER: ...our obligations to the people can't be held hostage…

Government MEMBER: Have manners!

The PRIME MINISTER: …because we *caan* go back to the people and explain, 'well we told you we were going to do this, the reason why we didn't do it is because the Opposition didn't agree.' I mean that there is no *sankey* that sing that way. Right?

(Crosstalk)

The PRIME MINISTER: But as I indicated, let the debate proceed.

(Crosstalk)

Let the debate proceed. Let's see the views that are expressed and then let us see when the matter comes to a vote, the position that will be taken by the Parliament of Jamaica.

Mr. Speaker, I thank you.

The SPEAKER: Mrs. Simpson Miller.

(Applause by Opposition Members)

Mrs. SIMPSON MILLER: Thank you very much.

Mr. Speaker, in rising to make my contribution to the debate on this Bill that the Prime Minister has just introduced, I wish to advise that the Opposition is not in support of the proposal. We will withhold our support on the grounds that…

(*Sotto voce* remark by Govt. Member)

Mrs. SIMPSON MILLER: Wait until I'm finished. I've just started.

It would be ineffective and it is unnecessary. Besides, the manner in which it has been presented to us is just another example of the unilateral and exclusionary approach that this administration has brought to the practice of governance in our country.

Opposition MEMBERS: Hear, hear! (Applause)

Mrs. SIMPSON MILLER: Mr. Speaker, we are not making a decision on the desirability or otherwise of term limits. We think this should only come after wide consultation within the society.

Mr. PICKERSGILL: Hear, hear!

Mrs. SIMPSON MILLER: Within my Party, this is still a matter to be determined.

First, the effectiveness of the provisions, Mr. Speaker, the Bill seeks to amend Section 70 of the Constitution which addresses the appointment by the Governor-General of Ministers including the Prime Minister. What happens in our system is that the Governor-General appoints as Prime Minister, the individual who the majority of the Members of this House wish to lead them in Government.

Mr. Speaker, Section 70 is not an entrenched provision as was said by the PM earlier. It can be amended by 31 votes in favour in this House and 11 votes in favour in the Senate. This means that what is proposed before us, Mr. Speaker, can be passed by the Government side, both in this House and in the Upper House.

What is required, Mr. Speaker is an affirmative vote of the total membership of each House. However, in the same way as it can be amended by a majority of the membership of each House, it can be undone and repealed by the same majority vote if a future government thinks it is unwise or thinks to do so, thinks to do so.

(*Sotto voce* remark by Govt. Member)

Miss HANNA: Continue for me, you hear.

Mrs. SIMPSON MILLER: A future government and the people of Jamaica might very well consider it to be prudent to have a Prime Minister who has served for nine years to continue in office depending on the circumstances.

Mr. Speaker, let us consider the following example, a Prime Minister assumes office at a young age.

Mr. BUCHANAN: Holness, you have a long time to go.

Mrs. SIMPSON MILLER: After four (4) years, he or she calls an election and his Party is reelected because it is the view of the voting public that he is performing creditably and setting good examples for the people. After another five (5) years, after five (5) years he returns to the polls, and his Party is re-elected, with the voting public having the view that his practice of good governance had even improved during his second term. They wish - that is, the majority of the people - for him to continue in that position.

Now, Mr. Speaker, the passage of this proposed legislation would stand in the way of the wishes of the people, and the desire of his or her Parliamentary colleagues. How...

(*Sotto voce* comments)

Mr. Speaker, we kept very silent and we listened to the Prime Minister. I am expecting that the same courtesy will be extended to me. And I am not begging.

Mr. E. SMITH: Buchanan disturbed the Prime Minister.

Mrs. SIMPSON MILLER: Mr. Speaker, how is the interest of the people best served in those circumstances? Why should such a high-performance individual not be allowed to remain as head of government, according to the wishes of the people? They would know, Mr. Speaker, before they cast their ballots, who they want to be Prime Minister. So even if we had gone past the nine-year period, what his Government would have done is, reading the people and taking the pulse of the society before the second election was called. It would repeal the provision that the Prime Minister is asking us to sanction today. So this amendment would prove to be ineffective.

But, Mr. Speaker, the proposal would be ineffective for another reason, even without having to repeal the provision. This arises in the Bill itself. We do not know where this nine-year period came from or whose brainchild it is. But in the example we have been discussing, all that the Prime Minister would have to do is to call the second election after he has served for eight (8) years, or even eight (8) years and ten, months. This is what section 2(a)(1)(b) of the Bill states.

"A person..."

Mr. Speaker –

> "A person appointed to the office of Prime Minister shall not be required to vacate office by reason only that while in office the period of his holding office, when added together with any

previous periods of his holding office total more than nine (9) years."

So, Mr. Speaker, if that person begins a third term one day shy of nine (9) years of service, he or she is not barred from serving as much as fourteen (14) years.

Mr. PICKERSGILL: Yes, yes, that is a fact, Mr. Speaker, it is a fact. Look at the Bill.

Mrs. SIMPSON MILLER: That, with respect, is ineffective – is ineffective legislation. It does not meet the objective of limiting the time of service to a period of nine (9) years or thereabout. This law, Mr. Speaker would be a toothless bulldog. It would be a toothless bulldog, which would not be able to accomplish or have any meaningful effect.

Of course, there is a sensible, simple and effective way for the Prime Minister and his Government to accomplish what is proposed in this Bill. If his Party feels so strongly about this nine-year service period for a Prime Minister, all that they have to do is to institute that as a rule within their own Party.

Opposition MEMBERS: Yes! (Applause)

Mrs. SIMPSON MILLER: Why force it upon the people without even talking to them about it and getting their views on this matter. We can't just go into the Constitution, pull little bits as it suits us, and leave the rest of it that is in the interest of the people, hanging. And I say this, Mr. Speaker, because of the way that the Prime Minister has gone about bringing this Bill to the Parliament. We are talking about a change of our constitutional arrangement. We are talking about who can be head of government in our country. Those are matters that affect every citizen of this country in a fundamental way, Mr. Speaker.

The Prime Minister goes off with his Cabinet and decide that they know what is best for the people, without even a hint of a discussion with the Opposition, without even a whiff of the views of the people, or even the very least, seeking the views of other members of the society in a Joint Select Committee of this Parliament.

Mr. PICKERSGILL: You heard what the Privy Council said?

(Cross talk)

Mrs. SIMPSON MILLER: Mr. Speaker, I am again appealing to you. We were very calm while the Prime Minister was speaking.

The SPEAKER: (Gavels) Please, Members! Mr. Lawrence and others, could you stop the cross-talk while the Leader of the Opposition is speaking. And please, could we stop the snickering while the Leader of the Opposition is speaking.

(Laughter)

A MEMBER: Snickering!

Mrs. SIMPSON MILLER: Mr. Speaker, other persons might very well speak on this issue of the unilateral approach that this Government has adopted in conducting the affairs of State, and this is just one such example.

Mr. Speaker, we cannot see how the Government can move to have the Parliament make a change to what our Founding Fathers agreed should be conditions under which a citizen can serve as Prime Minister, by a mere proposal in an election manifesto.

(*Sotto voce* comments from Opposition Members)

This time - the problem is, not everything that was said on political platforms were delivered. But when you are selecting one to

be delivered it must be in the interest of all the people.

Opposition MEMBERS: Hear! Hear! (Applause)

Mrs. SIMPSON MILLER: This type of policy decision to change our constitutional provisions without any inclusionary process, any inclusionary process, Mr. Speaker, without the views of anyone else having been asked for, is more than likely to prove ineffective. And this one will, as I have demonstrated.

Second, Mr. Speaker, no necessity for such a change. Mr. Speaker, if the Government don't want the Opposition to participate in this Honourable House, we need to know.

The SPEAKER: Continue.

Mr. E. SMITH: But nobody not disturbing her.

Mrs. SIMPSON MILLER: You are one of the main offenders.

Mrs. NEITA-HEADLEY: That's correct.

Mr. E. SMITH: Me!

Mrs. SIMPSON MILLER: And you should be ashamed, because you know better.

Mrs. NEITA-HEADLEY: Should!

Mr. E. SMITH: I am only giving you support.

(Laughter)

Mrs. SIMPSON MILLER: Second, Mr. Speaker, no necessity for such a change. When Bills are brought to this Parliament, the Members and the people of Jamaica expect to hear from the Government what it is that exists in our system, our laws, and our Constitution, that prevents what they are putting forward from taking place.

Mr. Speaker, as I have said, if the governing Party thinks that this is an effective proposal, why not institute that rule within their Party? Apart from that, the Prime Minister has not told us what is the gap in our Constitution that they are seeking to plug. What is it that has happened in our history since Independence, Mr. Speaker, which should drive us in this direction? Why is it that several other countries which have the same system of government that we do, have not implemented this rule? What is the malady that the Government is seeking to cure?

We have heard interesting discussions about renewal. And it is always true, Mr. Speaker, that genuine renewal is effective, necessary and desirable. But it is also true that the countries which have the same system of government that we do, have managed their renewal processes with them having the same rules as ourselves. Their heads of government are selected and appointed in the same manner and by the same rules that we employ here in Jamaica.

Mr. Speaker, the United Kingdom, the birthplace of our system of government, Barbados, Canada and New Zealand, are countries that are usually held up as examples of having younger individuals as head of government. Why have they not thought it necessary to change the rules as we are seeking to do?

The answer is simple. In their system, just as in ours, the infusion of new leadership at the highest level of government, does not depend on constitutional rules. It begins and ends in the political parties from which Ministers and Prime Ministers come to be selected. That is where the seed of renewal should be planted. That is where it should be allowed to germinate and grow and come to full flowering.

But, Mr. Speaker, there is one absolutely necessary ingredient, the soil of the political party must be fertile. That soil must be wholesome.

Mr. PICKERSGILL: Hear! Hear!

Mrs. SIMPSON MILLER: Otherwise, the infusion of new aspirants for leadership will prove to be a worthless exercise.

Mr. PICKERSGILL: Yes. Futile.

Mrs. SIMPSON MILLER: Futile. The infusion of new aspirants, Mr. Speaker, for leadership, will prove to be a worthless exercise.

Mr. Speaker, there is still another reason why the proposal is unnecessary, and others will address that matter in a more fulsome way later on. It is unnecessary because it does not fit in with our system of government. Term limits are imposed in countries which have a Presidential System of Government, such as Brazil, South Africa, and the United States. In those countries, Mr. Speaker, the head of government is also the head of state, and is directly elected by the people. In our system of parliamentary democracy, the Prime Minister is selected by the Members of Parliament. Mr. Speaker, since Parliament is responsible for selecting the Head of the Executive, in that way, Parliament exercises control over executive policy.

This proposal, Mr. Speaker, that has been introduced by the Prime Minister, would serve to curtail the right that every elected member has to select the head of government, the individual who they wish to lead them in government. I know we have had for a long time been discussing the form of - the system of government that we would wish to have, whether a presidential system or not.

Mr. Speaker, this proposal is contrary to the spirit and philosophy of Parliamentary democracy. Not only would it, therefore, be ineffective, it is clearly unnecessary. Mr. Speaker, I have shown the proposal would be ineffective and is unnecessary. It means then, that it would only amount to sound and fury, signifying, Mr. Speaker, nothing.

Mr. Speaker, but above that, there are several desirable reforms on the governance agenda that require our most urgent attention. For example, Mr. Speaker, where is the Charter of Rights Bill? Two years ago, just about this time, the House debated the Capital Punishment motion which would impact how we treat with the Charter of Rights since then what happened, what has happened, Mr. Speaker? Does the Prime Minister consider this proposal to be more deserving of our time and effort than the constitutional amendment to allow our citizens to be exposed to a wider and more modem entitlement to their fundamental rights and freedoms?

(Applause)

(*Sotto voce* comments by (Members)

Mrs. SIMPSON MILLER: Thank you, you are a gentleman.

(The Honourable Prime Minister asking Mrs. Simpson Miller to yield)

Mrs. SIMPSON MILLER: Prime Minister, let me just finish. Let me just finish, *nuh* man. Just allow me to finish. No, you can say something after, on this. I am going to make a recommendation and a suggestion that you will have to get up and speak. Okay, I yield for you.

The PRIME MINISTER: And I am grateful for that, Mr. Speaker.

Mr. Speaker, just in case the Leader of the

Opposition has forgotten, the Charter of Rights Bill is before Parliament. Under the Constitution, the earliest date that it can be debated is the 21st of December, because it has to lay on the Table of the House for three months before debate. We agreed, both sides before, that since we have debated it already, at which time the Opposition insisted that it needed to have legislation to deal with capital punishment accompanying it. We agreed that since we had the debate already, when we go back over the process we won't debate again, so we will simply record that we are taking second reading and then we have to allow another three months to elapse before we can pass it. The intention is, regrettable though it is, that we are going to convene the House on the 21st day of December, four (4) days before Christmas...

(*Sotto voce* comments by Members)

The PRIME MINISTER: To have that debate and to enable us to pass it before Parliament is prorogued at the end of March.

Mrs. SIMPSON MILLER: Well PM, you never mentioned one thing about it and I am very happy that it is going to be coming and I am prepared, if it is even Christmas day to be here.

I want to ask again, Mr. Speaker, what of the proposals relating to impeachment, I heard the Prime Minister mentioned, and the mechanisms for the oversight of elected and official and public officials. These represent deficiencies in our constitutional arrangements which this House long agreed should be put right. In light of what has taken place in the practice, Mr. Speaker, of governance in the recent times, does the government not believe that the people of Jamaica would consider that exercise to be a far greater significance now?

Mr. Speaker, what the British Government think of us? They have stated publicly...

(*Sotto voce* comments by Members)

Mrs. SIMPSON MILLER: Thank you. They have stated publicly, Mr. Speaker, that they would prefer that we leave their Court, the Privy Council in London, our Government, chooses to ignore their carefully crafted suggestion that we have overstayed our welcome and we should leave.

(*Sotto voce* comments by the Prime Minister)

Mrs. SIMPSON MILLER: They have openly suggested to us that we should make use of the Court that we have, that we have established for ourselves, that being the Caribbean Court of Justice. (Applause)

Mr. Speaker, we also remind ourselves that we are assisting in the payment of the proper functioning of the Court, of that Court, we are paying for the proper functioning of that Court, Mr. Speaker, which Barbados, Belize and Guyana find quite appropriate.

Mr. Speaker, the United Kingdom-based Privy Council has stated that, for Jamaica to join Barbados, Belize and Guyana in sending final appeals to the Caribbean Court of Justice, what we need to do, Mr. Speaker, is to have the legislation passed in each House by a two-thirds majority vote; that is all we have to do. We on this side have long signalled our readiness to abide by that ruling but the Government side insists on a referendum.

(*Sotto voce* comments by the Prime Minister)

Mrs. SIMPSON MILLER: Yes, Prime Minister, that is why you should consult the people on this one too. I agree with you Mr. Prime Minister, I applaud what you are saying. I applaud your comment.

(Mrs. Simpson Miller applauds)

The Government, Mr. Speaker, clearly believes that this proposal is of greater significance to occupy the time of this House than to move to sever the link with the Privy Council and substituting a court of our own making. (Applause)

The integrity of the Caribbean Court of Justice has not been questioned by any independent-minded person. Mr. Speaker, what about the reforms concerning how entities such as the public service and the Police Services Commission, should be appointed. Those are urgent matters for the smooth operations of government.

Mr. Speaker, with great respect, all of these reforms and more, should have priority over what we are now discussing today. They are urgently required, and we are certainly not convinced about the desirability of what is being proposed by the Government. With all those considerations, the Opposition, therefore, cannot readily, before consultations and all of that, Mr. Speaker, support this proposal. (Applause) That does not, of course, prevent the Government side from passing the Bill. But, Mr. Speaker, we do not see how it will be affective, and we do not believe that it is necessary. Perhaps, above everything else, this is the kind of initiative that requires the views of the citizens of Jamaica to be canvassed and taken into account in some way. That has not been done, and this is another unfortunate example of how this Government does business. They conduct the businesses of the people as if it is all wisdom, Mr. Speaker, resides in them. And I do not believe in retroactive consultation. We are ready to support all of the reforms that the Constitutional Reform Commission has recommended and which have been agreed by this Parliament over 15 years ago, in 1995.

Mr. Speaker, those reforms have not been implemented because the Jamaica Labour Party has not given its support over those years, either in Opposition or in government. We need to return to them and look at them and to implement. (Applause) And instead the Prime Minister has brought this Bill to Parliament which would prove to be a useful thunderbolt, which it would cause more confusion and disturbance in our process of governance rather than having any positive effect.

Mr. Speaker, with respect, we therefore, cannot lend our support to this unilaterally proposed amendment to the Constitution. And, Mr. Speaker, I am proposing to the Prime Minister that he ask for suspension of the debate, to allow for a widespread consultation with all interest groups, all interest groups, Mr. Speaker, and the public in general because I believe an issue such as this, should not be divided in an abbreviated manner like this. And I am now, making this proposal to the Prime Minister that I hope he will accept so that we all can move forward, in unity on the issues affecting the Jamaican people.

Thank you.

Mr. E. SMITH: The Opposition unites on nothing.

Mr. HOLNESS: Mr. Speaker, in light of the comments by the Prime Minister and discussions with the Leader of Opposition Business, we do not intend to conclude the debate today, and that should give time for internal and indeed public consultations if they so choose. (Applause)

Mr. Speaker, as a matter House-keeping, Mr. Speaker, I would like to recommit the items, 'Announcements, Reports from Committees and Notices of Motions Given Orally.'

The SPEAKER: Members, the motion before the House is for the recommittal of the items, Announcements, Reports from Committees and Notices of Motions Given Orally.

Motion put to the House and agreed to.

ANNOUNCEMENTS
(Recommitted)

The Clerk by leave laid on the Table of the House a copy of the following:

- National Education Inspectorate of Jamaica Chief Inspector's report for the period April to June 2010
- Report of the Public Administration and Appropriations Committee, on our deliberations on the First Supplementary Estimates of Expenditure for the financial year ending March 31, 2011.

REPORTS FROM COMMITTEES
(Recommitted)

The SPEAKER: Dr. McNeill

Dr. McNEILL: Mr. Speaker, I beg to lay on the Table of the House a copy of the Report of the Public Administration and Appropriations Committee on our deliberations on the First Supplementary Estimates of Expenditure for the financial year ending March 31, 2011.

NOTICES OF MOTIONS GIVEN ORALLY
(Recommitted)

The SPEAKER: Dr. McNeill.

Dr. McNEILL: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it Resolved that the recommendations of the First Supplementary Estimates of Expenditure for the financial year ending, March 31, 2011 as contained in the Report of the Public Administration and Appropriations Committee which was laid on the Table of the House on the 7th day of December 2010, be approved subject to further deliberations on these estimates by the Standing Finance Committee of the whole House of Representatives consisting of the Members of the House.

Mr. Speaker, at a later stage today, I will move for the suspension of the Standing Orders to enable me to take the motion.

PUBLIC BUSINESS

Mr. HOLNESS: We are now back at Public Business to deal with the matter that the Member just gave notice of.

The SPEAKER: Yes Dr. Davies?

Dr. DAVIES: Mr. Speaker, I need your guidance here. I am not clear how the work of the review of this Report from the Public Administration and Appropriations Committee, how will that fit into the work of the Standing Finance Committee which I don't know whether you have discussed with the

Minister of Finance and the Public Service. So, I would like to know clearly how we shall proceed.

The SPEAKER: My understanding that the Minister was going to outline how this would work. So perhaps it might be appropriate. Yes, House Leader.

Mr. HOLNESS: Mr. Speaker, this is a new procedure and I understand that the Members may not be following because this is not what we normally do. But the requirement of the new fiscal responsibility framework is that, any adjustments made to the original budget presented would have to be reviewed by the Public Administration Appropriations Committee. That Report would have come to us in the normal course of our business today, but that Report took some time in coming and so we have already completed the business for today, we are recommitting to go back to the point in the agenda where that Report would have been taken which is Reports from Committee. So we are moving through the agenda again to get back to Public Business where the actual Report will be taken. The Chairman of the Committee will deliver the Report, after that Report is delivered, the House will be required to adopt the Report, to accept the Report.

(*Sotto voce* comments by Member)

Mr. HOLNESS: We can, if you choose, after the debate. Then the Minister of Finance will then...

(*Sotto voce* comment by Member)

Mr. HOLNESS: No, no, I could never.

The Minister of Finance, Mr. Speaker, will then move a motion to take both the Report and the Estimates, they would both be referred - well the Estimates alone will be referred to the Standing Finance Committee which will meet next week. And of course, which will bear in mind the Report and recommendations of the PAAC. We won't be debating the Supplementary Estimates.

Mr. WARMINGTON: Mr. Speaker.

Dr. PHILLIPS: Mr. Speaker, just to be...

Mr. WARMINGTON: Mr. Speaker, Mr. Speaker, I am on the Floor before you.

Dr. PHILLIPS: Mr. Speaker...

Mr. WARMINGTON: I am on my feet before Dr. Phillips.

The SPEAKER: One at a time. One at a time.

Dr. PHILLIPS: I agree, but this is…

Mr. WARMINGTON: I was on my feet before you.

The SPEAKER: You can't have two persons...

Mr. WARMINGTON: I am on my feet!

Mr. BUCHANAN: Sit down! Out of order. Sit down!

The SPEAKER: Dr. Phillips then Mr. Warmington.

Mr. WARMINGTON: Mr. Speaker…

The SPEAKER: Dr. Phillips and then you. Hold. Dr. Phillips.

Mr. WARMINGTON: But I am on my feet before him! Not because he is senior to me.

(*Sotto voce* comments by Opposition Members)

Dr. DAVIES: How you behave when I am chairing?

(Mr. Warmington takes his seat)

Dr. PHILLIPS: Mr. Speaker, thank you very much, and I thank the Member.

Is it - we are not expected to debate this today.

Mr. HOLNESS: You may.

Dr. PHILLIPS: Oh, no. You see, why I ask you that. It is true that the fiscal accountability framework asks for the Public Administration and Appropriations Committee to consider it. And I certainly believe that the intention was not some formalism or rubber-stamping, but that the intention was that it is to enable the Parliament to exercise its responsibilities, and I underscore responsibilities, in ensuring that there is appropriate legislation. And I know that the Committee did its best to meet. Supplementary Estimates were brought last week. If we proceed, Mr. Speaker, just simply to lay this here, and not to afford Members the opportunity to consider this, digest it and make sensible comment, then we will, collectively, be defeating the intentions of the new framework of the Fiscal Responsibility Act.

(Applause by Opposition Members)

And, I know it was probably for whatever reason - I am not trying to make an accusation of the irresponsibility or anything like that, although one maybe appropriate, but I am not doing that now. I am really suggesting, Mr. Speaker, that if we are to acquit our responsibilities to the people of Jamaica, then we should be receiving this Report and allowing time for a real consideration to be given, and then, even if it is truncated, maybe it's tomorrow or some point in time to be agreed between the House Leaders, but I think it would be a dereliction of both the intention of the Act, brought by you, and of our responsibilities collectively to the people of Jamaica were we to proceed in the way that you are suggesting.

(Applause by Opposition Members)

Mr. HOLNESS: Mr. Speaker...

The SPEAKER: Before you respond, House Leader, Mr. Warmington had an intervention.

Mr. WARMINGTON: Mr. Speaker, last week I expressed certain concerns as it relates to the dispensation of this Committee and as it relates to the Supplementary Estimates. I question the wisdom behind this here and I have two major concerns. If we send the Supplementary Estimates to this Committee, it comes back here, whereby the Committee rejects the Supplementary in its entirety, where do we go from here?

And secondly, to me it's a duplication. You send it to one Committee and then it comes back to the Finance Committee, what sense does this make? If it goes to...

(*Sotto voce* comment by Mr. Bunting)

Mr. WARMINGTON: I didn't ask you for your intervention, Mr. Bunting, allow me to speak. When you are speaking I don't interrupt you.

(*Sotto voce* comments by both sides)

If it goes there...

(*Sotto voce* comments by Opposition Members)

Mr. WARMINGTON: I…work long time.

The SPEAKER: Mr. Warmington, please, speak to the Chair.

Mr. WARMINGTON: Mr. Speaker, if it goes there and it comes back rejected, where do we go from here?

Secondly, if it goes to that Committee and that Committee wishes to torpedo whatever comes there in the form of a Supplementary Estimate, where do you go from there?

I do not believe that there is any wisdom in the new procedure and dispensation. It

should never have been here and I have very serious concerns where this is concerned. I don't think this was well thought out when it came here in the first place. It is a very bad and a very dangerous procedure we are setting here.

Mr. HOLNESS: Mr. Speaker, part of my responsibility, Mr. Speaker, is to listen to the comments and suggestions and recommendations of the Members of this House and the comments and recommendations made regarding the procedure are not without merit and they have indeed, my concern as well.

Now, the immediate concern is that we have the Supplementary Estimates to address. So whilst we can take those concerns onboard for future amendments and changes, we now have before us the Report of the PAAC for us to address.

(*Sotto voce* comment by Dr. Phillips)

Mr. HOLNESS: Well, the motion brought by the Chairman of the PAAC says:

> Be it Resolved that the recommendations on the First Supplementary Estimates of expenditure for the financial year ending 31st of March as contained be approved subject to the deliberations, subject to further deliberations on these Estimates by the Standing Finance Committee of the whole House of Representatives.

So what we will do now, is to take the report of the PAAC and we will adopt it subject to what Standing Finance Committee says next week.

The SPEAKER: One other thing, House Leader. Have you discussed with the Opposition Leader when is the Standing Finance Committee?

(Inaudible comment by Mr. Holness)

The SPEAKER: Next week when? Is it next week Tuesday morning at 10:00 a.m.? I don't know if Members have been informed. Okay, very well.

So we'll now take Dr. McNeill... Could you...

Dr. DAVIES: No, I want to make...

The SPEAKER: Is it a query?

Dr. DAVIES: No, it is a suggestion for us. This is not - we are not trying to be contentious. We have a new Committee, which has an intermediate step between that and the Standing Finance Committee. This is not seeking to ascribe blame, but I think we now need to - we are making up the rules as we go along. We are making up the rules. I didn't know, I had no idea as to how today was going to be. The first draft I saw of the schedule for today had the presentation of the Report from the Committee, the discussion on the Report, then we would break and then we would have the Standing Finance Committee followed by the debate. There is no way that could have come from a group of persons who had thought the matter through carefully.

Mr. Speaker, I am not trying to disrupt these things, let us proceed along the lines which the Leader of Government Business has suggested. It is to quote a former colleague, a friend of mine, we are proceeding *ad hocly.*

(Laughter by Opposition Members)

However, or how ever, or however, (Laughter) we need to straighten this out. It doesn't make sense to claim that we have this new legislation and this accountability framework and it's being handled in this

jumbled way. So let us work together to figure out how in future we can interface the Report from the Committee together with the work of the Standing Finance Committee.

I don't think the Leader of Government Business heard me. He couldn't have had been clear in his own mind to have had sent out that proposed schedule. That proposed schedule made no sense, and I indicated to the Leader of Opposition Business when he showed me that schedule, that it couldn't work and I would not be participating in trying to get through all of those important steps.

My colleague from East Central has raised a fundamental question. Here is a document and we are being asked to rubberstamp it. As a matter of fact, you really don't need us since we are going to send it on immediately to the Standing Finance Committee. There are questions I would have about this very document, and there is no chance for them to be discussed or responded to.

So let us agree, Mr. Speaker, before we proceed that we are going to seek to formalize how we will blend the Report from that Committee and the work of the Standing Finance Committee.

Mr. HOLNESS: Mr. Speaker, the Member from St. Andrew South has raised some issues. Having to go through all these procedures, Mr. Speaker, we have to arrange the business of the House such that we meet time-lines.

Now when we sent out the first proposal…

Dr. PHILLIPS: ...to the Ministries.

Mr. HOLNESS: And it starts here as well.

Dr. PHILLIPS: No, no!

Mr. JACKSON: No, no!

Mr. HOLNESS: It starts here as well Mr. Speaker. When we sent out the proposed agenda, we worked out how everything could go in sequence. We had our concerns as well, Mr. Speaker, that we would be asking the Parliament to do quite a bit of work in one day.

When the suggestion was made, we spoke with the Minister of Finance, the Minister of Finance has certain timelines.

And we spoke, the Minister of Finance agreed that the timeline could be pushed back in order to accommodate the Parliament, and that is why we adjusted the timeline. We will not accept what the Member from St. Andrew, South would suggest that we are moving along in an *ad hoc* fashion.

(Laughter by Members)

Dr. DAVIES: I have the draft agenda.

Mr. HOLNESS: (Laughter) And we stand by our draft. As a Parliament, we must get over this view that we cannot do the business of the country in a quick, efficient and business-like fashion.

(*Sotto voce* comments by Opposition Members)

Dr. DAVIES: What does that mean, rubber-stamping?

Mr. HOLNESS: No, no. What you are suggesting is that we do next week what we could have done today.

Mrs. NEITA-HEADLEY: No, no!

Mr. BUCHANAN: No, no!

Mr. HOLNESS: And we don't accept that. Mr. Speaker, I beg you that we now proceed.

Dr. DAVIES: No, you didn't know what you wanted to do.

(*Sotto voce* comments by Opposition Members)

Dr. PHILLIPS: Mr. Speaker...

The SPEAKER: But before you go on, what are we debating?

Dr. PHILLIPS: ...indulge me, indulge me, please?

Mr. Speaker, I think maybe for some reason, I don't know if it was that he had a too good a weekend or too bad a weekend or whatever, but I think he's rushing to judgements too quickly. The fact is, that I believe the Member from St. Andrew South was making a self-evident point, even though he was prepared to accommodate the proposal, the proposal being that he is going to...

(*Sotto voce* comment by a Government Member)

Dr. PHILLIPS: You normally keep quiet, I suggest you return to that, all right. Is not summer yet.

The fact is though, I don't think it is proper for you to beat upon the Parliament or the Opposition.

Dr. PHILLIPS: It is unreasonable to expect Estimates of Expenditure in an environment where the taxpayers are feeling it, where you have introduced new taxes that are already being collected without...

A MEMBER: Every Christmas...you can't buy a drink...

Dr. PHILLIPS: ...except for white rum, which I am sure is not affecting anyone here.

(*Sotto voce* remarks by Members)

Dr. PHILLIPS: No, not today. And then to insist that it must be proceeded and concluded in one day is not reasonable. Now it has too often been done...

The SPEAKER: No, just a second, Dr. Phillips.

Dr. PHILLIPS: ...but it has too often been done and not just by that side.

The SPEAKER: What we have now, Dr. Phillips, just a second.

Dr. PHILLIPS: No, it is...

The SPEAKER: What we have now is the PAAC Report to consider.

Dr. PHILLIPS: No. And we are agreed to consider it, but we could not make the statements made by the House Leader proceed without trying to correct the excess of language and, in fact, the incorrect expectation that he puts...

(*Sotto voce* remarks by Mr. Holness)

The SPEAKER: Can we proceed now?

Mr. HOLNESS: Mr. Speaker, it is very important. It is very important, Mr. Speaker, that it be clearly understood that the Supplementary Estimates are to be taken in Parliament. It is critical because there are wage matters. There are other expenditure matters that hinge on this. Let us be clear that we are coming up to the Christmas season.

Dr. PHILLIPS: We are not holding it up!

Mr. HOLNESS: Is the Member saying, on that side, that our delay here would not hold up such payments to be made?

Mr. PICKERSGILL: Why you took so long with the Supplementary. It should have come a month ago.

Mr. HOLNESS: No. We came here with it when it was ready.

Dr. DAVIES: That's called a tautology.

(Heckling/*Sotto voce* remarks)

Mr. HOLNESS: The Parliament has a duty to move it through with expedition.

The SPEAKER: We are not taking anymore interventions.

Mr. MULLINGS: Mr. Speaker, with respect...

The SPEAKER: No, Mr. Mullings.

Mr. MULLINGS: Mr. Speaker, with respect...

The SPEAKER: What is the point now?

Mr. MULLINGS: I may come from West Central St. James, but I do believe I have some amount of responsibility to my constituents.

The SPEAKER: No, but what is the point now, Mr. Mullings.

Mr. MULLINGS: Mr. Speaker, I would like to raise a point.

The SPEAKER: What is the point, now, Mr. Mullings?

Mr. MULLINGS: With respect, I may be at the backbench, but I am surely going to enjoy it.

Mr. Speaker, it is much ado about nothing. This Report is seven (7) pages. If we had taken the time to look at the recommendations...

The SPEAKER: That's why we want to start it.

Mr. MULLINGS: If I may speak, Mr. Speaker…it deals largely with issues between Government agencies. What we ought to be careful about going forward, is setting that particular protocol. I don't believe, with respect, that there is any difficulty whatever in looking at this seven-page Report in relation to the Supplementary Estimates, none whatever.

The SPEAKER: (Gavels) Dr. McNeill, let's get on with it.

Dr. McNEILL: Mr. Speaker, I beg to move for suspension of Standing Orders to enable me to take the motion, notice of which I gave earlier today.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the Member to take the motion, notice of which was given earlier today.

Put to the House and agreed to.

The SPEAKER: Dr. McNeill.

Dr. McNEILL: Mr. Speaker, I now beg to move:

> Be It Resolved that the recommendations of the First Supplementary Estimates of Expenditure for the financial year ending March, 31, 2011, as contained in the Report of the Public Administration and Appropriations Committee, which was laid on Table of the House on the 7th day of December, 2010, be approved subject to further deliberations on these Estimates by the Standing Finance Committee of the whole House of Representatives consisting of the Members of the House.

Mr. Speaker, it is my pleasure to present the first Report of the Public Administration and Appropriations Committee on the deliberations on the First Supplementary Estimates of Expenditure for the financial year March 31, 2011.

Mr. Speaker, this is the first time that your Committee was undertaking an official examination of the Supplementary Estimates of Expenditure in keeping with the new fiscal responsibility framework and, in particular, in accordance with Section 48(g) of the Financial Administration and Audit Act.

Mr. Speaker, as the discussion that has taken place here today, what we have to understand is that what is intended by our Committee is that it gives us the opportunity to look at the Estimates in greater detail, for us to have discussions with the public servants, with the members of the ministries and to get additional information to bring to this House.

So what we have done is simply put in our Report the issues that were raised as concerns at the Committee meeting and those can be incorporated in the deliberations of the Finance Committee. And what it does it gives greater transparency, greater oversight and it is good for governance in Jamaica. (Applause) And I want to say I think that we are on the right track in doing it this way.

What we will say is that, obviously there is a difficulty. Being that this is the first time, the process by which we are doing it has to be worked out so as to give the committee the time to do it so that it can come to Parliament, that there is time to deliberate on it in Parliament and that the Supplementary Estimates can be approved in the appropriate time. But, as I said, this is the first time that it is being done and I think that while we have to work out some of the details, this is indeed a good move that we have, actually putting greater oversight in governance.

Mr. Speaker, I am going to be brief. The Report is there and I am certain that some of the Members may want to elaborate on some of the issues. But during our deliberations we received inputs from the Financial Secretary and personnel from the Ministry of Transport and Works, the Department of Local Government, the National Water Commission, the Ministry of Health and the Ministry of Tourism.

In the original discussion with the Financial Secretary, Mr. Speaker, concerns were expressed that the Estimates of Expenditure and the Supplementary Budget did not include programmes or activities that would spur growth in the economy, but that it appears to have a primary objective of ensuring the attainment of the $52 Billion primary surplus target under the SBA with the IMF.

We were informed by the Financial Secretary that due to the global financial crisis, the effects of Tropical Storm Nicole and the weak performance of Jamaica exports, it appeared unlikely that Jamaica would achieve its target of 0.6% economic growth for this fiscal year and might, in fact, experience negative growth.

A MEMBER: Might!

Dr. McNEILL: He also went on to point out that the objective of the programme was in fact, at this time, to achieve stability rather than expansion of the economy in the short-term. These revelations were of concerns to us and especially in light of the fact that it was confirmed that this would be the third consecutive year that Jamaica would be experiencing negative growth.

Mr. Speaker, your Committee also expressed concerns - about the level of outstanding government debt and the state of the medium-term indicators. A discussion was had with the Financial Secretary and these were requested. The Financial Secretary provided a list of all the outstanding government debts for the ministries and departments, as well as the medium-term, the revised medium-term indicators. These are on back of the Report as some additional information.

Mr. Speaker, just highlighting the main points of concern. It was found that there was an allocation of an additional $700 Million to the completion of the Bogue Road Improvement Project. This was to facilitate variations to that contract.

Mr. Speaker, your Committee has seen a number of similar circumstances where this

has occurred in many contracts and we are once again recommending a revamping of preparatory process for all contracts and, wherever possible, the negotiation of fixed price contracts. We also want to add that the Committee also endorsed the approach articulated by the Head of the National Works Agency of using design and build contracts. And we must find a way going forward to reduce as much as possible these overruns on contracts.

Second concern, Mr. Speaker, was with regard to the JUTC. Your Committee was informed of an additional $2 Billion which was needed for the purchase of buses. This increase had come about because it had been the intention of the JUTC to reduce the number of buses that were delivered in this financial year. However, when the manufacturers were contacted they were told that the process was too far advanced and the contract could not be broken, so the buses would have to be taken in this financial year. Therefore, the $2 Billion which would have been left for next year became due. Your Committee expressed some concerns about the manner in which that was done and, especially with the ministry head themselves, discussions were had with DR. HALES because it should have been known that the contract - they would not have been able to have broken the contract and that this money was going to become due.

Mr. Speaker, your Committee also probed the allocation of $l5 Million to the Department of Local Government for the improvement works to the landfill bridges and roads in respect of the Riverton Dump.

Mr. Speaker, in discussions we found what appeared to be a lack of coordination between the principals of the ministry and the representatives of the National Solid Waste Management Authority. When we asked what the money was to be used for we heard, well, there was a problem with the road, that it would take $40 Million to fix the road. We heard that there was a need to acquire scales so that they would be able to weigh the trucks. But what we were not able to ascertain in the meeting is what this $15 Million was going to be used for. They weren't certain. Your Committee recommended that the money be used on the repair to the road as a priority and that the ministry and the National Solid Waste, there had to be some further discussions in there in terms of the priority and how these projects were going to be done.

Mr. Speaker, with regard to the increased allocation to the Ministry of Health that came from the National Health Fund, we realize that there was an error in this document. The document speaks to an additional $600 Million which will be used for the fixing of a MRI. What we found out that the allocation of $600 Million is, in fact, to deal with some 14 or16 projects - 14 projects that are to be done by the Ministry of Health. Among the things in the project is the acquiring of ambulances. I think they were to get 25 ambulances, as well as work to be done on the MRI. That work was only in the sum of, I think, $14 Million.

Mr. Speaker, a number of other issues were raised during the deliberations at the committee. I won't go into all of them, but I would like to highlight a few. The first was that in our discussions, we had had some previous discussions with Inland Revenue and the Department of Customs, and in our discussions with them they had indicated to us that with relatively small increases in the

capital budget they feel that they would be able to get great increases in the revenue that they can bring in. And the Members of the Committee felt very strongly that this is something that we should recommend. Now we had a discussion with the Financial Secretary and we understand the great fiscal constraint that exists, but, as a committee, we were recommending that as quickly as possible that these issues be looked at in terms of giving some increased Capital Budget to the Inland Revenue Department and the Commissioner of Customs.

Another issue that came up, Mr. Speaker, which created a lot of discussion was the issue of the NWA and the NWC. During our discussions, while it was not directly out of the Supplementary Budget, we found that in our discussion that, both the NWC representatives were there and the NWA, and there was a lot of discussion because there is a feeling that the protocol that works between the NWC and the NWA, in terms of the NWA and the work that they are doing on the road, that the protocol is not being followed. And the NWA came out to say that there is a real problem because a lot of the time they don't even know what is being done by the NWC.

Mr. Speaker, based on this situation, your Committee has recommended that some recommendations that were made by the Public Administration and Appropriations Committee as far back as last year, be considered. We have to put in place a proper protocol that governs how the NWC does work on the NWA roads, and that these things have to be followed, and that these protocols must be followed.

Mr. Speaker, in terms of the Supplementary Budget for the public bodies, we got the documents while we were actually in the deliberations. So we were not able to go through it in detail. Therefore, at the Finance Committee it will obviously have to be dealt with in a more detailed fashion. What we were told in the brief summary that we were given on it, was that elements of the public bodies, some elements had to be decreased to allow for increased expenditure in others.

For example, we were told that the - for expansion of the road programme, there was a decrease in the expenditure that would be made by the NHT. But the committee, in reality, was not able to look into that in detail.

Mr. Speaker, attached to the Report, there are a number of the additional information that we got is attached to the Report. And the Report itself is here so that everyone can read it and peruse it. I would just like to say that I think that we have to look at how we are going to do it so that we can maximize the effectiveness of the committees, not just the Public Administration and Appropriations Committee, but the Finance Committee and how we can work together to make this process more seamless.

Nonetheless, in that regard, I would like to move... Mr. Speaker, should I, or is it that...?

The SPEAKER: You move for its adoption.

Dr. McNEILL: Yes. I would like to now move for the adoption of the Report of the Public Administration and Accountability Committee.

The SPEAKER: Yes, Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, it is possible for me to speak on this motion at this time, despite the recent presentation of the Report, because I was a member of this

committee and attended the deliberations on this particular issue. But I'm quite in sympathy with those, who, despite the shortness of the Report, it may only be seven (7) pages, contains, in fact, the expenditure of many billions of dollars, and in fact, alters the programmes, many of the programmes that we decided upon at the time of the Budget. And therefore, this is a salutary exercise which has been enjoined upon us by our own act and I believe, by the prodding of others in order to have this kind of deliberation.

No one external to this House, nor I, believe, many of us in this House, could be satisfied with the way the Standing Finance Committee has operated in recent times, where in fact we go through pages and pages with perfunctory attention to the detail, and in fact become a rubberstamp of the Administration's plans, whether it's this Administration, a past one, or anyone in the future, Mr. Speaker.

Parliament is not the servant of a particular Administration. Every Administration is the servant of the people who are represented by us in Parliament. Very often in our speech and in our process we invert and somersault the entire Constitutional Order. And I beg that we do not do that again. And therefore, the time that is taken by the representatives of the people to consider the expenditure that is projected for them, to assess the benefits therefrom, and to, more than anything else as it applies to us, to determine what levels of debt we are going to bequeath to our children and grandchildren, can never be ill-spent and must never be hurried, Mr. Speaker.

And if Government's policy and programme and timelines are sensitive, they must make the necessary provision for those to give us time to do our work, rather than to come here and to expect that we will in fact fit in with their agenda. That is not the right order. So, please, with respect to all, let us not at all have any adverse comments as to the time it is taking us to do this exercise.

In fact, Mr. Speaker, it was rather a hurried process yesterday, all day. And some of the deliberations and the questions that we were asked - that we asked, rather, of the public servants were not answered. It was a very important thing, having regard to the fact that in March other public bodies, excuse me, selected public bodies, had debts of $72 Billion. It was very surprising that yesterday, from the highest officials of the Administration, we couldn't get that figure. And therefore it is extremely important that such be available before the Supplementary Budget is finally passed.

And secondly, Mr. Speaker, it is vitally important that these which are conditions for the IMF document arrangement, as far as we know, and indeed, critical to the assessment by every Jamaican of good stewardship, and indeed, the continuation of this spiral of debt that we have been in for so many years, to know what it is we are owing, and to deal with the issue of borrowing and the use of those borrowings.

So, Mr. Speaker, enough for procedure. In fact, the sittings of the Public Administration and Appropriations Committee were very revealing in this regard. You know, it is interesting, sir, some of the divisions that take place when we sit on either side of this aisle, do not appear when we sit together in committee, you know. Because I believe I can speak…(Inaudible comments)…I believe I can speak for the members of the PAAC on the

other side as well as this side, that we had fair consensus on all of the matters.

A high degree of shock, Mr. Speaker, when we had the blithe presentation that we should spend Seven Hundred Million more on the Bogue road. And the reason given, with which we are supposed to merely acknowledge and hardly demur, and can do nothing about, that the original design of this roadway, however important to the people of that parish, and I concede, and indeed, to all Jamaica, never had the arrangements for a median for street lights or indeed, street lights itself. Or that the arrangements for the movements of the utilities were not properly calculated. And so what? We just simply add it on at the end of the day because we have signed a contract with, apparently, an unlimited escalation clause. And then we have the temerity, we have the temerity to place that burden upon the backs of our children and grandchildren, the people of Central Kingston and whatever the name of every other constituency?

No, Mr. Speaker, that is wrong. It's not the way to do it. And the fact that it was done, any other Administration gives no comfort. We must stop it now if it deserves the passionate intervention of the representatives. Is this what we are here to do? To add to the debt burden with questionable value being given for some of those things, where everybody recognizes that, that's an untenable situation? No, Mr. Speaker.

Similarly, an instance where one department of government sitting in the same Cabinet as the other, the National Water Commission and the National Works Agency, the works agency can come and can state that it didn't even know that a particular piece of roadway, extensively, is going to be dug up and has to be resurfaced. In a situation in the parish of Westmoreland I understand, where it was done recently, it will now have to be done again at public expense, at an increase in the debt because there was insufficient, what my learned friend from Westmoreland calls, ‘absence of a protocol between the agencies’.

Mr. Speaker, I draw our attention to Private Members' Motion Number 14 on the Order Paper which has languished for well over a year now because my proposal is not for any protocol. My protocol is that one set of people must be held responsible for the roads of this country. And that if the National Water Commission or any other utility, who ought to be paying us for the space on the road, any way, if they want to dig it up for public advancement, then they should contract with the National Works Agency to do the necessary road works.

Mr. WITTER: And the Parish Council.

Rev. THWAITES: And the Parish Council, similarly, *Mi'* Lord. That is how it should work. This division of responsibility is an abdication of our rights as people. And why does it happen, Mr. Speaker? Because we know, some people know, - I'm not accusing them of bad mind, but it is carelessness, and it infects us here, too, that what happens is that at the end of the day, the money is going to be forthcoming any way because for all kinds of · inevitable reasons, the Supplementary Estimates will be passed. Nobody will go without pay. No contract will be unsatisfied and the burden on the backs of the people which prevents proper expenditure on education, on health services, on the creation of jobs and the stimulation of the economy, all will be foresworn because of that kind of

carelessness Mr. Speaker, this table needs overturning. We need to look at an entirely different recasting of the budget of the country.

The deliberations of the Public Administration and Appropriations Committee, yesterday, has persuaded me in an earlier conjecture that I had, that some thirty per cent (30%) of the Recurrent and Capital budget is either wasted or could be spent more prudently.

To the extent that I am right - and it should be of grave concern of everyone of us in this House - to determine whether it is so, all of the money that we are saying we do not have to stimulate the economy, to provide jobs and to seed investments, much of it could be available if we were to start from scratch and to redo and look carefully at every item in the budget of every ministry, of every public corporation.

Mr. Speaker, I urge you again. Many of the public corporations, do their surpluses come back to the Consolidated Fund in a structured and mandatory fashion as is needed? And when they make losses, Mr. Speaker, who is it that picks them up at the end of the day? Is it not the same taxpayers, sir? Is this a right situation when we have had limited surveillance over their activity for the year, when we get their annual reports and barely look at them and pass them off to the waste pan?

No, Mr. Speaker. We have to do this thing in a different way entirely. The course that we need to change is one that goes profoundly to the way government is organized and how public money is spent in this country. And I don't sense that either the present Administration and others who are not in this present Administration will have to assure me, have the stomach to do that. This is not some Puritan recipe. What it is, is merely the exercise of required prudence in order that we may survive and that we may grow rather than remain in stagnation.

Mr. Speaker, the Supplementary Estimates make up for, is it over a Billion Dollars, for that regrettable event in West Kingston in May. It was referred to in the conimittee as the 'Dudus money'. What a shame! This is something that never needed to happen. And which we now have to spend over a Billion Dollars to repair? Mr. Speaker, that is hardly prudence.

Mr. PICKERSGILL: More than prudence.

Rev. THWAITES: More than that, Mr. Speaker, we look at the allocation for tourism, a most necessary step up. But, Mr. Speaker, the Tourism Enhancement Fund was never intended, as I understand the law and the practice of this House, to be for household expenses in tourism? It was meant for improving the product, when in fact the PAAC recommends and says to this House that what we have done is to slip into the pattern where, whenever money is needed in that sector what we do is find it from the Tourism Enhancement Fund. When are we going to correct that, Mr. Speaker?

Mr. Speaker, I turn briefly to the JUTC. Member from the nether parts of Westmoreland has already spoken about the issue to do with the purchase of the buses. But, the Report, unfortunately, is not detailed enough to exhibit a clear concern that every attorney and every good citizen in this House would be worried about. The JUTC does not have a proper insurance facility. You know

that, Mr. Speaker? The JUTC depends upon its own cashflow to settle any claim up to $5 Million. We are aware that their cashflow is severely compromised by the unreformed nature of the transportation system. Mr. Speaker, when will that take place? When will that take place?

And in the meanwhile, the people of Central Kingston, and I believe, of your part of St. Andrew and elsewhere, are exposed to the fact that the normal insurance cover that is required of every vehicle owner in this country doesn't apply to the JUTC. And that, in fact, it is subject to the cashflow and the whims and fancies of those who are in charge of that cashflow, whether or not I get compensated for my bruck foot, or you, for your untimely death.

Mr. PICKERSGILL: No, no, no!

Rev. THWAITES: That is the fact, Mr. Speaker. That was disclosed here. Now, this is the kind of enquiry that the Public Administration Committee has been able to do. The issue of the indebtedness of the State is an issue that I have already raised, and the reliability of the macro-economic indicators that were presented by the Financial Secretary.

Mr. Speaker, we are in the 14th quarter of negative growth. We asked the Financial Secretary, please to tell us, inherent in the philosophy of these Supplementary Estimates which we are about to pass, where is the path to growth? One is not making a partisan political point... (Applause) …One is repeating the central tenet of economic theory, that you organize an economy in order that people may prosper, not that they may stagnate or recede. What are the factors that are going to take us and are we prepared to isolate them and in fact, to implement them?

Mr. Speaker, I am very worried about the BOJ losses. When I asked the Financial Secretary, please to tell us – when he was going through the doxology on the macro economy, how we are going to meet - what is it - $11 Billion, and climbing, sir. Where is this going to be met? All he could tell me - and I have high regard for the gentleman - he knows much more about these things than I ever will - that they would have to be made up within the first three months of the new financial year which is nearly upon us.

What are the adjustments that are going to have to accommodate for that, sir? And it is no comfort to say that it can be made up in paper, rather than in cash, because it still is increasing the debt and will have to be paid back. Mr. Speaker, you care about your grandchildren? Do you have great grandchildren, Mr. Speaker? These are the people who are going to bear it.

Mr. MONTAGUE: Why you never ask Omar the same question?

Rev. THWAITES: Of course, we ask everybody who is responsible, Member, every single person.

(*Sotto voce* comments by Mr. Montague)

Rev. THWAITES: We are talking about systemic reform which is needed, Mr. Speaker. We are not talking about narrow partisan concerns or apportioning blame for this or that.

Mr. MONTAGUE: Hear, hear!

Rev. THWAITES: This call, limited as it is - limited in words as I am, sir... (Laughter) ...is to ask the Parliament of this country, please to consider - please to consider these systemic matters and go to the root of the issue, rather than simply going through a formalism of adding more debt; of creating -

contributing to an uncertain fiscal deficit which we can't even calculate with any certainty as we go ahead. The change that is needed is fundamental change. The PAAC has outlined, in its deliberations, some element of this. There is much more work to be done.

I thank you.

MEMBERS: Hear, Hear!

(Applause)

The SPEAKER: Mr. Mullings.

Mr. MULLINGS: Thank you, Mr. Speaker.

First, Mr. Speaker, I must, of course, commend the Committee for going through the process of looking at the Supplementary Estimates, and raising some concerns.

A MEMBER: Excellent!

Mr. MULLINGS: But at the same time we must be very careful, Mr. Speaker, that we don't take on more than we can chew. And I notice that my Member from Central Kingston has wasped quite loquaciously on this particular issue. But let us look at Bogue Road. A recommendation here that it relates to having the negotiation of fixed-price contracts; what has not been said, that in a project of work over a period of time, if you have a fixed price contract and the amount of money agreed on is far above what is actually required, then of course, the contractor gets a windfall.

(Applause)

A MEMBER: Hear, hear!

Mr. MULLINGS: And the converse is, if the amount of money agreed on is far less than what is required, then the work is not completed. And I note as well, the recommendation of the Committee, and the shock that the Member speaks of, in terms of the contingencies in the change in the scope or works. You know what it is for? Fluctuations. And not only that, street lights and barriers which go to the safety, not my words, the safety of the users of roads.

(*Sotto voce* comments by some Members)

Mr. MULLINGS: What, I ask, could be objectionable in that? And you know, Mr. Speaker, we must be very careful; we must be very careful. Sometimes we stand and we wax eloquently, but when we look at the realities...

A MEMBER: Hear, hear!

Mr. MULLINGS: ...as they expose the people of the nation to dangers, we don't deal with that. What dollar would the Member from Central Kingston have saved against the life of an individual who uses the road?

(Applause/*Sotto voce* comments)

(Inaudible comment by Rev. Thwaites)

Mr. MULLINGS: We must be very careful, and the Member may think that it is foolishness ... the Member may think that it is foolishness. But, if the Member thinks it is foolishness, ask that question of the persons exposed to that danger.

Mr. Speaker, do you know that the Rose Hall highway, for instance, that several fatalities have happened, where vehicles have jumped the median?

A MEMBER: Yes.

Mr. MULLINGS: Do you know that I know, Members of my family are exposed to the very danger. And so, if on reflection on that very experience - and that road has no lights - if there is a reflection on that experience and they want to spend $700 Million more to save their lives, I have no objection to that.

(Applause)

MEMBERS: Hear, hear!

A MEMBER: Neither do I.

Mr. MULLINGS: And it is time for us, Mr. Speaker, it is time for us to look at the detail, and to deal with it instead of standing on a soap box and making far-reaching statements, and labelling people.

And I think it is very important, Mr. Speaker - and I commend the Chairman of the Committee for looking at, and making a recommendation as he has.

I agree, for instance, with the Works Agency and the National Water Commission. There ought to be legislation, not just for protocol, so that the Water Commission, if they dig up the road, bring it back to that particular level of safety, and of course, the aesthetics to which it was before. I have no objection to that. But, let us be very careful that we don't stand up in the meanwhile and appeal to the public, as if to say no work has been done, or if the work that has been done, come about because of some scant regard or perfunctory attention.

Member from Central Kingston, I heartily disagree. And the Members and people of St. James, and those who use that thoroughfare, I am sure, disagree with you as well.

Thank you, Mr. Speaker.

(Applause)

Mr. MONTAGUE: Is out of order him out of order.

The SPEAKER: Mr. Fitz Jackson.

(Applause)

Mr. JACKSON: Mr. Speaker, as a Member of the Committee, I never really intended to participate in the debate. But, my good friend from St. James, I think he totally missed the point here, because…I say so, Mr. Speaker, because the concerns that my colleague and friend raised, has had the full support of the Committee.

The Committee in its deliberations, Mr. Speaker…

(*Sotto voce* comments by some Members)

Mr. JACKSON: …specifically…The Committee, Mr. Speaker…

Mr. MONTAGUE: He was speaking to the comments of the Member from Central Kingston, not to the Committee.

Mr. JACKSON: Mr. Speaker…

The SPEAKER: Listen nuh, other Members, if you want to speak, you can speak afterwards.

Mr. JACKSON: Through you, Mr. Speaker, for the benefit of my colleague and friend, I repeat, the Committee fully supports the concern that he shared. The concern of the Committee lies in the execution of this project. And we asked for certain detail to inform what led to the position we took. How do you account for that $700 Million in additional cost?

Mr. MONTAGUE: That is a different thing.

Mr. JACKSON: As I recall, off the top of my head, approximately $310 Million was for increase in fluctuations. There is $130-something Million for increase in the scope of work. We asked – and the rest for some other things. The list of items that allow for the increased scope of work were quite justified: the things for safety, the street lights, *et cetera*, *et cetera*. No road should have been designed and have these things excluded, from the very beginning.

And the reason why it appears in the Report, Mr. Speaker, because when the original presentation came to Parliament and this House, all of us as representatives were asked to endorse those expenditure. We did that in good faith, expecting that we were

going to get a road that is safe and can serve the people of the environ well. What we saw come back to us in the Committee, through the Supplementary Budget, was a road that would not be safe for the people, and the people have been asked to pay more than what they had intended to pay in the beginning.

That is what is of distress to the Members and that's what we sought to address in this Report, and bring to the attention of this Parliament. We are saying, going forward… going forward - because we support the additional expenditure; but we say it can't continue. Going forward, we are requiring from the technical expertise proper professional planning, that when you design a road and you come up with the cost, it reflects in a reasonable way what will finally obtain.

So, with those few words of intervention, I hope that my good friend and colleague can rest assured that the Committee's deliberation and recommendation is totally in congruence with your own concerns.

The SPEAKER: Dr. Phillips.

Dr. PHILLIPS: Mr. Speaker, I want to begin by saying that I think that the decision under the Financial Responsibility Act to cause an examination of the Supplementary Estimates in detail by the Public Administration and Appropriations Committee is a good thing.

(Applause)

What we need to do collectively, Mr. Speaker, is to ensure that the purposes that were designed in that Act, or the purposes that were expressed in requiring the consideration by the Public Administration and Appropriations Committee are not, in fact, going to be negated by a kind of demurrage for partisanship and excess that is too oftentimes expressed in the way we do business.

Mr. MONTAGUE: Tell Ronnie.

Dr. PHILLIPS: I believe that even though he was very passionate, the Member for Central Kingston was trying to encourage us to look at our responsibilities in a longer term perspective, rather than in just a narrow, immediate, partisan perspective. And I think he was also bemoaning the limitation of time that was being imposed on this Parliament with respect to our consideration of this Report.

Mr. MONTAGUE: That wasn't any interpretation.

Dr. PHILLIPS: Occasionally, you and I differ - occasionally.

A MEMBER: On substantive points.

Dr. PHILLIPS: (Laughs) Mr. Speaker, my question, which I hope that the - at some point, the Minister of Finance…

(Inaudible comment by Mr. Warmington)

Dr. PHILLIPS: You giving him more taxes or less.

A MEMBER: Less!

Dr. PHILLIPS: No, I am hoping, Mr. Speaker, that the Minister of Finance will, at some point, advise us as to whether the Ministry of Finance is prepared to take seriously, the comments and recommendations made by the Committee about how some improvement can be brought to the overall efficiency of government with how we spend our taxes.

You know, the Prime Minister spoke earlier today about renewal. And renewal doesn't always rest in some grand changes and constitutional proposals. We could have a lot of renewal get underway in substantive terms, if we were to address some of the

inefficiencies surrounding how we spend money.

I am not saying that inefficiency began may end with this Administration, because they might be changed and remove from office and changes might occur, but inefficiency never began with the Minister of Finance, who is presently in place or in fact it extends over many decades and back to Independence and before. But there are some specific recommendations here and I can see from some of them and the wording of some of them, that they have been made before.

For example, the concern has been raised about the use of the Tourism Enhancement Fund for recurrent expenditure, which effectively contravenes the original intentions that existed when the fund was set up. We have used it to deal with regular advertising cost and I see even here, that it is being used to sponsor entertainment events by private promoters.

Mr. HENRY: That is in election rights.

Dr. PHILLIPS: Exactly, and you are concerned that the Government of Jamaica recover some of those intellectual rights to those performances. All very valid concerns.

Mr. HENRY: You are speaking in decline. Stop speaking in decline.

Dr. PHILLIPS: All very valid concerns that you would want to recover the intellectual rights belonging to the people of Jamaica.

The point being, what I understand the Minister of Transport and Works to be saying, that in addition to requesting audited financial statements from these private promotions, which I assume he is supporting, and I'm asking the Minister of Finance if he will support it and insist that those changes be brought about. But the Minister of Transport and Works in his sotto voce comments is also asking that in the Agreement the intellectual property rights of the people of Jamaica be protected through the Government and I would also support that.

There is another particular recommendation to which I would make reference, Mr. Speaker. Is the Minister prepared to proceed as is recommended by the Public Appropriations Committee to get a binding contractual arrangement between the different utility companies and the Ministry and the National Works Agency, who destroy the roadways? It's been happening a long, long time, it never started last year.

Mr. HENRY: No, it stop now!

Dr. PHILLIPS: It has not stopped. I cannot even drive to Liguanea along Barbican road because it nuh stop.

(Inaudible comments by some Members)

Dr. PHILLIPS: But the road, the road, Mr. Speaker, belongs to the people of Jamaica and they have a right to have it in a good condition. And what we are asking you is to use your power as Minister of Finance, following the recommendation made by your hardworking committee, to ensure that such a contract is put in place.

What we see here you know, Mr. Speaker, put simply, tax revenue estimated in the summary of the accounts is $288 Billion. That means almost every one of the citizens - adult citizens - is paying about $144,000 every year, and we know about 16% of them don't earn that.

Mr. WITTER: You must say on an average.

Dr. PHILLIPS: An average, that's what I said, an average because you probably pay...

Dr. DAVIES: I'm paying for you.

(Inaudible comment/Laughter by Mr. Witter)

Dr. PHILLIPS: ...but the point is, we all agree that we are overtaxed, overburdened and we are not growing sufficiently. All that we're trying to seek is, can we spend the money that the taxpayer provides more efficiently rather than taking for granted that we just touch them again anytime we feel like it, despite the reports of billions of dollars being misspent or…

Mr. HENRY: Not anymore.

Dr. PHILLIPS: …appropriated improperly…

Dr. DAVIES: Yuh go fix more road?

Dr. PHILLIPS: ...by persons known or unknown, by corrupt practices, and we just keep on seemingly ignoring those things?

Mr. WITTER: No misappropriation was in the Report.

Dr. PHILLIPS: What we're really asking for, Mr. Speaker, is that the Parliament, despite the fact that we will always have disagreements about policy issues and directions in which the national development should be stimulated and we can have all kinds of disagreements, but I believe, collectively, all of us should want to do justice by the taxpayer who is the same person that elected us. (Applause)

And so I am pleading two things; one, that we take those recommendations seriously; and two, as we proceed we try to encourage the mechanisms designed in law and brought here by you for the committee - the Public Appropriations Committee - and we would hope that Standing Finance Committee becomes a place where we can seriously debate collectively, how to improve the efficiency of Government. Because we can't keep on combatting each other inside here, while – as ERNIE SMITH said - not the one who has the skills of a singer, '**Jah kingdom goes to waste.'**

Thank you, Mr. Speaker.

(Applause)

The SPEAKER: Mr. Holness then Mr. Shaw.

(Inaudible comments by some Members)

Dr. PHILLIPS: And when dem say yuh done, I tell dem say yuh just a come.

Mr. HOLNESS: Section 48G of the amendments to the Financial Administration and Audit Act, requires that statements of excess or supplementary estimates be reviewed by the PAAC. It is, as we have discovered now and as Members have said, a very useful amendment to the legislation. The level of oversight and review, in my limited time here, I have not seen that done on a Supplementary Estimate. It is a different creature of review from what is conducted in the Standing Finance Committee.

In the review of the PAAC, they go into greater detail and they get to ask direct questions to the technocrats. In the Standing Finance Committee, questions are asked through the Minister to the technocrats. The Report however, is not a final Report and that is the area in which we need to resolve...

Mr. WARMINGTON: Repeal the Act.

Mr. HOLNESS: …because the Standing Finance Committee still retains the original right in Parliament to approve or not.

Mr. WARMINGTON: The Act is to repeal.

Mr. HOLNESS: What we are doing here is a preliminary step towards the final

approval of the Standing Finance Committee. So while it may seem to be circuitous in a way…

Mr. WARMINGTON: Repeal the Act.

Mr. HOLNESS: I believe, Mr. Speaker that we should let it work itself out, maybe two or three times, before we rush to a conclusion of saying it has not worked or it is not working.

Mr. WARMINGTON: Repeal the Act.

Mr. HOLNESS: Well we are hearing concerns that it is not necessarily the most efficient way of doing it.

The other concern, Mr. Speaker, which we face, is the workload that Parliament is required to carry. There is a view in the public that Parliament does not do enough work. From time to time I am stopped and people are saying, why is it that Parliament doesn't meet three times per week?

Mr. WARMINGTON: Repeal the Act.

Mr. HOLNESS: Not many people in the public know that the work of Parliament goes on almost on a daily basis in committees. And one of the committees that is working and which we see working is the PAAC. (Applause)

Mr. WARMINGTON: Repeal the Act.

Mr. HOLNESS: I want to congratulate the Chairman and the Members of the Committee, who responded to the urgent presentation of the Supplementary Estimates coming from the Ministry of Finance. Urgent, not because of any inefficiency on our part, but because we have consideration, Mr. Speaker, for the 23,000 teachers who have to be paid.

Dr. DAVIES: I think you are making it worse. Sidung!

Mr. HOLNESS: Yes, and who are expecting their pay…

Dr. DAVIES: Sidung!

Mr. HOLNESS: ...in December? Because we have consideration, Mr. Speaker, for the nurses.

Dr. DAVIES: Sidung!

Mr. BUNTING: Nurses too?

Dr. PHILLIPS: That is just the thought, you know.

Mr. HOLNESS: When we, Mr. Speaker, try to order the business of the House, such that we can meet these expectations, we are encouraged, Mr. Speaker, when we see the Chairman of the PAAC and the Members respond with the expedition necessary to ensure, Mr. Speaker...

Dr. DAVIES: All right, sidung!

Mr. HOLNESS: No, let me speak because you had your chance of speaking on the matter.

Dr. DAVIES: I'm going to speak on it.

Mr. HOLNESS: No you don't speak again. We don't want to hear you again.

Dr. DAVIES: I'm gonna speak again.

Mr. HOLNESS: Mr. Speaker, it is not our intention to rush through things, but Parliament must also be cognisant that it serves the public. And I want to again extend the congratulations to the PAAC for doing their work in service to the public.

Mr. Speaker, the intention…

(Inaudible comments by Members)

Mr. HOLNESS: Mr. Speaker, the intention and the reason behind the review is that this review will not…

(Inaudible comment by Dr. Davies)

Mr. HOLNESS: Hold on, hold on, this is the operations of the House. The Minister is

going to speak about the actual matters in the Report.

Dr. DAVIES: I'm leaving here shortly.

Mr. HOLNESS: That is your problem, you never stay here for the completion of the House, you never stay and yet you stand up and say that we must postpone the business of the House to next week and the next week, let us do it now.

Dr. DAVIES: Half of what you're saying shouldn't be said.

Mr. HOLNESS: Mr. Speaker, the other important point to be made regarding this matter is that the review of the PAAC does not apply to the first presentation of the budget…

A MEMBER: Right!

Mr. HOLNESS: …only to subsequent adjustments or over-expenditure. So this procedure would not apply to the presentation of the Budget come April.

So with those few contributions, Mr. Speaker, I thank you for listening.

The SPEAKER: Mr. Shaw.

Mr. SHAW: Mr. Speaker, let me just say - Mr. Speaker, let me first of all join the other speakers in thanking the Chairman of the Public Administration and Appropriations Committee for looking with expedition at the Supplementary Estimates that were tabled. And I just want to say that I had to search initially through some of the opinions expressed by the Opposition Members, to find out exactly where their thinking was.

And then, because I heard *ad hoc* and 'jumbled way' and the usual derogatory remarks, the usual derogatory remarks - but Mr. Speaker, they contradicted themselves in the sense that good sense then further prevailed in the course of this debate, where from at least two Members and the Chairman himself, the purpose and the intention of putting the Supplementary Estimates to the Public Administration and Appropriations Committee, has itself been manifested.

So in other words, despite the glitches and we admit that there are glitches, they're operational glitches because it's a work in progress we have just started it... It's a commitment, Mr. Speaker, that we gave to transparency, to increase the level of scrutiny by Parliament; and it started with commitment that has been carried out where we made the commitment, we made the commitment as a government that we would put the chairmanship of the major committees of the House under the chairmanship of a Member of the Opposition...

Government MEMBER: Yes.

Mr. SHAW: …Including this committee.

(Applause by Government Members)

And, Mr. Speaker, I want to remind you that the concept of this Appropriations Committee was first promulgated in the previous administration. The problem was, it wasn't working.

(Cross talk)

Mr. SHAW: It wasn't working, it wasn't working...

Mrs. SIMPSON MILLER: Is true?

Mr. SHAW: …because it was the chairmanship of a Government Member and the committee hardly met and when it met it hardly did any work. Now, Mr. Speaker, I join with the Member from Central Kingston, because indeed I was on that side, when constantly every year he would complain about the deficiencies, the inherent deficiencies in the work of the Standing Finance Committee. And I must say to him that when we thought of how we could, we

could involve the process of scrutiny of the budget more, including the Supplementary Estimates, it was in part his own criticism which I myself shared as a Member, then of the Opposition, that we thought that it could be an important part of the work of this committee.

And the observations that have been made, Mr. Speaker, and the recommendations that have been made are very, very important. And I want to give the Member from East Central St. Andrew every assurance - he has asked me to give to make sure we look at the recommendations. We will look at the recommendations, absolutely. We will look at the recommendations including those that have to do with the Tourism Enhancement Fund.

Mr. Speaker, in order for us to be a more perfect government...

Opposition MEMBER: What?

(Cross talk)

Mr. SHAW: …to be a more perfect government...

Opposition MEMBER: A more perfect government.

Mr. SHAW: ... we have to be prepared to take the recommendation from both sides of the House and take the recommendations from civil society; and take the recommendations from every quarter of our society, Mr. Speaker, in order for all of us to be able to present, overtime, a more perfect government that can make sure that we expend the monies, that we get value for monies expended and that we cut down on the waste in expenditure that has been so adequately enumerated.

So, so, Mr. Speaker, I'm simply saying that the Member from Central Kingston spoke eloquently about the fundamental systemic problems that exist, and I agree with him, even in relation to the item that were examined yesterday and were the subject of recommendations in this Report, systemic problems, I agree with that. There are serious systemic problems that must be addressed in public expenditure. But ironically, one of the systemic problems that we had was the problem of lack of transparency.

Government MEMBER: Yes.

Mr. SHAW: Because part of dealing with systemic problems is to start with openness and transparency in government. So that when I was in Opposition and asked the then Minister of Transport and Works, who had the deferred financing scheme that only he and a few people knew about, we couldn't get the list of roads that were put to - were being repaired…

Mr. E. SMITH: True!

Mr. SHAW: ...Mr. Speaker, we couldn't get the list of roads.

Mr. E. SMITH: Got none.

Mr. SHAW: We were promised the list of roads...

Mr. E. SMITH: True!

Mr. SHAW: …but it was never delivered to us...

Mr. E. SMITH: Never, never!

Mr. SHAW: So there was no transparency. I'm simply saying that, that systemic problem is now being dealt with. And I really want to very sincerely applaud the Chairman...

Dr. DAVIES: Hear, hear!

Mr. SHAW: …and all of the Members of the Appropriations Committee.

(Applause by Government Members)

(Cross talk)

Government MEMBER: Chairman is a Labourite, man.

Mr. SHAW: So to the extent that we're having this debate now, Mr. Speaker, means that the purpose of this examination is going to now help us in the process of scrutiny, help us even as we do the traditional examination which is scheduled for next week Tuesday morning at 10:00 o'clock for the Standing Finance Committee.

And so, Mr. Speaker, let me just indicate that among the things that were listed as concerns in the Report - concerns by my own department, Inland Revenue and Customs...

Dr. DAVIES: That you not giving them enough money.

Mr. SHAW: …saying that they have not gotten enough money - and you know they usually say, 'parson christen him pickney first.' But this is an indication of the fiscal constraints under which we have been operating. And I want to give the Members every assurance that I do believe that we must put some more money into these critical areas that are, in the long run, critical to raising the level of tax revenue anyway. So I give that assurance that we have to place priority in that area.

Other areas in relation to the National Solid Waste Management Authority, the NWC working with the NWA; Minister, I have to tell you, the NWC did up several miles of roads in my own constituency, many months ago, the main road from Cheapside on the main road up to Walderston and onwards to Limit laying an important pipeline. I'm grateful for the pipeline but for God's sake, why don't they patch out back the road. It's the main road and it has, in fact, ended up narrowing the main road. They need to fix it and fix it properly.

Dr. PHILLIPS: What about the bypass for (inaudible)?

Mr. SHAW: That soon come.

Dr. PHILLIPS: Soon come!

Opposition MEMBER: Soon come.

Mr. SHAW: That soon come. But I want to also indicate that, in furtherance of this new fiscal responsibility framework, Mr. Speaker, we have tabled today, Mr. Speaker, we have tabled today in the House the Jamaica Public Bodies Expenditure, the Revised Estimates of Revenue and Expenditure for the year ending March 2011, as part of the process of keeping this Parliament informed about all of the changes that are taking place.

And so, Mr. Speaker, we admit that there are areas that we need to streamline in terms of the information, in terms of the process. Ideally, I think it's appropriate that where we table the Estimates we first allow a week for the Appropriations Committee to look at it, we have our little debate then we allow another week towards the Standing Finance Committee.

Dr. PHILLIPS: Wise!

Mr. SHAW: And I think then that sort of room, Mr. Speaker, will give it the sort of adequate ability for us to air the issues and to do so very carefully.

So against this background, Mr. Speaker, I just want to tell Members that as far as I'm concerned; we're going in the right direction in terms of the interaction, in terms of the openness, and in terms of the transparency. And as Minister of Finance, I want to give you, and I want to give the Chairman of the Committee and the Members of this Honourable House the assurance that I shall

take a careful look at every single recommendation that is in here, that I have never seen at the level of Standing Finance Committee. 'Cause Standing Finance Committee tends to ask a question about this or a question about that, but these things, in the way that they have been presented, can very well lead to important changes either in policy or in specific methodology.

(Applause by Government Members)

The ultimate result and end game in all of this is to improve the quality of governance.

And I thank you very much, Mr. Speaker.

(Applause)

The SPEAKER: Dr. McNeill, you need only move for the adoption now.

Dr. McNEILL: Mr. Speaker, I, I - indulge me.

Mr. Speaker, let me just start by thanking the Minister of Finance for what he said. And I must say that the work being done at the Committee, while it has taken a lot of time, it really gave us an opportunity to look at things in a much deeper way than we have ever been able to it at the Standing Finance Committee.

Mr. Speaker, before I close I just want to make two quick points. The first in response to what was said from the Member from West Central.

Mr. WARMINGTON: West Central where?

Dr. McNEILL: St. James. West Central St. James.

Mr. Speaker, one of the problems that we have at our Committee is that we often are getting a lot of these overruns. In this case we were talking about the Bogue road. But the Bogue road is only one such situation. We have had this in the Ministry of Education. We have had it at the Ministry of Health and what we're saying and what…

Mr. HENRY: It's really a bad plan.

Dr. McNEILL: Bad! And when the systems are bad, they're bad. And one of the things we must do – our committee, one of its jobs is to look at public administration and the efficiency with which things are done in government. And what I want to say is, we had unanimity in our committee in dealing with these things. We're seeing too many projects that are coming with overruns and everyone on both sides of the committee feel strongly that we need to stop looking at these.

And in this case the problem - we all want the safety of everybody, that's a given and I know that you have a special interest in the Bogue road. But understand what we're saying is that when it comes and they say the road is being done, but in the original estimate it did not have the lights or it did not have walls or it did not have basic things, we're not blaming the Minister. What we're saying is the technocrat, the engineer, the person who puts that together, somebody must be held accountable so that when these things get these overruns of Seven Hundred Million Dollars you can point somewhere. So what we're saying is, we just to look at how the system is done. We all want a good result at the end of the day.

The second thing is that the Member from East Central mentioned the TEF. I want to thank the Minister of Finance for what he said, because the real concern that we found with the TEF now is that this year the fund was to get $1.7 Billion that was allocated. With this addition it goes to $2.1 Billion or close to $2.2 Billion. Of that, $1 Billion goes to the JTB and

JAMVAC which is operation - which is budget support and now this additional US$5 Million which is $400 and something Million, is going to advertising. So what you find is roughly $1.5 Million out of $2.1 Billion going to budget support and advertising and you're left with maybe $600 Million for all the enhancement for the development of the product that we had. There's a feeling that the vision that was there for the TEF is not being realized. And therefore, I appreciate the fact that you are going to give serious consideration towards it.

And the last point was touched on by the Minister from East Kingston…

Government MEMBER: East Kingston?

Dr. McNEILL: Sorry, Central Kingston.

Government MEMBER: Oh!

Dr. McNEILL: He made the point about it the supplemental budget. There was one line item of $50 Thousand that was to go to an event. It was the Sumfest to which it was put. What happened was that last year this point the committee met and at that time grants were going to be given of $500 Thousand to both Sumfest and to the Jazz festival. The committee went through it and we simply said that where these events are going to get government funding they must have their audited accounts and all the normal things that you do when you're doing business with government. So the point was made that in giving this increased allocation that we want to ensure that those things that were asked to be done last year were done.

So, Mr. Speaker, with those few remarks, I want to thank the members of the Committee, they are hardworking. (Applause) The Committee has been meeting way too regularly. And I want to thank the staff of Parliament, who, because of the urgency of this, given all the indications that we had from the Ministry of Finance and the Public Service, and how important it was, we took the unprecedented step of meeting on a Monday. And I really want to thank the Clerk and the staff of Parliament, because they were very upset about it. And I want to thank them for that.

The SPEAKER: Thank you.

Dr. McNEILL: With that, Mr. Speaker, I now beg to move:

> "Be It Resolved that the recommendations on the First Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011, as contained in the Report of the Public Administration and Appropriations Committee, which was laid on the Table of the House on the 7th day of December, 2010, be approved, subject to further deliberations on these Estimates by the Standing Finance Committee of the whole House of Representatives."

The SPEAKER: Members, before you is the Report of the Public Administration and Appropriations Committee, on its deliberations on the Supplementary Estimates. The Report is for your adoption.

Put to the House and agreed to.

The SPEAKER: The Report is adopted.

Mr. HOLNESS: Mr. Speaker, as a matter of procedure now, so that we don't lose Members, we are now going to formally refer the Estimates of Expenditure to the Standing Finance Committee. So, Mr. Speaker, I now beg for the recommittal of the item, 'Notices of Motions Given Orally'.

The SPEAKER: Members, before you is for the recommittal of the item, 'Notices of Motions Given Orally'.

Put to the House and agreed to.

NOTICES OF MOTIONS GIVEN ORALLY
(Recommitted)

Mr. SHAW: Thank you, Mr. Speaker.

I beg to give notice that at the next meeting of the House I will move the following motion:

> "Be It Resolved that the First Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011, which was laid on the Table of the House on the 30th day of November, 2010, be referred to the Standing Finance Committee of the whole House of Representatives, consisting of all Members of the House, for consideration and report", and
>
> "Be It Further Resolved that the Committee during its deliberations, take into account the recommendations contained in the Report of the Public Administration and Appropriations Committee, on its deliberations on the first Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011, which was laid on the Table of the House on the 7th day of December, 2010."

And, Mr. Speaker, I further beg to give notice that at a later stage today I will move for suspension of the Standing Orders to allow me to take this motion.

The SPEAKER: Thank you. Now, Public Business.

(*Sotto voce* comment from a Member)

We did. We are now back to Public Business, so Mr. Shaw.

PUBLIC BUSINESS
(Continued)

Mr. SHAW: Mr. Speaker, I now move for the suspension of Standing Orders to enable me to take the motion, notice of which I gave earlier.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the Member - the Minister of Finance to take the motion, notice of which he gave earlier.

Put to the House and agreed to.

The SPEAKER: Mr. Shaw.

Mr. SHAW: Mr. Speaker, before I formally move the motion, let me indicate that the intention is for the Standing Finance Committee to meet next week Tuesday morning at 10:00, and we will have the debate on the Estimates in the afternoon in the House. I now therefore move:

> "Be It Resolved that the First Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011, which was laid on the Table of the House on the 30th day of November, 2010, be referred to the Standing Finance Committee of the whole House of Representatives, consisting of all Members of the House for consideration and Report", and
>
> "Be It Further Resolved that the Committee during its deliberations,

take into account the recommendations contained in the Report of the Public Administration and Appropriations Committee, on its deliberations on the First Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011, which was laid on the Table of the House on the 7th day of December, 2010."

The SPEAKER: Thank you, Mr. Shaw.

Members, before we proceed to - the motion presented by the Minister, we need to approve.

Put to the House and agreed to.

The SPEAKER: Yes, Leader of the House.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. I want to just reiterate the point made by the Minister of Finance, that we will have Standing Finance Committee at 10:00, Tuesday, 10:00 sharp, Tuesday the 14th.

I also want to draw the attention of Members to Ministry Paper 98, which was tabled today. I intend to make a statement on it, and I would want Members to be prepared when I make the statement. So I am encouraging Members to hold on to this Ministry Paper and read it very carefully, so that we can have a discussion on it.

Mr. Speaker, I therefore move that the House do adjourn until the 14th of December, when we will resume our business.

The SPEAKER: Members, the motion before the House is that this Honourable House do adjourn until Tuesday, December the 14th, at 2:00 p.m.

Put to the House and agreed to.

The SPEAKER: This Honourable House stands adjourned.

The Honourable House of Representatives was adjourned at 6:21 p.m., to resume on Tuesday, December 14, 2010, at 2:00 p.m.

THURSDAY, December 14, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 3.11 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Trade.

RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment.

DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister with responsibility for Information and Telecommunication.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

ROBERT ST. AUBYN MONTAGUE, (JLP), St. Mary, Western, Minister of State in the Office of the Prime Minister.

OTHER MEMBERS

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

DR. DONALD K. DUNCAN, (PNP), Hanover, Eastern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

DR. ESMOND VERNAL PATRICK HARRIS, (PNP), Trelawny, North.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MRS. MAXINE ANTOINETTE HENRY-WILSON, (PNP), St. Andrew, South Eastern.

MR. OTHNEIL DAMION ST. ELMO LAWRENCE, (JLP), St. Ann, North Western.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

DR. KENNETH WYKEHAM McNEILL, (PNP), Westmoreland, Western.

MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central.

MRS. NATALIE NEITA-HEADLEY, (PNP), St. Catherine, East Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. MICHAEL ANTHONY PEART, (PNP), Manchester, Southern.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

MR. KERN O'MAR SPENCER, (PNP), St. Elizabeth, North Eastern.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 3.11 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

Mr. SPEAKER: Members, this afternoon we would like to welcome persons sitting in the Gallery. In particular we want to welcome the contestants in the Miss CTEP 2010 Competition and their Chaperones. CTEP is the Community Train Empowerment Programme from Southern St. James. So all the way from Southern St. James, welcome to the sitting of Parliament. (Applause)

And please, Members and persons in the Gallery, kindly remember to turn off your phones or put it on vibrate so that it will not disturb the sitting of Parliament.

(HON. EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism, entered and took his seat.)

STATEMENTS BY MINISTERS

Mr. HOLNESS: Mr. Speaker, there will be three Statements today by Ministers. The Minister of Agriculture will go first and then I will follow.

(HON. ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister & Minister of Defence, entered and took his seat.)

The SPEAKER: Dr. Tufton?

Dr. TUFTON: Thank you very much, Mr. Speaker.

Mr. Speaker…

The SPEAKER: Would you circulate the statement, please?

COFFEE – EX-IM BANK LOAN

Dr. TUFTON: Mr. Speaker, the coffee industry of Jamaica is the second largest income earner in the agricultural sector, second only to sugar. Some 10,000 farmers directly benefit, Mr. Speaker, from the sector and over a hundred thousand workers, including reapers and coffee pickers in the processing plants, benefit indirectly.

The industry, Mr. Speaker, produces between 1.5 million to 2.4 million tonnes of green beans from an annual production of some 300,000 to 400,000 boxes of coffee, which result in annual average earnings of some US$23 Million for the High Mountain coffee and US$36 Million for Jamaica **Blue Mountain Coffee**.

(MR. PETER MURCOTT BUNTING, (PNP), Manchester, Central, entered and took his seat.)

There are currently some 21 licensed coffee dealers who buy cherry coffee from

farmers to process into world-famous Jamaican coffee or Jamaica **Blue Mountain Coffee**.

Mr. Speaker, Jamaica's primary export market for **Blue Mountain Coffee** is Japan. At present, the Japanese market accounts for approximately 90% of **Blue Mountain Coffee** exports and this represents about 2% of Japan's total coffee imports. Over the last decade, Japanese importers of Jamaica's **Blue Mountain Coffee** have provided advanced payments to Jamaica for the purchase of cherry coffee and its processing into green beans for export. Mr. Speaker, over the years, this advanced payment has served as critical working capital support to local dealers and has prevented them from having them to upfront funds to purchase coffee and await payment months later when the green beans were exported.

(DR. OMAR LLOYD DAVIES, (PNP), St Andrew, Southern, entered and took his seat.)

It has been customary, Mr. Speaker, for Japanese importers to keep approximately one and a half years inventory of Jamaica **Blue Mountain Coffee**. However, arising from the global recession, gourmet coffee sales have declined in Japan, therefore, existing inventories remain high. In 2009 it was projected that the coffee industry would produce 944 tonnes of exportable coffee, but due to the late confirmation of orders and slower than normal sales, only 630 tonnes of exportable coffee have been sold to date and significant quantities remain in stock.

The current crop is projected, Mr. Speaker, to produce at least 1,100 tonnes of coffee for which there is a confirmed demand for six hundred tonnes. Mr. Speaker, in addition, Jamaican **Blue Mountain Coffee** is facing strong competition in Japan from other premium coffees that are less expensive and it is no longer, therefore, enjoying its place of pride, as is the case in the past - as was the case in, the past.

(MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N. (PNP), St. Andrew, South Western, Leader of the Opposition, entered and took her seat.)

(DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern, entered and took his seat.)

In adjusting to those challenges, that is the recession and competition in the Japanese market, the Japanese importers, Mr. Speaker, are now moving towards adjusting time inventory management for **Blue Mountain Coffee** to manage inventory and forward purchase risk and expenses. In the face of the current recession this has significantly reduced the demand for **Jamaican Blue Mountain Coffee** in Japan. This also means that instead of Japanese importers bearing the cost to carry the inventory of **Blue Mountain Coffee**, Jamaican exporters will now have to bear their cost.

(MR. NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader, entered and took his seat.)

Mr. Speaker, Japanese importers of Blue Mountain Coffee have in essence terminated the advanced payment that our Jamaican exporters have been accustomed to.

The Jamaican coffee sector is, therefore, Mr. Speaker, for all these reasons, now at a crossroads, a critical crossroads. The sector is running at huge excess capacity as demand is

not close to matching the supply. The lack of working capital, currently being experienced by coffee dealers, means that they are unable to purchase the cherry coffee from farmers and meet their processing costs. Farmers are not inclined to sell the cherry coffee and await payment until the green beans are exported. There is now, Mr. Speaker, Colleagues, a great risk that the farmers may not reap the cherry coffee and the crop could, by extension, be lost. This would mean a loss in income for our coffee farmers, especially as we approach the Christmas holidays. This would be particularly, be traumatic, Mr. Speaker.

(MRS. SHARON MERLE HAY-WEBSTER, (PNP), St. Catherine, South Central, entered and took her seat.)

This situation could result, if the crop is lost because of lack of markets, in a collapse of the industry, damage to the **Blue Mountain Coffee brand** in the international market and a loss of foreign exchange earnings to the country. In other words, Mr. Speaker, we are at a point in time where structurally, the marketplace is facing severe challenges.

Mr. Speaker, due to the threat of the collapse of the industry, the Government is compelled to intervene to find an interim solution to the problem at hand. It became apparent that local coffee dealers were in need of an emergency loan facility to meet their working capital needs. Considering the length of time it would take for the usual due diligence exercise to be completed by the financial institutions for each of the six-main licensed local **Blue Mountain Coffee** dealers, any loan approved would not be disbursed on a timely basis and a significant amount of the cherry coffee would have been lost.

(MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural, entered and took his seat.)

(MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western, entered and took his seat.)

(MR. FITZ ARTHUR JACKSON, (PNP), St. Catherine, Southern, entered and took his seat.)

(MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern, entered and took his seat.)

Mr. Speaker, it is with all these considerations that the Ministry sought to intervene by arranging a loan of some $310.5 Million to the Coffee Industry Board, jointly funded by the EX-IM Bank and Development Bank of Jamaica, to facilitate the take-off of this year's coffee crop. DBJ will provide 70% of the total loan amount at an interest rate of 10% for 12 months with the possibility of extension up to six months, subject to review. The EX-IM Bank will provide the additional 30% of the total funds required at 7% to 8% for the same period.

Mr. Speaker, it is estimated that this loan will finance the purchase of some 135,000 boxes of **Blue Mountain Coffee**. The first payment to the farmer will be $1,500 per box with an anticipated final payment of approximately $800 per box. Cabinet approved, Mr. Speaker, this financing arrangement yesterday, December 13, 2010, and so we are now in a position to proceed with the disbursement of the funds.

Mr. Speaker, a lien will be placed on the coffee beans to mitigate the risk of the loan. Also, the Agro-Invest Corporation, the investment promotion arm of the Ministry of

Agriculture and Fisheries, will further secure the loan by using its property at Amity Hall in St. Catherine as collateral.

The Ministry and the CIB will monitor the disbursement of the funds and repayment. The CIB will be strengthened to monitor the operations to ensure that the loan is repaid in a timely fashion and that the funds are not diverted to meet other company obligations.

Mr. Speaker, the CIB will also purchase a vacuum packing machine in order to vacuum pack the coffee green beans that are purchased from farmers. This will extend the shelf life of the green beans to 18 months, from the usual 8 to 10 months, that will allow for increased marketing opportunities. The CIB will also be storing the processed and vacuum-packed green beans.

It is not the intention, Mr. Speaker - and I want to make this very clear - for the CIB to return to commercial activities as a routine. Rather, it is just acting temporarily to stabilize the industry and assist in securing new markets before continuing in its role as the regulatory agency.

And, Mr. Speaker, this is not unusual. It happens elsewhere in the world. There are distortions in the marketplace and government intervenes to offer some stability and return to their functions of regulating after the market is restored to normality.

The Ministry and CIB are very aware of the challenges being faced with the Japanese market and how vulnerable Jamaica has become, due to an overdependence on this market. In an effort to address these challenges, a number of initiatives are currently being undertaken in finding new markets for our coffee.

(DR. PETER DAVID PHILLIPS, (PNP), St. Andrew, East Central, entered and took his seat.)

(MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western, entered and took his seat.)

In terms of the North American market - and I am outlining a few of the initiatives, Mr. Speaker - the CIB has just signed a master agreement with a marketing company called Genus Imports that has trademarked a "Jamaica Blue Mountain ® Coffee Service". The marketing efforts would focus on the luxury hotels and fine dining restaurants within the United States and would comprise a significant public relations component.

There currently exists a contractual obligation to sell at least 16 tonnes of green beans per quarter for the next three years and 18 tonnes per month thereafter. Subject to the market demands picking up, it could be more.

Mr. Speaker, this marketing programme will become operational this crop year. In addition, the CIB and Ministry of Agriculture and Fisheries would like to engage the Jamaica Tourist Board, discussions have started, to integrate Jamaican coffee in the Taste of Jamaica campaign, showcasing the availability of Jamaican coffee throughout the US. Additionally, Mr. Speaker, the Ministry is currently working with the United States Agency for International Development to develop a marketing plan for the US market and to sensitize and solicit buyers in that marketplace. An expert has been made available to us, courtesy of the US Government, and we are now in the process of developing that market programme for the United States.

In terms of the European markets, Mr. Speaker, local coffee dealers and the CIB have been engaging new players within Europe and Russia in order to promote Jamaican coffee. The CIB has licensed several new trademark users of the Jamaican coffee markets in order to facilitate these discussions.

The Chinese market is another area we are pursuing, Mr. Speaker. The CIB and the Ministry are currently working with the Hangzhou Coffee and Western Foods in China to penetrate this very large and growing market. An arrangement has already been established whereby Hangzhou Coffee and Western Foods are committed to buying seventy to a hundred tonnes of coffee *per annum* for the first two years of the agreement commencing in January 2011. This programme will see these companies spending some US$500,000 to US$1 Million over this period in promoting the Jamaican coffee brands.

(MR. FRANKLYN ROBERT WITTER, (JLP), St. Elizabeth, South Eastern, entered and took his seat.)

Members of this House may recall that I had visited China and held discussions there. The representatives of that company came to Jamaica and out of those discussions we have signed this agreement to promote **Blue Mountain Coffee** consumption in China.

In terms of the Japanese market, Ueshima Coffee Company, the largest marketer of Jamaican **Blue Mountain Coffee** in Japan, is currently expanding their marketing programme with a million dollar marketing campaign, including television advertisements, point-of-sale material and brand messages within cafes; and it is anticipated that there will be some recovery in demand as UCC seeks to reposition the brand within Japan.

There is also a US$100,000 *per annum* public relations campaign currently being funded by both the Jamaican and Japanese importers. UCC, Mr. Speaker, is expanding its marketing promotion of Jamaican coffee within South East Asia, in locations such as Singapore, Malaysia and Thailand.

Mr. Speaker, I want to just comment briefly on the divestment of the government companies in the coffee industry because this will form part of the restructuring programme.

In addition to diversifying our market base, we also recognize that there is need for the private sector to play a more active role in the industry. The divestment of the Mavis Bank Coffee Company - Coffee Factory and Wallenford Coffee Company is an important part of the process of the re-organization of the coffee industry, which should result in the injection of new capital and resources, management expertise, increasing efficiencies in production and processing operations, and additional markets for the industry.

The Government, through the CIB, will seek to ensure, Mr. Speaker, that the quality standards for our coffee are maintained throughout the industry. At present, Mr. Speaker, the information memorandum for the Mavis Bank Coffee Factory has been completed, and is being advertised to attract potential investors who we hope, will bring new capital and management expertise to boost the operations of the factory, and access to new markets.

The information memorandum for the Wal1enford Coffee Company is being prepared under the guidance of the Wallenford

Coffee Company Enterprise team and should be finalized within the next six months. At that point we will pursue similar course to try and find an appropriate buyer for that entity.

Mr. Speaker, these interventions, we hope, will offer the potential for transformation of the industry, and to ensure that we can improve our efficiencies and diversify the critical markets that we will depend on to sell our coffee.

The private dealers also have a role to play - the current private dealers. They will have to bring greater resources to bear, Mr. Speaker, in accessing new markets for coffee and to carry the industry to a new level. It may mean, Mr. Speaker that some dealers will have to consolidate their operations to improve efficiencies in marketing of coffee. It could mean that there may need to be consolidation of some of those entities to create larger entities that will have the power to leverage their brand into these potential markets.

My own view is that, as it stands now, there are some entities that will just not survive. And, I think, a rationalization within the industry is going to be important, and the Government stands ready to engage the players in discussion to see to what extent that rationalization can take place in a smooth way that will benefit all concerned, going forward.

Mr. Speaker, the Government will continue to explore creative and proactive policy interventions to ensure the viability and sustainability of the coffee industry in the face of what is very difficult and very challenging. What it means, I think, is that we need to reconcile our minds to the realities of the industry, both locally as it relates to cost, but also externally as it relates to markets. And I spoke to it in my last budget presentation. I think we are now seeing signs of the challenges that we have to face. The Government is prepared to play its part, but all of us will have to play our part in the industry, to move the industry forward.

Thank you very much.

The SPEAKER: Thank you, Dr. Tufton. Reverend Thwaites, then Mr. Paulwell.

Rev. THWAITES: Mr. Speaker, will the Minister acknowledge that the downturn in the coffee market has also been because of concerns regarding the quality of the Jamaican product in the external market? And will he give assurances that the regulatory body will ensure that the highest possible standards of quality control and crop testing are maintained in order to obviate this criticism? May I list all my questions?

The SPEAKER: Would you like him to answer that one first?

Rev. THWAITES: As you please, Mr. Speaker.

The SPEAKER: No, he said go with the second.

Rev. THWAITES: Mr. Speaker, the marketing initiatives which the Minister indicates, if you add them up - if all the commitments by the Americans and the Chinese are added to what will be the romp of the market in Japan for the time being, as well as local market, I am not sure how much of a problem, given the levels of projected production really is there. Would the Minister care to share his arithmetic with me?

Further, in terms of product diversification, will the Coffee Industry Board consider the development of a water process Instant **Blue Mountain Coffee** or Instant Jamaican Coffee which has considerable market potential?

Further, Mr. Speaker, will the Minister agree that there is much potential for the prospect of placing in the hands of every one of the more than a million tourists who come to Jamaica, a pound of Jamaican coffee? And this stimulation of the local market, which is in fact related to an export market could be extremely important both in terms of parting with the - with any excess production. And secondly, of publicizing the brand and refurbishing its image.

Mr. Speaker, I would like to know whether the arrangement with Genus in the United States is an exclusive one, with regard to the United States market. And whether the Specialty Coffee Association of America who, historically, has had a very strong interest in Jamaican Coffee which has unfortunately not been taken up in as much as it might, could be prayed in aid, in our present situation. Further…

The SPEAKER: You have gone about five questions.

Rev. THWAITES: I have.

The SPEAKER: Hold on to the next five until…

Dr. TUFTON: Member, there... as I outlined, the reasons for why we have excess capacity is not just an issue of quality. In fact, the reasons advanced have not been advanced, suggesting a quality issue. As it relates to quality considerations, however, the market in Japan has become more competitive, not necessarily because **Blue Mountain Coffee** quality has been compromised, but because other coffee-producing countries have improved their quality at a lower cost.

While it is true that we have the - arguably the best possible coffee in the world, we also have the highest cost-producing coffee in the world. In fact, if you compare the cost of producing **Blue Mountain Coffee** with other countries that have high quality coffee, you know, Juan Valdez of Colombia!, and so on, the cost is sometimes as low as 20 to 30 per cent of the cost of producing **Blue Mountain Coffee**.

MEMBERS: Why, why?

Dr. TUFTON: There are a range of reasons for it. The Member, perhaps, can educate me more on that matter being a former coffee farmer. But, it costs about... let's look at labour costs, for example. It is about US$4, I am told, to pick one box of coffee in Jamaica.

A MEMBER: Eight to ten.

Dr. TUFTON: Eight to ten.

In a similar jurisdiction in, let's say, Colombia, it's probably $2 or $3. There is a huge difference in terms of labour cost. And there are other costs: processing cost, it is about $2 per box for processing here in Jamaica; it is about 20 to 30 cents in other jurisdictions. So, we do have a cost issue that we have to address.

A part of it is cultural. We are accustomed to having these huge input costs, labour costs and so on, a part of it is a function of efficiencies and best practices. And it is something that has to be a part of the way forward, in terms of restructuring.

In terms of more marketing initiatives, what I have announced, Member, represents possibilities, including some certainty as I announced, with the Chinese 70,000 to 100,000 tonnes, including the Genus imports in US, but also bear in mind, it's a holistic approach. We are going to be stockpiling and securing some coffee through the vacuum pack system for a year-and-a-half. We are working with JAMPRO currently. I met with

the Minister and the head of JAMPRO, developing a marketing programme, which will be dovetailed into the work that US-AID is supporting us on, to look at markets in the US, but also other markets elsewhere. There is no exclusivity in relation to the question on the Genus imports. We are going to be exploring other markets.

It involves a risk. But the alternative to what we are doing now, would be to allow the coffee to fall off the tree. And that could compromise, not just the farmers' income but also jeopardize the future of the industry, because it may be a challenge to get farmers back into the field if they have lost in a major way. In terms of the - I think I have answered all of them, Member. I don't think there is anything else.

The SPEAKER: Yes.

(*Sotto voce* comments)

Rev. THWAITES: Mr. Speaker, the one that the Minister may want to give a little more attention to is the prospect of a much clearer articulation with the tourist industry. That's one. **Secondly**, can the Minister indicate whether it is the intention for Government to support, as it is this year, a roll-over of the funds being provided to buy the crop into succeeding years, because if their advance payments system has dropped out, which it has, is this a commitment on-going and rolling over, which the administration - which the Government is prepared to make?

And **finally**, can the Minister, despite the uncertainties, can he give some at least, range, of what is projected as the price for **Blue Mountain Coffee** and High Mountain for this crop. It is very difficult for farmers to keep their cultivation going and they do not have any idea, not even a range, as to what they are going to get as a final price.

Dr. TUFTON: The discussions with the JTB will include all possibilities including what you have suggested.

In terms of the final price, I did give a guide of $1,500 Dollars first payment, approximately $800 or so, the balance at the end of the process. So, $1,500 and approximately $800 at the tail-end of the payment. So, that's the price that we are advancing. It's less than what they got last year, but again, everybody has to take a haircut because it's a challenging situation and we all have to make sacrifices.

In terms of the rolling-over of the funds, these funds are funds that are lent at commercial rates. The only distinction here between what is happening now and what could possibly happen in the future, is that the CIB is actually borrowing the money. I would like to see a situation where the industry is sufficiently strong, where the private entities can, in fact, access funds on their own. Part of the divestment, going forward, of the two existing entities is to hopefully, recapitalize and address some of the concerns that you have raised.

The SPEAKER: Mr. Paulwell, then Mr. Hylton.

Mr. PAULWELL: Thank you very much, Mr. Speaker.

I also wanted to ask for clarification in relation to the pricing issue for the farmers. The Minister mentioned that it is much Jess, what they are getting this year, the $2,300, per box than last year. So, perhaps if you could just tell us exactly what was the figure for last year.

And secondly, in relation to CIB, this is additional liabilities and probably you could just give us an idea as to what are the total liabilities that the CIB now has. And it is noted that the security used for this loan is really a property that the Ministry of Agriculture owns. But, in any event, I would like to have an idea as to what are the total liabilities now that are outstanding for the CIB.

Dr. TUFTON: Quickly, Member, last year, I think the final price came in at just over $3,200, and you are looking here at about $2,500 or $2,300 - yes, $2,300/$2,500.

Again, that final $800 being proposed is subject to sale price. And so, you can't be totally specific, in terms of the final price. On the issue of the liability of the CIB, I will be happy to give you that information. I don't have it with me, but in relation to this particular loan, yes, we have collateralized the Joan with both the beans, and we have taken steps to ensure that the beans are secure, at least for a year-and-a-half, and also with that property at Amity Hall. That property is a lot more valuable than the $310 Million that we have borrowed.

The SPEAKER: Mr. Hylton.

Mr. HYLTON: Thank you, Mr. Speaker.

Minister, my question is in line with the - I want you pick up where the Member from Central Kingston left off, which is, if the price situation, if you're not able to determine as of now what the price situation is, and you're not able to determine your exit strategy - you've mentioned the scheme that you've put in place, you're not able to determine what the exit strategy will be for the CIB. I notice you mentioned a role for the dealers in this arrangement, but as was pointed out before, the CIB as it were is back in a familiar position that it was. We thought we had successfully bifurcated the situation but the CIB is now asked again to, as it were, take charge of the marketing. What is the strategic- I know that you focused mainly on a marketing plan - what is the strategic aspect going forward for diversifying the market and whether in that strategic plan there'll be an exit strategy for the CIB?

Dr. TUFTON: Thank you.

Quickly, Mr. Speaker, I thought I'd mentioned the strategic approach. The approach is to divest the two Government-owned estates which, we hope, will bring to the table, management, capital and access to markets. The other was to develop the marketing programmes, looking at a number of other markets; and the third, is to look at the efficiencies that have to be developed on the production side to ensure that our cost of production is contained and in fact can be reduced.

Now, the new players coming onboard will be selected very carefully and will have to demonstrate a plan to do just that. All total, that would represent the exit strategy for the CIB to get back into regulation as opposed to the commercial side.

The SPEAKER: House Leader, we're still at ‘Statement by Ministers’, you...

EDUCATION - GRADE 4 LITERACY TEST

Mr. HOLNESS: Yes, Mr. Speaker.

Mr. Speaker, the Grade 4 Literacy Test provides an objective means of evaluating the impact...

The SPEAKER: You circulated the Statements?

Mr. HOLNESS: They will be circulated, Mr. Speaker.

The SPEAKER: Give us a copy.

Mr. HOLNESS: Yes, they are being copied for circulation.

The Grade 4 Literacy Test provides an objective means of evaluating the impact of the competence-based transition policy, which was introduced in 2009, to ensure that students who transition to the secondary level are literate. The policy stipulates that all children at Grade 4 are required to sit the Test as effective 20ll - that's next year - no child will be allowed to sit the Grade 6 Achievement Test without being certified as achieving mastery of the Grade 4 Literacy Test.

The 2010 sitting of the Test which was originally scheduled for June 15, this year, was postponed and eventually administered on the 29th of June, 2010. A total of 54,250 children sat the Test from public and private schools, with 711-7,113 students being students re-sitting from the 2008/2009 cohort, and 47,137 sitting the Test for the first time. That number, Mr. Speaker, divided as follows: 42,369 from public schools and 4,768 from private schools.

Sixty-seven per cent achieved mastery overall, 24% achieved almost mastery and 9% non-mastery. Of the 31,576 children who achieved mastery, 58% were females and 42% were males. In public schools, approximately 65% attained mastery, some 25% attained almost mastery and 10% non-mastery.

The 2008/2009 Grade 4 cohort was comprised of 44,208 children. Some 77% or 33,933 children from this cohort have attained mastery of the Grade 4 Literacy Test as at June, 2010. It is projected that another 3% will have mastered the sitting which was held last week for December, bringing the total mastery to 80%.

Mr. Speaker, to explain this point, we are now tracking the mastery levels of students starting from Grade 4 through to Grade 6, to determine their level of literacy. Last year when they sat the Test, 67% of students in public schools attained mastery. They have four opportunities to sit the Test and that number, after the third sitting, was at 77%.

So we are projecting, Mr. Speaker, that another 3% after having sat the Test in December, will attain mastery. So we can project that leaving the primary school system for the GSAT sitting, next year - 2011, that 80% of all students leaving the primary school system will be literate at, at least the Grade 4 level. And the Grade 4 level, Mr. Speaker, is the international benchmark for assessing literacy.

It effectively means that when a child attains mastery at the Grade 4 level, that, that child can go on to develop the full literacy competencies to become an independent and advanced learner.

Mr. Speaker, literacy is accepted as a basic human right. The Government of Jamaica is committed to this ideal of literacy as critical to national development and has made substantial investments in the Education in Partnership with Donor Agencies as well as with multilateral funding agencies with varying levels of success over the years. A comprehensive literacy programme spanning the early childhood and primary level has been developed.

And, Mr. Speaker, you will see us circulating this document in the House today. (Showing document) This document is the National Comprehensive Literacy Programme,

which is the strategy of the Ministry of Education to be implemented in all our schools, which will result, Mr. Speaker, in our achieving universal literacy in Jamaica by 2015.

At the early childhood level, Literacy ABC is a national strategy aimed at ensuring literacy and numeracy by fostering language growth and development through a variety of print, audio and audiovisual educational material including information and communication technologies. This emphasis on language and literacy development provides opportunities for teachers to explore a wide range of new strategies for children in early childhood institutions. With Literacy ABC, more emphasis will be placed on learning through play.

And, Mr. Speaker, this is not something that the Jamaican culture readily holds onto, but the new science in learning - the new studies that have been done in learning shows that play and stimulation at the early childhood level opens the mind and enhances the preparedness of children for transitioning into the primary system.

At the primary level, the Revised Primary Curriculum guides instruction. Cognisant of the importance of literacy and numeracy, the curriculum which was introduced in 2001, made provision for what is termed a window, in the delivery and teaching of Language Arts and Mathematics. The Language Arts window is one of our dedicated time for instruction in the Grade 1 to 3 curriculum daily.

Mr. Speaker, there is much debate in the education sector regarding the breadth of the curriculum at the primary level. The new debate is now focusing on whether or not we should narrow the curriculum to focus solely on Math and English. The Ministry is examining the implication and the impact of that, because there is the counter argument that, in a modern world there are other competencies and literacies that students have to develop. But we are - and I should make the announcement here in Parliament - that we are examining those proposals very closely and it could, in the future and in the near future, result in a reform of the curriculum at the primary level.

Mr. Speaker, at Grades 4 to 6, the literacy instruction is guided by Literacy 4, 5, 6 and this programme provides an approach for teaching and learning and learning of reading, as set out in the Revised Primary Curriculum. Mr. Speaker, for two-and-a-half hours of the five hours per week that students get for language arts, they focus, Mr. Speaker, on the various literacy strategies.

In 2007, the Ministry of Education bolstered the literacy support to classroom teachers through the establishment of a national literacy team comprising literacy coordinators and specialists. A critical responsibility of the national literacy team is to build the capacity for ongoing and sustained growth in literacy behaviour and maintaining the momentum and commitment for literacy endeavours.

The Enrichment Initiative is another initiative developed by the Ministry and it is a collaborative effort between the Ministry of Education and various private sector entities, designed to facilitate and improve literacy outcomes in reading and mathematics at the primary and lower secondary levels in junior high schools. The Enrichment Centre facilitates pullout programmes, offering accelerated enrichment intervention.

Students eligible to participate in these initiatives, Mr. Speaker, are determined by informal screening, but we also do formal diagnosis and reports on the current level of performance of students.

Importantly, Mr. Speaker, the Ministry of Education has introduced an improved system of accountability designed to hold policymakers, administrators and implementers at each level accountable for the performance and ultimate outcome of the students. This system involves the setting of literacy targets for which all levels of the system will be held accountable.

In order to achieve the target of universal literacy set for 2015, those schools which have not achieved their targets - and, Mr. Speaker, I must say here that the Ministry of Education having now administered the Grade 4 Literacy Test, nationally, we have set targets for each school to achieve, we have also developed an accountability matrix. Mr. Speaker, we are now in the second phase of the accountability matrix. Those schools that have not met their targets this year, we are now reviewing the implementation of their intervention strategies to see where their weaknesses are and to see, of course, where their strengths are, and the Ministry will direct resources accordingly.

We will be writing, Mr. Speaker, to the chairmen of all primary schools. We will be advising them, Mr. Speaker, of our evaluation of their intervention programmes. We will be giving them specific directions as to how to improve their literacy results.

The third phase of the accountability matrix, Mr. Speaker, will happen next year. Next year is the time for action. Next year when we have the third sitting of the Test, we will be now looking at schools that consistently underperform and decisions will have to be made, Mr. Speaker, on not just support and intervention, but on looking at whether or not the teaching staff is effective, and from that will flow actions ranging from support to separation.

We will also have to look as to whether or not the school is effective based upon its size; its location, the community support. And that again, Mr. Speaker, will drive another set of actions as to whether or not that school should continue to exist.

When we examine the literacy results you will see, Mr. Speaker, from last year to this year that there are several schools that continue to underperform and we have to look very seriously as to whether or not public resources are effectively used in those schools.

I want the nation to understand, Mr. Speaker, that the Ministry of Education is very serious about attaining the goal of universal literacy in Jamaica. This is a goal that we should have attained 50 years ago. Cuba attained that goal 50 years ago. Trinidad is at 99 per cent. Barbados is universal. Jamaica should never be in this position in the year 2010. We have to get serious on literacy.

Mr. Speaker, I don't want to just focus on the negatives when we deal with literacy, but there are some schools, Mr. Speaker, that did extremely well. One school that I would want to point out is a school in rural Portland, Shirley Castle.

(Applause by Mr. Vaz)

Mrs. HANNA: You didn't even know.

Mr. BUCHANAN: Pity you never go there.

Mr. VAZ: You should ask me where it is.

Mr. HOLNESS: Mr. Speaker, that school from memory, that school…

Dr. DAVIES: You've ever been there?

Mr. VAZ: St. Clair, Shirley Castle. Good coffee place.

Dr. DAVIES: You should have gone there.

(Cross talk)

Mr. VAZ: No, same place. Top of Swift River.

Mr. HOLNESS: That school, Mr. Speaker - forgive me, Mr. Speaker, I misplaced my papers. That school in the Inspection Report which I tabled last week was praised for their leadership and management and curriculum. And I, I encourage Members to read that Report.

Mr. VAZ: They have a good M.P.

Mr. HOLNESS: And that school, Mr. Speaker, last year had a mastery result of 63 per cent. This year, they have a mastery result of 100 percent. (Applause)

Mr. M. PEART: How many students?

Dr. DAVIES: How many students?

Mr. HOLNESS: I'll give you that. It's a small school, it's not a big school, but I'm pointing out that…

(Inaudible comments by Opposition Members)

Mr. M. PEART: How many students?

Mr. HOLNESS: No, but, but still it's the - it's a small school.

Mr. M. PEART: How many students?

Mr. HOLNESS: No, I don't know the numbers but it's a small school.

(Inaudible comment by Mr. M. Peart)

Mr. HOLNESS: It's not three, it's not three.

Mr. PICKERSGILL: The M.P know? The M.P know?

Mr. HOLNESS: Mr. Speaker, I want to point out that attaining universal - I raise this example to show that it is not impossible to attain high literacy results in the education system. And I'm going to call the name of a few schools only because they've managed to maintain over 90 per cent for the last two sittings.

In St. Mary: Brainerd Primary, in 2009, that got a 100 per cent; in 2010, they're 92 per cent. In St. Mary again, Epsom Primary, they had a 100 per cent in 2009; they have a 100 per cent in 2010. Halfway Tree Primary, in 2009 they had 96 per cent; in 2010, they have 95 per cent. Jackson Primary and Junior High, in St. Mary, they had 90 percent last year. This year they have a 100 per cent.

Mr. PICKERSGILL: Hear, hear!

Miss HANNA: Hear, hear!

Mr. HOLNESS: Jessie Ripoll, a constant performer, they had 98 per cent last year; they have 94 per cent this year.

A MEMBER: Hallelujah!

Mr. HOLNESS: Kensington Primary in St. Catherine, they had 99 per cent last year; they have 96 per cent this year. Maidstone Primary in Portland, they had a 100 per cent last year; they have a 100 per cent this year. May River Primary in St. Mary, they had a 100 per cent last year; they have a 100 per cent this year.

Mr. VAZ: *Wha'pen* to East Portland?

Mr. HOLNESS: In Clarendon, Mount Carmel Primary; they had 100 per cent last year; they have a 100 per cent this year.

The point of this, Mr. Speaker, is to show that attaining universal literacy is not a mystery, it's not an impossibility; and if we dedicate ourselves to it, if we improve school leadership, if we pedagogy, if we improve parental participation and if we're able to mobilize the society to support this effort...

Miss HANNA: And give them books?

Mr. HOLNESS: …Jamaica will in 2015…

Mr. BUCHANAN: How about the books?

Mr. HOLNESS: …attain universal literacy. And the books, the support is necessary.

So, Mr. Speaker I conclude my statement on the matter.

(Applause by Government Members)

The SPEAKER: Reverend Thwaites. Reverend Thwaites then Mrs. Maxine Henry Wilson. I'll call the others in a short while.

Rev. THWAITES: Mr. Speaker, is the Minister aware of the survey conducted by the University of Technology and published recently, indicating that 40 per cent of the students enrolled, failed English-based communication courses with the majority of the other 60 per cent barely managing a passing grade each year? And will he relate that, if he is aware of the study and its detail, to the adequate standards - the adequacy of that Grade 4 test for examination? Will he agree that while we have a lot to do to gain a better level of mastery, the very standard of mastery itself needs to be looked at?

Secondly, Mr. Speaker, will the Minister please say what is the fate or status of the leadership college which, I believe was promoted some time ago, in respect of improving the quality of leadership particularly in our primary schools? I believe that if he were to look at those schools that he quoted as having best results he would find a consistently high quality of leadership there; which is not universal in the system and may be a result or may be a cause of the low standards.

Thirdly, Mr. Speaker, will the Minister comment on the situation regarding the primary school books? Because as presently advised the books are not available and will not be available until after the beginning - well after the beginning of the school year and this places extreme pressure upon those students in those early grades to achieve the levels of competence that we want.

The SPEAKER: You may stop with those three questions first.

Rev. THWAITES: Yes, there are more.

Mr. HOLNESS: Let's start with your third question first.

It is indeed regrettable that we did not have all the books at the start of the school term. It is undeniable that there will be some impact on student's performance based upon the lack of books. The lack of books is not so much due to a resource issue, it is more so due to:

One, some schools have under-requested, and so the requests come in at the back end. We have to go to through a long procurement process to catch up and that throws a delay in the system.

What we've done this year is to introduce a new system called the national students registry. Where we will for the first time have accurate numbers for all the students in the school, so when we place an order for books we won't be having to place supplementary orders to meet additional requirements.

So, Member, I agree with you that that the book shortage is regrettable, it will have an impact, but this will be the final year of any such fall off in the provision of books.

In terms of the standard of the Grade 4 Literacy Test, the test is benchmarked internationally. The experts have assured me

that a child who masters the Grade 4 test in Jamaica should be able to master a similar test in France, in Germany, in Trinidad, in Barbados.

In terms of the national college for education leadership, I'm pleased to report, Member, that at Cabinet yesterday, we have passed the submission. The submission is approved and now it will go through the process of actually being implemented. I will be taking to Parliament, a Ministry Paper outlining the concept, the concept document of the national leadership college and I'm sure we will have a substantial debate when it comes.

The SPEAKER: You have final question?

Rev. THWAITES: No, not one sir.

The SPEAKER: You have another three?

Rev. THWAITES: Yes. Mr. Speaker, please, if the Minister...

The SPEAKER: Please a mean, Members, remember we have to go back to the Report of the Standing Finance Committee.

Rev. THWAITES: I don't think you want to…

The SPEAKER: No.

Rev. THWAITES: ...underestimate the importance of this issue.

The SPEAKER: Okay, go ahead, Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, if the Grade 4 standard is so internationally benchmarked, how does the Minister explain the lapses that take place as evidenced by the UTECH survey? And frankly, as one who has some observance of university standards in English, elsewhere, if the inadequacies are not corrected, are not obviated by what happens after Grade 4? And the remainder of examinations and tests up to there, indicate exactly this. Would the Minister, for example, relate the adequacy of this test to the very Inspectorate Report that he tabled last week which indicates a very significant, one could use stronger words, a deficiency both in English and mathematics? Going forward, how is it, in summary, that that this test is adequate and yet so many of those surely not all of those who achieve mastery have difficulties later on? That's one question.

Secondly, the issue of taking remedial action where necessary sanctions, where schools underperform, does the Minister feel that this can be done within the matrix and rubric of the current Education Code? Or will this have to be significantly revamped; and is this being done and indeed when may we expect it, if it is?

Thirdly, on the proposal as to whether the first two grades ought to be used in order to master literacy and numeracy, is there a timeframe for the Ministry's consideration of this matter? And will the Minister acknowledge that while there are other things that a child needs to learn they are quite impossible to learn unless you are literate and numerate?

The SPEAKER: That's about six questions, you know, and each of them had at least three parts.

Mr. HOLNESS: Alright, very quickly, Member. In terms of us, that is the Ministry, changing its focus, we have to be certain when we make a system-wide change. So before we do anything there will have to be national debate. We intend to bring to Parliament a concept paper so that we can engage in the debate.

You have mentioned the Report I tabled last week on the Inspectorate. For the first

time in the history of Jamaica we now have an institution, not a panel appointed *ad-hoc* but an institution whose sole purpose it is, is to inspect the schools to ensure performance against set standards. I planned to do a Statement today on that matter, but regarding the agenda that we have, I won't do that Statement today. I will do it next week and at that time I will answer the question that you have asked.

Opposition MEMBER: Who will be coming here next week?

Mr. HOLNESS: Yes, we'll be meeting next week. Next week Tuesday.

(Cross Talk)

I will be here next week.

Dr. DAVIES: (inaudible) ...tax package.

MR. HOLNESS: No, next week is a very important…

Mrs. HENRY WILSON: Next week, you crazy?

The PRIME MINISTER: At which time we will be taking all controversial matters.

Mr. HOLNESS: All controversial matters so you don't have to be here. The Charter of Rights will be tabled next week, so I encourage Members to be here next week. No, but still, Members have to be here.

Member, in terms of…

DR. DAVIES: Will our Charter of Rights be delayed if we don't make it?

Mr. HOLNESS: Yes, actually, yes.

Dr. DAVIES: Then what rights I have?

Mr. PICKERSGILL: You *tek* away the little freedom.

Mr. HOLNESS: Members, in terms of the quality and standard of English, of Language, both at the primary and at the secondary level and, certainly, at the tertiary level, I too share those concerns. In fact the Inspection Report speaks to it in detail, and when we come to debate our Inspection Reports, we will have a more comprehensive discussion on the matter.

The SPEAKER: Mrs. Maxine Henry Wilson, then Dr. Rhodd, Dr. Phillips, Dr. Duncan, Dr. Harris. Can I ask you to be short, please, everybody? Mrs. Maxine Henry Wilson.

Mrs. HENRY WILSON: Yes, Mr. Speaker. Just three (3) quick questions to the Minister. One really takes forward the question that was asked by the Member from Central Kingston, and the need for us to understand what literacy really is. It is not just word recognition, but it is also making sense. And in that regard, substantive research has been done about bow you actually teach literacy. One of the issues has been the preparation of our teachers in the teacher education institutions.

My question is, are we looking at the whole question of giving all of those who are being prepared as teachers, that threshold knowledge that is important for literacy, one. And two, the view that it is literacy across subjects that allows students to sustain their literacy, as distinct from just teaching them literacy as a separate subject.

So that I just want to say, Minister, that I have a concern about us going back to the old view that it is numeracy and literacy that we teach in school, in primary schools. Because the revised primary curriculum, which was based on exhaustive research, shows that you can insert literacy. And what are we doing now to ensure that that is the practice, in terms of the process.

The other thing is, I wanted to ask you, in terms of the - both what we have learned from

the inspections and the literacy programme. It is not only teaching in the classroom that influences literacy, it is the availability of materials for children to constantly renew their stock of words and understanding. How are we expanding that, in terms of school libraries, classroom libraries, and what are the resources that are being made available for that? Because if you look at those schools that you talk about, you may find that the issue really relates to the feeder-school, the early-childhood institution the child comes from, and the stimulation that they receive there. What is the kind of analysis that we are doing, rather than just looking at the literacy results?

And my final question has to do with how do you reconcile what is being done with this school accountability matrix and the role of the Inspectorate? In other words, looking at literacy is one component of inspection, but how do you relate it, the two things?

Mr. HOLNESS: Members, forgive me if I am just moving very briskly along.

In terms of addressing the issue of teacher preparation and teacher training at the primary level, the Ministry is now moving towards – even though the Early Childhood Act already prescribes age- up to age eight as being early childhood years, the way in which we treat primary education in Jamaica is such that we don't acknowledge Grades 1 and 2 as early childhood years, and we start the kind of regimented teaching at that level. We are now looking to change that for Grades I and 2, and to treat Grades I and 2 as if they were - which they are - early childhood years. So in terms of the organization of the class, the teaching strategies employed, you will begin to see, starting next year that the teaching strategies will be more reflective of an early-childhood approach. It will take some time, Member, as you well know, before we could have all Primary School teachers sufficiently grounded in early-childhood skills. But until then, there are some programmes which we can put in place that would fast-track the early childhood treatment.

In terms of material, Literacy 1, 2, 3, we have published - well, printed, developed, published, printed significant material, including audio material, to help with the development of phonics. And I think we are not doing too badly in that area, Member. We still need, however, to provide more reading material, not just what the Government subsidizes, but parents have to begin to invest more in reading material.

In terms of linking the inspections, accountability and assessment, Member, the critical thing here is the will of the Government to act on the results of the assessment and the inspections. For many years we have been doing tests. We have had inspections through panels before, but we have never really acted upon the analysis of the data.

The Government, Mr. Speaker, Member, the Government is committed to act. It will create some dislocation, we are prepared for the conflict that may arise out of the Government acting, but we cannot continue to lose 20 per cent of our students in the primary school system to illiteracy. It translates later down into crime, into poor health, into a society that is almost unmanageable.

So, Mr. Speaker, we are now taking the necessary steps to ensure that every single Jamaican child leaving the primary school

system, has at least the basic level of literacy that will allow them to develop into independent and advanced learners.

The SPEAKER: Dr. Rhodd.

Dr. RHODD: Thank you, Mr. Speaker.

I think we should give credit where credit is due. So first of all, I would like to commend the Minister for bringing these Reports. (Applause) And within that context, I would also like to congratulate the leadership of Shirley Castle for the 100 per cent improvement...(Applause)...or attainment, rather, of the literacy target. But I think, Mr. Speaker, we need to look at that within the context of the fact that this school has an enrollment of thirty-six (36) students, with a ratio of one teacher to 12 students.

Opposition MEMBERS: What!

Dr. RHODD: And I want to ask the Minister...

(*Sotto voce* comments)

Dr. RHODD: I would like to ask the Minister - I would like to ask the Minister...

(*Sotto voce* comments from Opposition Members)

Dr. RHODD: No, please, please, just give me a chance. I would like to ask the Minister, within the context of the fact that the school has a capacity of 400 students, what is being done with this record to attract or to encourage more students to attend the school? And I am saying that against the background of schools in my own constituency, the deep rural Jamaica, which are closed because of access to the facility, to the plant. And I would like to ask the Minister to look at that within that context, because you might have to collaborate with your colleague Minister of Transport and Works to see how we improve access to the school facility. Because if you have a plant with a capacity of 400, and an enrolment of 36, it is saying something to us. It must be saying something to us.

The second point, Minister, I would like to highlight in these brief remarks, has to do with the primary school performance. And I just would like you to make reference to page 67 of the Report, which speaks to the conclusion, in the interest of time. At the primary level, the rating was on the overall, unsatisfactory especially observed in leadership and management, teaching and learning, students' achievement in national examinations and self-evaluation, and school improvement planning. Of the 23 schools inspected at that level, only two were rated as good on any single indicator.

My question has to do with how – what is going to be done to address this? Because when I look at the recommendations on the following page, the policy recommendations, I am a little concerned about how we are going to respond, having found this serious, serious deficiency.

The recommendations, I find a little weak, Minister, and I really think that we need to go back to the drawing board, because these are the schools that are feeding, of course, the secondary schools, the high schools. And if we are having this problem in such a vast way at the primary level, I find the recommendations a little weak to address this serious, serious problem. And I think it's something we need to have a little more consultation on. But I really think that we need to look at even mentorship prograrnrnes, because apart from the weaknesses identified with the teaching, the teachers, the management and all of that, I think, based on how big it is, we need to bring in some additional assistance, and I don't think

you can ask the regional inspector only to deal with it.

The SPEAKER: Thank you, Dr. Rhodd.

Mr. HOLNESS: Again, just to be quick, but at the same time to give you a good answer. The size of the school clearly has an impact on the outcome of the student performance. But at the same time, even though Shirley Castle is a small school that is doing very well, there are many other small schools that have done dismally, with even less. And I pointed out Shirley Castle to say that even small schools can do well.

Opposition MEMBER: *Dat anno* school, man.

Mr. HOLNESS: No, they have sent up thirty-six in their cohort to sit the exam.

Now, the other point that you raised regarding the actions that we will take...

Dr. RHODD: Access to Shirley Castle.

Mr. HOLNESS: Well, I can't address the access issue here. But in terms of the actions that we will take to ensure that the results of the assessment are taken into consideration when policy is being made, I said earlier that there are some schools that, based upon their performance, those schools probably should not continue to exist. That's a fundamental statement that I hope Members here pay very close attention to that statement. There are some other statements that will be made when we come to debate the Report that you have just mentioned, we are not debating that Report now. But I want to assure the Member...

Opposition MEMBER: The 28th of December?

Mr. HOLNESS: That's the 21st. I want to assure...

(*Sotto voce* comment from an Opposition Member)

Mr. HOLNESS: We will start it there, yes.

Mr. PICKERSGILL: The 28th.

Mr. HOLNESS: The 21st.

(*Sotto voce* comments from Opposition Members)

Mr. HOLNESS: I want to assure the Member that the Government is serious about taking action to improve performance.

The SPEAKER: Dr. Phillips, your time, your time.

Mr. HOLNESS: He doesn't have a question, Mr. Speaker, be just wants to...

The SPEAKER: No, he has a question. (Laughter)

Dr. PHILLIPS: Mr. Speaker, I thought the Member had indicated before, just as an aside, that the 21st was just a one-item matter to...

Mr. HOLNESS: We have about three items.

Dr. PHILLIPS: What! Okay.

Miss HANNA: The 25th is available at this rate too.

Dr. PHILLIPS: Mr. Speaker, without at all trying to detract from the accomplishments of the teachers and others that are involved in achieving the results that the Minister speaks to, I am concerned that we may be avoiding some of the real problems which still persist.

First of all, I would like to ask the Minister, in relation to the particular cohort taking the Grade 4 test, and in view of the information that not all in the cohort are allowed, or are - not all in the cohort sit the test, can the Minister indicate what proportion of the cohort is in fact sitting the test, and I am

speaking of the Grade 4 or the Grade 7, or the Grade 4 at which point it is being taken?

Mr. HOLNESS: Very good question, Member, and I am, on reflection, glad you asked the question. When we sat it first in 2009, there were some principals who were apprehensive of being exposed with national attention, so they did not necessarily send up their entire cohort. So we would estimate that we got close to 90 per cent of the cohort. But remember, this test is done four times. So on the second sitting, when the principals realized that we are serious, that this is a gateway examination, then we saw the numbers increase. The sitting that we did in June, which would be the third sitting, we would estimate that we had close to 99 per cent of the cohort sitting. So everyone is being captured, which would account for - which would be one of the reasons why you would see a slight dip in the overall results, because you would be capturing students that were not previously in the examination pool.

Dr. PHILLIPS: Well, I am grateful for that information. And I would ask, is it the intention explicitly, for the Ministry to insist that a hundred per cent of the students in the cohort do the test?

Mr. HOLNESS: That is a compulsory national assessment and a hundred per cent of the cohort must sit the test. We will be reinforcing that in legislation. But I want to point out that the target of a hundred per cent literacy is not necessarily at every single child. Because in any cohort of students you will have between 10 to 15 per cent who will not be learning apace, in other words, they are not mainstream education students. So what we are trying to achieve is 100 per cent of all the students who can learn in mainstream education. Why Jamaica is failing is that there are students who could learn ordinarily, normally, but somehow there is either failing in teaching, a failing in parenting or some other environmental failure which cause the child not to develop the literacy competency at pace.

Dr. PHILLIPS: I don't want to - I have another element of the thing that I want to deal with. But what you are saying there is that for you I 00% is in fact 85%?

Mr. HOLNESS: Ninety, of the entire cohort.

Dr. PHILLIPS: Ninety of the entire cohort. So there is that I 0% that - is it because of particular learning disabilities?

Mr. HOLNESS: The UNESCO report on this matter usually tells us that in any population, between 10% and 15% would not develop apace with the rest of the population, not that they would never attain literacy but they just don't attain at the general pace. So those persons, now, that is where you would have to have special education measures to deal with those persons.

Dr. PHILLIPS: But making the general point about us collectively, ensuring that these admirable goals are met, there is a concern that I have that this test, I believe, has been around seven years or so?

Mr. HOLNESS: From about I994.

Dr. PHILLIPS: And, in the period when you look at, when you look at the attainments at the CSEC level, what we are seeing particularly, in relation to the so-called nontraditional high schools is a performance level in terms of passing the CSEC exams which would - which is so low, as to suggest that, in fact, they are being adequately prepared whether by this test or by some - or

by what is occurring at that level in those schools, that what we are seeing is in fact in English and Mathematics the rate of achievement in Grades 1, 2 and, I believe, 3 is in the order of 20% and below in the nontraditional segment of the system.

Now my specific question is, has the Ministry any assessment as to whether that very low level of performance, which is in fact the cause of us having a labour force about 70% of which have no certification, is that on account of the measurement problem to do with this Grade 4 assessment, meaning that we are certifying as literate, people who are not effectively literate and not able to go ahead. Or is your assessment that that level of under-performance is the consequence of failings within the nontraditional high schools?

Mr. HOLNESS: Just to be clear, Member, the Grade 4 Literacy Test is the first measurement of literacy, but literacy is a spectrum. What we are trying to determine at Grade 4 is whether or not the student has effectively developed the basic competence to see letters, put them together as words, put words together as sentences and make meaning of them. Basic, basic. If they are able to do that, then we can make an assumption that as they progress through any knowledge system they will be able to absorb knowledge and create knowledge. So the idea, therefore, is cognition. So Grade 4 is the basic test of cognition. Cognition is the variable that closely relates to national growth. Cognition then, therefore, goes on to determine, innovation, invention, technology creation, productivity all of those things. So we are not saying that we are testing at the Grade 4; at the higher level, Grade 4 is just testing the basic. The high schools now, if we give them the students with the basic, then the high schools should take them from the basic and carry them to being independent learners and advanced learners.

I want to just close Member by just making a point - I am just saying because we have...

Dr. PHILLIPS: Mr. Speaker, for generations, all of us here...

The SPEAKER: You have more? Try wrap up now.

Dr. PHILLIPS: ...have gone through with making an assumption or we have been - as a child who went to school because of scholarship, that is to say Common Entrance, it was assumed then that we were going to reach this target that was 1957. We are still in the position now, 50-odd years after, where what is happening is that we are leaving 66% of our children behind without any certification.

Now, if it is not to happen another 50 years hence - give me just five minutes to just raise this question - The question is, I understood you to be saying that this Grade 4 test, you are certifying 80% you say of the Grade 4, pass the Grade 4 test, but you are talking about Grade 7 students?

Mr. HOLNESS: No, they will be by that time in Grade 6.

Dr. PHILLIPS: So with this Grade 6 level where we have the 80%, we send them into high school, but coming out of the high school - you said earlier and I am not, you know, being difficult on that point. But we send 80% into the high schools, and coming out of the high schools English and Math, you are passing 20% or less, so the 60% out there right, my question is just simply, if the Grade 4 test is the gateway as you said to greater

cognition and achievement, but 60% not getting the level that we expect when they leave high school, is it the test that is measuring wrong or is it what is happening in the high school and how they propose to address it?

Mr. HOLNESS: It is what is happening in the high school Member. But you have to remember that the first national administration of the test where every child would be sitting it would actually be this year, last year we would be in the high 90s this year we will be close to 100%. Before, the test was administered in some schools and was marked by the schools so it was very difficult to measure the integrity of the exam itself. This year now, we have two years so before we can make any assumptions as to what will happen to these students when they get to Grade 5 - 5th Form we will just have to await them transitioning from primary school into 5th Form before we can make such assumptions.

Dr. PHILLIPS: At some point you will tell us what we will be doing in the high schools?

Mr. HOLNESS: Which is why we have done the inspection report? But I just wanted to share something with you, Member and to make an appeal to Members of Parliament. Focus on your primary schools; sometimes all they need is just a little assistance. For my constituency, I have four primary schools. Last year, Seaward Primary got 43% on the literacy test, this year they got 58%. Drews Avenue Primary last year got 45% this year they got 63%. DuPont Primary, last year they got 61%, this year they got 66% and Balcombe Drive Primary, last year got 56%, this year they got 67%. Put in some resources into the schools. Sometime it does not cost you $2 Million or $3 Million out of your CDF. Get the books, sometimes a computer or two; pay for a literacy specialist, you can improve the results.

The SPEAKER: Dr. Duncan then Dr. Harris.

Dr. DUNCAN: Two quick questions. One, through you to the Minister. In your Sectoral presentation 2009/2010 you, at least, in the printed text you said, 'for the first time in education in Jamaica targets for literacy will be set for each school', was that done? That is what he said and those targets are available for us to - those of us who want to monitor the…

Mr. HOLNESS: Just to be clear Member, what we said was that last year, target set, that is the accountability matrix, this year review against target. So if a school did not meet the target, the Ministry will be reviewing their implementation programme to see, why didn't your programme achieve what it was supposed to achieve? Was it the teacher, was it the resource, was it the parents, was it some problems with the community, was it transport? And then we try to fix it. The third year now, is the year of action; how do we fix it? If it is a problem with the teacher then we have to address the teachers, if it is the parents then we have to address the parents. So what I am saying is, your accountability matrix starts with setting targets, implementation, action.

Dr. DUNCAN: So you would say, therefore, that what is readily available, say for example the Parish Hanover that you can provide it for the 42 public schools like tomorrow – tonight! Okay, sorry.

The second question, Mr. Speaker, although it is not the literacy thing as you have stated it here, but myself and a friend and the Member for Western Hanover recently were

invited to a meeting of the principals in the parish and, they expressed very grave concern about the same issue that was raised earlier about the books that were not available. What is it that you can specifically say about when those books are going to be available? And just one little rider to it. They also say, that when we get an opportunity in this Parliament we should point out that when those books are provided, some of them, they really need - the quantities are not sufficient, and they have difficulties in duplicating them, because, one, they are not allowed to;-

(a) photo copy because of some rights, and

(b) even if they were allowed to, they can't afford it.

Mr. HOLNESS: One of the problems we face in education system, and I am going to be quick Member, is the whole business of accurate reporting. Many of the times the problem stems from inaccurate reporting. And sometimes it is not even the principals' fault, late registration of students. The Ministry has to ask for the numbers for the year at least six months before the start of the new school year. But when the new school year starts the numbers fluctuate, people move, you know, new students tum up at the school that creates an ordering problem for us. And in a tight budget constraint we cannot order with enough cushions. We have to try and gauge our orders as close as possible to the budget which is why we have this problem this year. Next year we will not have this problem, because we have introduced the New National Student's Registry where we are registering all students throughout the system so we will have an exact number of students to work with.

The SPEAKER: Dr. Harris - another one?

Dr. DUNCAN: No, no! We actually had a real meeting with the teachers, Mr. Speaker. So what you are saying is that the vast majority of the 35 principals of the 42 schools who were in that meeting had this problem. Are you telling us...

Mr. HOLNESS: No, just to be clear, I can't speak specifically to each group.

Dr. DUNCAN: For Hanover?

Mr. HOLNESS: No, what...

Dr. DUNCAN: Can you speak for the parish at all?

Mr. HOLNESS: No, what I am saying to you is, generally, Member, when we gauge our order, we don't order for Hanover or for Westmoreland. We order nationally. We aggregate the figures that come to us. Now, if when you take Hanover together, that one school may under report by ten, another school over reports by 20. When we go to distribute, a school may have 10 in St. Thomas that they don't need, but we won't know that, whilst the school in Hanover that is short ten is screaming - we want, we want. What I am saying is, now we have put in place an inventory management system backed up by the National Students Registry. So we will know how many books we have in the system and exactly how many students to give it to; that is clear. We have placed an order to meet the shortfall that was approved two weeks ago in Cabinet. The books will be available for the coming term.

The SPEAKER: Dr. Harris.

Dr. HARRIS: Thank you, Mr. Speaker.

Mr. Minister, even at the Grade 4 level, could you comment on the difference or the ongoing discussion in the gender differences

and how the boys achieve less, *vis-a-vis*, the girls? And could this be a factor in the figures in some schools? That's the first part.

And the next part is: If this is such a significant factor as is reported inside of the classrooms, what kind of remedial action are we going to take, and how early are we going to take that kind of remedial action?

Mr. HOLNESS: Well, you will note, Member, that the results that we have had now for two years are consistent. Girls out-perform the boys at the literacy tests by a margin of about ten per cent (10%). At that point, we have asked for professional expert advice as to how to address this issue of male under-performance in schools.

What the experts have said to us is that much of the under-performance, is not systemic - well, it's not- to use the term, it's not endemic in males. In other words, it's not that males naturally underperform. The issue is really one of male participation. That males are simply - even though they come to school, they don't come to school regularly. When they are in the classroom, they are simply not participating in the class. That could be an issue of whether or not the teacher is engaging the male students.

So we are looking at all those issues to develop a comprehensive strategy to address male under-performance.

The SPEAKER: (Gavelling) Announcements.

Dr. HARRIS: No, Mr. Speaker, Mr. Speaker.

Government MEMBER: Sit down!

A MEMBER: Allow him.

Dr. HARRIS: No, Members. Mr. Speaker, the male under-performance issue, Mr. Speaker, is - I want to suggest, Mr. Minister, that we look at it a little bit closer and from little bit different eyes, because what you are finding is a disparity. It grows wider as the cohorts increase in age. And maybe it is not...We can all agree that the ability of the boys is no less than the girls. And when the boys decide to perform, they perform. When they have parental guidance and support they out-perform the girls in their cohort.

But the problem is the delivery in the classrooms and maybe, I am not suggesting here this is what you should adopt, but maybe some kind of separation of the genders and at what age this is done, maybe your study could show it. But this systemic under-performance of the males, my thinking is that it should be addressed and it should be addressed earlier rather than later.

Mr. HOLNESS: Member, I can only agree with your... (lnaudible)

The SPEAKER: (Gavelling) Okay.

ANNOUNCEMENTS

A MEMBER: Finally.

The Clerk laid on the Table of the House copies of the following:

- **Ministry Paper No. 99**
  Annual Report and Audited Statement of the Caymanas Track Limited for the Financial Year ended March 31, 2009.
- **Ministry Paper Number 100**
  Cabinet Agenda issues for November 2009/2010.
- Auditor General's Report on the Performance Audit of the National Environment and Planning Agency's role in protecting the environment and promoting sustainable development.

- The Income Tax Amalgamated Payroll Remittance Regulations, 2010, under the Income Tax Act.
- The Capital Development Fund (Withdrawal) Number 2 Order, 2010, under the Bauxite Production Levy Act.
- The Parish Councils General Election (Postponement) Act, 2010, Extension Resolution, under the Parish Councils General...

Mrs. NEITA-HEADLEY: We can't hear you. We can't hear you.

The CLERK: Sorry.

...under the Parish Councils Act.

- The Kingston & St. Andrew Corporation General Election Postponement Act, 2010, Extension Resolution under the Kingston & St. Andrew Corporation Act.
- The Ministry of Education Publication on the National Comprehensive Literacy Programme.

Dr. PHILLIPS: Just for information. I was not clear. The resolution regarding the postponement of elections…

The SPEAKER: That was presented last week.

Dr. PHILLIPS: It was presented.

The SPEAKER: Is that so?

Dr. PHILLIPS: No.

The SPEAKER: Or is it…?

Opposition MEMBERS: No, no, no!

Dr. PHILLIPS: I'm just asking.

The SPEAKER: No, it's not tabled yet.

Dr. PHILLIPS: That would be postponement by night.

Mr. PICKERSGILL: You were not here. You were not here.

(Inaudible comments)

Dr. PHILLIPS: Of the postponement by night?

A MEMBER: So what's the position?

Dr. PHILLIPS: All I would seek, Mr. Speaker, is there a solution before the House?

Opposition MEMBERS: No!

Mr. HOLNESS: It is coming.

Dr. PHILLIPS: Okay. It's coming now? Are there…Notice has been given?

Opposition MEMBERS: No, no!

(Inaudible comments by Mr. Holness)

Dr. PHILLIPS: It is to be laid. It's not on the Table then, Mr. Speaker, now?

The SPEAKER: No.

(Inaudible comments by Mr. Montague)

Opposition MEMBERS: When?

Mr. BUCHANAN: Who you gave that information to?

Dr. PHILLIPS: What are the terms of the resolution, Prime Minister?

Mr. BUCHANAN: Who you gave that information to?

(The Prime Minister's reply inaudible)

A MEMBER: *Yuh* writing it down?

Government MEMBER: Luther, you keep quiet.

Miss HANNA: Why yuh not in Belair?

(Inaudible comments)

Dr. PHILLIPS: Okay. But we will get it formally, Mr. Speaker? That's my question.

The SPEAKER: Yes. Okay. Okay Members.

BILLS BROUGHT FROM THE SENATE

The Clerk read the following message from the President of the Senate.

To the Honourable House of Representatives:

"I have the honour to advise the Honourable House of Representatives that on the 10th day of December, 2010, a Bill entitled: AN ACT to Encourage and Facilitate the Making by Employees of Specified..."

The SPEAKER: Please, please, the Clerk is

" ...disclosures of improper conduct in the public interest; to regulate the receiving, investigating or otherwise dealing with disclosures of improper conduct; to protect employees who make specified disclosures from being subjected to occupational detriment, and for related matters, was passed in the Senate with 36 amendments."

The PRIME MINISTER: Mr. Speaker, I would like to signal my willingness to take charge of that Bill.

Bill shortly entitled:

The Protected Disclosures Act,

read a first time.

The PRIME MINISTER: Mr. Speaker, may I give notice of second reading of the Bill.

NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: Mr. Montague.

Mr. MONTAGUE: Mr. Speaker, I beg to give notice that at the next sitting of the House I shall move the following motion, The Parish Council General Election (Postponement) Act, 2010, Extension Resolution:

Whereas on the 15th day of July, 2010; The Parish Councils General Election (Postponement) Act, 2010, (hereafter referred to as The Act), came into operation;

And whereas section 2 of the Act provides that a general election of councillors to serve on each parish council shall be held in each parish on such day or days not later than the 31st day of December, 2010, as the Governor-General in Council may appoint;

And whereas by virtue of section 3 of the Act, the Act shall continue in force until the 31st day of December, 2010, and shall then expire, unless extended by resolution of each House of Parliament to a date not later than the 31st day of March, 2011;

And whereas it is considered desirable to extend the duration of the Act until the 31st day of March, 2011, in order to facilitate the further implementation of the Local Government Reform Programme…

Mr. BUCHANAN: What!

Mr. MONTAGUE:

…and the establishment of Portmore as the 15th parish:

Now therefore be it resolved by this Honourable House as follows:

The resolution may be cited as the Parish Council General Election (Postponement) Act, 2010, Extension Resolution…

Mrs. SIMPSON MILLER: There you are.

Mr. MONTAGUE:

...The Parish Council General Election (Postponement) Act, 2010, is hereby extended in force until the 31st day of March, 2011.

The Kingston & St. Andrew Corporation General Election (Postponement) Act, 2010…

A MEMBER: Those were the days when Dabdoub was… (Inaudible)

The SPEAKER: Members, Members, someone one is on his feet.

(Inaudible comments/Laughter)

Mr. MONTAGUE: Whereas **o**n the…

The SPEAKER: Mr. Buchanan, Mr. Buchanan!

(Inaudible comments by Mr. Buchanan)

The SPEAKER: Mr. Buchanan.

Mr. MONTAGUE:

Whereas on the 15th day of July, 2011, The Kingston & St. Andrew Corporation General Election (Postponement) Act, 2010, (hereinafter referred to as the Act, came into operation;

And whereas section 2 of the Act provides that a general election of councilors to serve on each parish council shall be held in each parish on such day or days, not later than the 31st day of December, 2010, as the Governor-General in Council may appoint;

And whereas by virtue of section 3 of the Act, the Act shall continue in force until the 31st day of December, 2010, and shall then expire, unless extended by resolution of each House of Parliament to a date not later than the 31st day for March, 2011;

And whereas it is considered desirable to extend the duration of the Act until the 31st day of March, 2011, in order to facilitate the further implementation of the Local Government Reform Programme and the establishment of Portmore as the 15th parish;

Now therefore be it resolved by this Honourable House as follows:

This resolution shall be cited as the Kingston & St. Andrew Corporation General Election (Postponement) Act, 2010, Extension Resolution, The Kingston & St. Andrew Corporation General Election (Postponement) Act, 2010, is hereby extended in force until the 31st day of March, 2011.

Mr. Speaker, at a later stage today, I will move for the suspension of the Standing Orders to enable me to take these two motions.

Mr. BUCHANAN: *Ah* see *yuh* shamefully move the resolution. (Inaudible)

Government MEMBER: Go *weh*!

The SPEAKER: Please, Mr. Buchanan. Prime Minister?

Mr. E. SMITH: PNP postpone it for three years straight.

The PRIME MINISTER: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move the following:

Be it resolved that the Capital Development Fund (Withdrawal) (Number 2) Order under the Bauxite Production Levy Act which was tabled in the House today be approved.

Mr. Speaker, may I just give notice that at a later stage today I will be forced to seek suspension of the Standing Orders to allow me to take it today.

The SPEAKER: Mr. Shaw.

Mr. SHAW: Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it resolved that the Income Tax (Amalgamated Payroll Remittance) Regulations, 2010, be referred to the Regulations Committee for consideration and Report.

Mr. Speaker, at a later stage today, I will move for the suspension of the Standing Orders to enable me to take the motion.

The SPEAKER: Thank you. Just a second, Mr. Holness.

Mr. HOLNESS: Mr. Speaker, the time for questions is past. I move, Mr. Speaker, for the suspension of the Standing Orders to allow us to take questions beyond 3:15.

QUESTIONS AND ANSWERS TO QUESTIONS

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the House to take Questions and Answers to Questions beyond the time of 3:15.

Put to the House and agreed to.

The SPEAKER: Miss Hanna.

Miss HANNA: Mr. Speaker, I beg to give notice that at the expiration of 21 days I will ask the Minister of Youth, Culture and Sport the following question standing in my name:

Question: Will the Minister list all the contracts issued by the divisions of the Ministry of Youth, Culture and Sport in the period June 2009 to December 2010 and the beneficiaries of said contracts?

The SPEAKER: Mr. Bunting.

Mr. BUNTING: Mr. Speaker, I invite the Minister of Finance and the Public Service to answer the questions standing in my name at Number 23 on the Question Order Paper.

Mr. SHAW: Mr. Speaker, Question 1.

Question 1: Will the Minister state when the Public Accountability Inspectorate or Unit Division (hereinafter referred to as "the Inspectorate") in the Ministry of Finance and the Public Service (hereinafter referred to as "the Ministry") was established and whose initiative it was to establish the Inspectorate?

Answer: The Public Accountability Inspectorate (PAI) Division was established by way of a Cabinet Decision No. 6/09, dated February 9, 2008. The Division commenced operations on January 26, 2009.

The functions of the PAI existed in various divisions of the Ministry of Finance and the Public Service previous to January 2009. The chronology of the Inspectorate's functions is as follows:

1986 Establishment of the Office of the Controller General in the Ministry of Finance to control expenditure and to take charge of the accounting operation of the ministries and departments. This was discontinued in 1991;

1991 establishment of an Inspectorate Division in the Ministry of Finance to carry

out spot checks in ministries and departments among other things. This was discontinued in 1995.

1991 establishment of the Financial Management Reform Cell under the World Bank funded Financial Programme Management Improvement Project to undertake major changes m the financial management of the public sector. This project carne to an end in 1998.

1995 the merger of the Inspectorate Division and the Financial Management Division into a single division called the Financial Management Division.

2001 the Financial Management Division was converted to the Public Expenditure Policy Coordination Division with the focus being on the formulation of financial management policies and guidelines. The financial management monitoring and analysis functions were transferred to the Public Expenditure Division, formerly the Budget Division.

The establishment of the PAI was intended to strengthen the financial monitoring capability and analysis functions in the Ministry by way of greater pro-activity. The Division was established during the tenure of the former Financial Secretary, MRS. SHARON CROOKS under the direction of the Minister in accordance with Section 24 of the FAA Act, Financial Administration and Audit Act.

Question 2: Will the Minister describe the functions and the scope of operation of the Inspectorate?

Answer: PAI's functions are monitoring, in a proactive manner, the use of public funds and assets.

- Serve to strengthen public sector financial management in reducing and/or eliminating waste and extravagance.
- Conducting investigations and inspections into any public sector entity or fund to ascertain its adherence with Jaw and proper use of public funds and assets.
- To ensure that all losses and suspected cases of fraud, irregularities, breaches or misuse of public funds and assets are referred to the police and/or to the Financial Secretary for surcharge and/or the relevant Services Commission for disciplinary action.
- To conduct inspection of public sector capital projects, joint venture, sale agreements, investigations. To ensure

probity, propriety transparency, equity, accountability and compliance with the law and generally good business practice in the interest of the Government.

- To follow-up on the recommendations of the Auditor General and decisions of the Public Accounts Committee, ensuring that they are carried out by the relevant government entity.
- To review all monthly/quarterly and special reports of all public sector Internal Auditors and Audit Committees and pursue investigations into all matters that are of a serious nature, ensuring that they are addressed as quickly as possible.
- To hold meetings with Accounting Officers, and Chief Internal Auditors (CIA) on matters reported by these CIAs, Chief Internal Auditors, for the purpose of agreeing on: resolution to the problem; the timetable for implementing the resolution; the disciplinary action or surcharge where appropriate.
- To conduct in collaboration with other Divisions in follow-up work on issues that arise at the Public Administration & Appropriations Committee.
- To receive from the Public Expenditure Division, for investigation reports from Ministries, Departments and agencies on all cases of losses, burglaries, frauds, overpayments, thefts, shortage.
- To receive from the Public Expenditure Division summary of financial analysis conducted and areas of weaknesses identified for investigations.
- To receive report from the Public Expenditure Division, requesting investigation to be conducted on any public body or public fund.
- To recommend to the PXPC, Public Expenditure and Policy Coordination situations where procedures, direction, guidelines, regulations, instructions or modification thereto are required in order to improve financial management in the public sector.
- To assist the PXPC in processing of surcharge cases based on investigations conducted.
- To assist the PXPC in the conduct of procurement audits.
- To work with the PXPC in the conduct of critical special

ssignments mandated by the Financial Secretary.

Question 3: Will the Minister explain how the Inspectorate avoids overlapping functions between its work and that of other agencies or departments of government, and in particular that of the Auditor General's Department, the Contractor General's office, the Public Enterprise Division of the Ministry and the Internal Audit Department of the Ministry and those of other ministries, agencies and statutory bodies?

Answer: The monitoring function existed in the ministry before. The establishment of the PAI seeks to streamline and strengthen this monitoring function. Should the investigations, inspections and reviews conducted by the PAI result in the need for further action the case is referred to the relevant entities as detailed below:

i. Imposition of surcharge by the Financial Secretary.
ii. Files transferred to the Police for action.
iii. Files transferred to the Public Service Commission for interdiction and disciplinary action.
iv. Files transferred to the Financial Investigations Division.
v. Reports to Permanent Secretaries, Heads of Departments and Chief Executive Officers for appropriate action.
vi. Request for the Auditor General or the Contractor General to conduct further detailed investigations where appropriate.

Question 4: Will the Minister describe the number of posts in the Inspectorate and the total emoluments corresponding to each of these posts?

Answer: There are ten (10) established posts in the PAI which is outlined in Appendix 1.

The emoluments payable are m accordance with the approved government salary scales for the relevant posts. However, the Division presently has on staff the Inspector General – PA5, one (1) Acting Senior Inspector- PA4, and the Administrative Assistant - SS2. Work is undertaken by borrowing staff from other divisions within the Ministry to carry out the functions required until it is fully staffed.

Question 5: Will the Minister state the academic and professional qualifications as well as the work experience of the incumbents in these posts?

Answer: The academic and professional qualification and

work experience required for the posts in the Division are detailed below:

FMG/PA5

- MSc in Accounting, Finance, Business Administration or ACCA Level III or equivalent qualification.
- MSc in Accounting, Finance, Business Administration or ACCA Level 111 or equivalent qualification.
- At least six (6) years experience Internal Audit, Revenue Administration or Professional Auditing Finance, three (3) of which must be at the senior management level.

FMG/PA4

- Masters Degree in Business Administration, Accounting or Finance or equivalent qualification.
- Advanced specialized training in Investigative Techniques.
- Three (3) years related work experience at a supervisory level.

FMG/PA2

- BSc Degree in Business Administration, Accounting or Finance, advanced specialized training in Investigative Techniques.
- Two (2) years working experience in a related field.

It is to be noted that all the incumbents in the occupied posts at this time surpassed the minimum qualifications and experience.

Question 6: Are the incumbents in these posts career civil servants or contract officers?

Answer: The incumbents are: one (1) contract officer, who is the Inspector General and two (2) civil servants - Acting Senior Inspector (FMG/PA4) and the Administrative Assistant (OPS/SS2).

Question 7: If the answer to Question 6 is "contract officer" for any of the incumbents, will the Minister state the name(s) of these incumbents?

Answer: With regard to the incumbent in the post of Inspector General, this officer (MR. DWIGHT MOORE) has been employed on contract in the Ministry of Finance since 1995 as the Principal Financial Officer (PFO) at the grade of PA5. When the Division was established it was a lateral transfer to operate in this grade with the same terms of the contract.

Question 8: Does the Inspectorate report to the Minister or otherwise takes instructions directly from the Minister?

Answer: As a Division of the Ministry of Finance, the PAI reports to the Minister through the Financial Secretary.

Question 9: If the answer to the above is in the affirmative, are there other units that similarly

report to the Minister?

Answer: See response to Question 8.

Question 10: Will the Minister please list the investigations and reports which the Inspectorate has (a) completed, or (b) in progress, or (c) planned through the remainder of the fiscal year?

Answer: The investigations and reports submitted are as follows:

1. Forensic Report on the Ministry of Justice - Port Antonio Resident Magistrate Court.
2. Operation Network - Concession to Bouygues Travaux Publics Jamaica Limited.
3. Operation Vapour - audit of Petrojam in respect of Tax obligations.
4. Coordinated Operational Audit of Petrojam by Centennial Group of Consultants.
5. Audit on Porus High School Financial Operations including Tuck Shop and Canteen.
6. Audit Report on the Inland Revenue Department Stores.
7. Audit on the former Bank of Jamaica Governor for the period 1999-2009.
8. Inspection on the Operation of the Students' Loan Bureau.
9. Investigation of Travelling Allowance dispute at National Environment and Planning Agency (NEPA).

It is to be noted, Mr. Speaker, that cases that are pending or are being investigated cannot be divulged as to do so will compromise the integrity of the investigation.

The SPEAKER: Yes, Mr. Bunting.

Mr. BUNTING: Mr. Speaker, I hope you will give some latitude in the follow-up questions, because this is obviously a very significant initiative on the part of the Ministry of Finance, coming at a time when there has been rationalization and much talk of contracting the Public Service, the Minister has set up this Unit, which obviously has a very wide scope as he described in his answers to the written questions. So I have four (4) follow-up questions, Mr. Speaker, a couple of them have two parts.

(Laughter by Members)

I would like to start by quoting from a JIS release of January 27, 2009, one day after the establishment of the Inspectorate and it covers the Minister's speech at a World Bank loan signing, and he was speaking to this establishment. And I quote:

> *"The Public Accountability Inspectorate is expected to become operational no later than April 1st, Finance and Public Service minister, Audley Shaw has announced. He warned that every Agency and Ministry of Government will be subject to the PAI scrutiny, as the Government attempts to weed out corruption.*

Hold on.

> *"The PAI is on its way to every Ministry and every Agency, as the eyes and ears of the Minister of Finance."* End of quote.

I want to emphasize for you there, Mr. Speaker, the "eyes and ears of the Minister of Finance", not the Ministry of Finance.

Now, Mr. Speaker, I want to contrast this with a statement from the Office of the Contractor General marking International Anti-Corruption Day last week. And quoting from that statement, the Office of the Contractor General said, and I quote:

> *"Corruption will almost invariably flourish in any or all of the following circumstances."*

And he lists 11, but 9 on that list, the 9th circumstance is:

> "*Where anti-corruption institutions are capable of being influenced or controlled by the political directorate*."

So, Mr. Speaker, I would like to ask the Minister, contrasting his words as I quoted from the JIS release, with the Office of the Contractor General's statement: Do you accept that you have created the condition for corruption to flourish in your ministry and do you accept that the abuse of public office to harass or victimize political opponents is corruption?

Mr. SHAW: Mr. Speaker, in answering the questions that I read formally out, I went through great pains to point out that there were antecedents to the establishment of the PAI. It started with the Controller General that was set up in 1986 and the work of that Controller General was not just to work at the Ministry of Finance, but across all ministries and agencies. And it was set up by the then Prime Minister and Minister of Finance for the purpose of monitoring the activities of government on an *ad hoc* basis, based on anecdotal information, based on – it was perceived as something that was needed. Because the Auditor General by its very nature, Mr. Speaker, takes a retrospective view of investigations, unless there is a special request that is made of the Auditor General.

When I established the Public Accountability Inspectorate, Mr. Speaker, with the decision of the Cabinet of Jamaica, we made the point that the work of the PAI was to be able to carry out investigations, follow up on work that has been done at the level of the Auditor General and examined by the Public Accounts Committee. Having served as Chairman of the Public Accounts Committee for many, many years it's one of the weaknesses that I recognized, that we would examine the Auditor General's Report and then the PAC would meet and we would have a good little chat and then the issues would fall flat. There was no mechanism for follow-up to ensure that the issues identified, that corrective action was being taken. And so very often we found that the same problems keep recurring year after year and it became just a ritual. And so it was said specifically then that a part of the work of this committee would be, this PAI would be to look at the follow-up work in relation to the PAC and the Auditor General, as well as anticipating that the PAAC would be functioning, as it is now because of the innovation of placing it under the Chairmanship of a Member of the Opposition; a government that is committed to transparency, taking those kinds of decisions. (Applause) Let me give a short answer to this question, very short answer.

(*Sotto voce* remarks by Dr. Davies)

Mr. SHAW: Mr. Speaker, I want to put it this way. The Constitution of Jamaica recognizes, other than the Prime Minister, the

only other Minister that is recognized by the Constitution of Jamaica is the Minister of Finance. (Applause) And the purpose for the Constitution recognizing that role is, because the Minister of Finance has the duty, the constitutional duty and authority to protect the revenue of this country.

(Applause)

And so even, Mr. Speaker, even as the PAI reports to the Financial Secretary, the Minister of Finance has the right and the privilege, or any other Minister who wishes anything to be investigated, can seek, through the Financial Secretary, to get the Public Accountability Inspectorate to go and do its work. (Applause)

Finally, let me say this, there has been no plan or campaign in respect of the PAI to target any politician; and any evidence to that should be brought before me. I am not aware of it. The ones we have mentioned here, as listed, we have said we cannot list the others that are either pending or about to be investigated, because that would compromise the integrity of the investigation.

(*Sotto voce* remarks by Opposition Member)

Mr. SHAW: There is no targeting of any politician whatsoever, Mr. Speaker.

(*Sotto voce* remarks by Government Member)

Mr. BUNTING: Mr. Speaker, it is…

(Crosstalk)

The SPEAKER: (Gavels) Okay, settle own, Members, please!

Mr. BUNTING: Mr. Speaker, it is interesting that the Minister should make that statement.

(*Sotto voce* remarks by Government Member)

The SPEAKER: (Gavels) Can we listen! Can we hear the question, please?

Mr. BUNTING: Minister, it is interesting that you should make that statement in light of a statement coming out of an arm of the JLP just last week which stated, and I quote:

> *"Removing known PNP activists and supporters from sensitive positions in government is not political victimization but political astuteness."*

Opposition MEMBERS: What!

Mr. BUNTING: This came out from the G2K just last week. In light of this statement by G2K, Mr. Speaker...

Government MEMBER: Who write that? Propaganda!

Mr. SAMUDA: Repeat it.

Mr. BUNTING: You would like me to repeat it? It says, "removing…

(Cross talk)

The SPEAKER: (Gavels) No! But, Mr. Bunting, what's the relevance of that to the PAI?

Mr. BUNTING: I am coming - in light of what the Minister said, Mr. Speaker.

The SPEAKER: No, but what…

(*Sotto voce* remarks by Members)

Mr. BUNTING: Well, let me say now - let me ask the question and you will see the relevance.

(*Sotto voce* remarks by Members)

The SPEAKER: Members, can I hear the question?

Mr. BUNTING: Mr. Speaker, given the paucity of staff, because there were only three persons mentioned, and given the wide scope of functions, and given the fact that the Minister of Finance said to do their work they have to borrow staff from all over the ministry, can the Minister assure us, especially

in light of the statement I read from the G2K last week, that no personnel will be borrowed, that no personnel to staff the PAI will be borrowed from other areas of the ministry if they are current or former members of the G2K, can the Minister assure us of that?

Mr. CHARLES: Propaganda! Foolishness! Rubbish!

Dr. PHILLIPS: *Him* circulate it.

Dr. DAVIES: That last statement is true.

Mr. SHAW: Mr. Speaker, the first question is out of order. (Applause) And I suggest to the Member that he acquaints himself with the Rules of the Standing Orders that are provided in this House. Let me just say...

(*Sotto voce* remarks by Members)

The SPEAKER: Tell him the relevant section, so he knows.

Mr. SHAW: The relevant section is section 16 subsection (l)(g) and it relates, Mr. Speaker, to asking whether statements in the Press or of private individuals or unofficial bodies are accurate.

The SPEAKER: That's correct.

(Sotto voce remarks by Opposition Members)

Mr. SHAW: I have no obligation to answer foolish questions... (Applause) But I will answer another question which you asked. He asked the question concerning the staff complement. I want to indicate, Mr. Speaker, that on the basis of the quality of work that is already being done by the Public Accountability Inspectorate, I shall hasten to ensure the full complement of 10 members of staff for that…(Applause)

Mr. BUNTING: Just two more questions, Mr. Speaker.

(*Sotto voce* remarks by Members)

The SPEAKER: (Gavels) Members! Members! You have another question, Mr. Bunting.

Mr. BUNTING: Let me ask, Mr. Speaker…

(*Sotto voce* remarks by Members)

The SPEAKER: Listen, we need to move on soon, you know. Come on, Mr. Bunting.

Mr. BUNTING: No, no, Mr. Speaker, there are follow-up questions. This is a very critical matter.

The SPEAKER: Well, go ahead, ask the question.

Mr. BUNTING: Mr. Speaker, if the Financial Secretary were to ask all agencies on behalf of the Minister of Finance, if the Financial Secretary were to send a circular on behalf of the Minister of Finance to ask for every transaction done with a private sector entity going back to 2010, if all those hundreds, if not thousands - sorry, from 2000, we are in 2010 now, going back to 2000, and if those hundreds of hours of research at taxpayers expense on a private sector entity, would these Reports and this information then be reviewed by this Public Accountability Inspectorate?

Mr. CHARLES: It would be good to clean up the country once and for all.

The PRIME MINISTER: Section 8, hypothetical.

Mr. GALLIMORE: It's hypothetical.

The PRIME MINISTER: You are not allowed to ask hypothetical questions in the House.

Mr. SHAW: Mr. Speaker, the Member is asking a hypothetical question, hypothetical question, that's what he is asking. Because all I can say to you, Mr. Speaker, is that the Public Accountability Inspectorate has received no

such request to investigate any Member's business with the Government. But just to say business between the private sector and the government is not private business.

(Applause)

The SPEAKER: That is correct.

Mr. BUNTING: Mr. Speaker, the Minister avoided the question. Let me be more specific.

The SPEAKER: No, no, it's not allowed. That question is not allowed. It's not that he avoids it.

Mr. BUNTING: May I rephrase it…?

The SPEAKER: Yes.

Mr. BUNTING: ...to take it out of the hypothetical. With reference to a circular dated November 1...

The SPEAKER: From where?

Mr. BUNTING: Circular from the Financial Secretary.

(*Sotto voce* remarks by Members)

Mr. BUNTING: I can. I have the circular here. Would you like a copy?

The SPEAKER: Where is the circular from?

Mr. CHARLES: Let your lawyer help you.

Mr. BUNTING: Would you like a copy of the circular?

The SPEAKER: This is an official government circular?

Mr. BUNTING: Letterhead of the Ministry of Finance and Public Service, Coat-of-arms, signed by **WESLEY HUGHES, CD, J.P.,** Financial Secretary. May I go ahead?

> "With reference to the circular from the Financial Secretary stating that Minister Shaw is requesting a report on" –

and he quotes Minister Shaw:

> "All transactions that took place between Dehring, Bunting and Golding and the Ministry of Finance and the Public Service…"

(Heckling)

> ..."as well as all other Government agencies, companies and statutory bodies between 2000 and 2007."

Mr. BUCHANAN: You lied about…

The SPEAKER: (Gavels) Mr. Buchanan, you can't be shouting.

(Cross talks)

The SPEAKER: Mr. Buchanan, you can't be shouting like that.

(*Sotto voce* comment by Mr. Buchanan)

The SPEAKER: Mr. Buchanan, please stop the shouting. I hear you.

Mr. BUNTING: Mr. Speaker, the only reason proffered in that circular is that following on the recent Report of the Contractor General, even though there was no recommendation by the Contractor General for any further review and in the scope of work given by the Minister today doesn't provide for reviewing Reports from the Contractor General. Is the PAI going to be the unit reviewing this information? And if yes, how do you justify the use of hundreds, if not thousands of man-hours across the public sector at taxpayers expense other than the obvious conclusion that it is expedient to harass a political opponent? (Applause)

Mr. SHAW: Mr. Speaker, let me reiterate that any attempt to embroil the Public Accountability Inspectorate in what is now appearing to be a personal matter must be rejected.

Opposition MEMBERS: No!

Mr. SHAW: It must be rejected. Mr. Speaker, I want to remind this Honourable House...

Dr. PHILLIPS: Mr. Speaker, on a point of order.

The SPEAKER: What's the point of order?

Dr. PHILLIPS: The point of order is that the Member is imputing motive and it is specifically prohibited by the Standing Order.

(Applause)

The SPEAKER: (Gavels) No, no, no!

Mr. SHAW: Let me rephrase.

Mr. BUCHANAN: You must withdraw it first.

The SPEAKER: One second.

Mr. SHAW: Mr. Speaker, I withdraw, I withdraw the personal matter and replace it with a matter in which the Member has a personal interest. (Applause) And, Mr. Speaker, I want to remind this Honourable House that it was I who brought to this Honourable House an issue concerning an improper business arrangement with the company, Dehring, Bunting and Golding. I brought it to the attention of this House. I was invited to bring evidence.

Mr. BUNTING: Mr. Speaker...

Mr. SHAW: I was invited to bring evidence. I brought the evidence. The Contractor General…

Mr. BUNTING: Mr. Speaker...

The SPEAKER: Please allow him to finish, Mr. Bunting.

Mr. SHAW: I am not sitting down. I am not sitting down. I am on my feet.

Mr. Speaker, I brought evidence to this Honourable House pointing out the concerns that I had with the appropriate relationship, the business arrangements, that it was not transparent, and that it was not open to competitive tender. It was subsequently the subject of a review and report by the Contractor General, who himself noted some areas of concern in relation to the transaction. On that basis, I made the decision that I would pursue further examples of this possibility.

(Applause/*Sotto voce* comments)

MEMBERS: Transparency, transparency.

Mr. BUNTING: Mr. Speaker...

The SPEAKER: Yes, Mr. Bunting?

Mr. BUNTING: The Minister referred to a Report of the Contractor General. What he failed to say...what he failed to say...and in effect misleading the House, is that the Contractor General did not uphold one single one of his allegations...

(Applause/*Sotto voce* comments)

...and that, in fact, he found no sweetheart deal, no nepotism, nothing improper.

The SPEAKER: Alright, can we move to the next question? You have another question?

Mr. BUNTING: No, but he hasn't answered the question; he hasn't answered the question.

(Cross talk)

The SPEAKER: Are we going to be debating this? No, wait, wait, remember, Mr. Bunting, you have another question?

Mr. BUNTING: Mr. Speaker, my final question for the Minister. Would it not be reasonable for the public to infer, given all that we have heard here, that this is just a Gestapo-like unit...

The SPEAKER: Hypothetical - hypothetical question.

Mr. BUNTING: ...staffed by political acts, established to further party partisan political ends.

The SPEAKER: A non-question.

(Cross talk)

The SPEAKER: Dr. Davies is on his feet.

Mr. CHARLES: Get yourself a good lawyer.

Dr. DAVIES: Mr. Speaker, the answer to Question 10...the answer to Question 10...

(*Sotto voce* comment by Dr. Bartlett)

Dr. DAVIES: Creng, creng, your horses are calling you!

(Laughter)

…Mr. Speaker, in answer to Question 10, there are nine...

The SPEAKER: (Gavels) Dr. Davies is on his feet and nobody else.

Dr. DAVIES: ...There are nine...In reference to nine (9) investigations and reports submitted, there are some which are public. For example, the investigation in regard to the SLB, some are public. My question to the Minister, are all available for scrutiny?

And, there is a second question which you…there is one which refers to an individual. And the report is in. Can we indicate what further steps are to be taken? There is one with regard to an individual, Number 7, and the Report has been submitted, can the Minister inform us what are the steps to be taken?

Mr. SHAW: Two answers, Mr. Speaker. First of all, I am quite prepared to make all of these Reports available to the Member, and will make it public. I can make them public. This is public business; it is not a private business.

The second part to the second answer in relation to item Number 7, relating to an individual, that Report can also be made available, but it was such a gravity that it had to be referred to the Financial Investigation Division.

(*Sotto voce* comment by Dr. Harris)

The SPEAKER: Dr. Harris, you have a...can we close up on this?

A MEMBER: You chat too much.

Mr. KELLIER: Mr. Speaker, I am a very...

The SPEAKER: Yes, yes, listen, we want to wind up on this question and answer of this question.

Mr. KELLIER: I have a very simple question that only warrants a short answer. I get the impression, Minister, that you are saying that somewhere along the line you are going to be recruiting - or, may be recruiting additional...

(*Sotto voce* comment by some Members)

Mr. KELLIER: Yes, yes, yes, when I say... I would like to get an assurance in the House that the posts involved will all be advertised. And that these appointments will not be made in-house without the public having a chance to put in resumes for these positions, 1 want that assurance from you.

Mr. E. SMITH: We will do it just like how the PNP do it.

The SPEAKER: Okay.

Mr. SHAW: Mr. Speaker, that is the practice of my Ministry. All posts are advertised, and interviews are carried out by an appropriate committee, and the decisions are taken entirely at the executive level. It has no political interference whatsoever.

(Applause)

The SPEAKER: Okay, Dr. Harris, your question.

(*Sotto voce* comments by Members)

The SPEAKER: Yes, Dr. Harris.

Dr. HARRIS: Mr. Speaker, the question is to the Minister of Water and Housing.

Question Number 25, standing in my name to the Minister of Water and Housing.

The SPEAKER: Dr. Chang.

Dr. PHILLIPS: Mr. Speaker, I had one question on the previous matter.

(Heckling)

No, I thought...you guys are protesting too much.

The SPEAKER: Okay, one final question. Okay, hold, hold it, Dr. Chang. Yes, Dr. Phillips, last question on this.

Mr. E. SMITH: *Mek im* get some more beat up.

A MEMBER: Are you the lawyer?

Dr. PHILLIPS: Mr. Speaker, the fact is... the fact is, Mr. Speaker, Government has tremendous power - any government, and we need to be assured that Government is not using that power improperly or to serve improper ends.

My question specifically, Mr. Speaker, in relation to Question 10 on the...what is the basis for the selection of these issues, acknowledging that there are major…there are major public agencies involved? And that is fine. But, when you see the audit of the Porus High School...

Mr. D. PEART: And the timing.

Dr. PHILLIPS: ...and the fact that, no doubt, there may be many school tuck shops that have a problem. What I would like to be assured by the Minister is, first of all, what is the basis for the inclusion of the Porus High School Tuck Shop? And two, would this have any bearing at all in the timing of it on the fact that the principal of Porus High School was, at the time, the President of the JTA. We need to be assured that the powers of the State are not...

(Heckling)

We need to be assured...We need to be assured. If you can provide the assurance, it is fine. We need to be assured that the tremendous powers of the State are not being used for political purpose. (Applause)

Mr. SHAW: Mr. Speaker, what has been spoken by the Member is most unfortunate and unbecoming of him.

(*Sotto voce* comments)

Let me indicate, Mr. Speaker, that when we established the PAI, I made a public - extended a public invitation to the people at large, that if they are aware of anything untoward that is happening, they should contact the PAI, bring the information to them, and let them carry out the work. In this particular instance that you have mentioned, the contact was made directly to the Public Accountability Inspectorate. I only became aware of it when the report was put on my desk. That's when I became aware of it.

But I think the important...Mr. Speaker, the important issue that must concern all of us, is that we are in an age of transparency. The Senate - the Senate, last Friday, unanimously passed the Whistle Blower Legislation. Let us get to understand that we are dealing now with a new dispensation of transparency and we must have zero tolerance for corruption on both sides of this House.

(Applause)

The SPEAKER: Dr. Chang...

(Dr. Phillips indicated that he wanted to speak)

The SPEAKER: No, no, no...

Dr. PHILLIPS: Would the Minister... would the Minister...would the Minister indicate where and when he made this appeal to the public to send information in? Would he be prepared to furnish it in this House?

(*Sotto voce* comments)

Mr. SHAW: Numerous occasions.

Miss HANNA: When?

Dr. PHILLIPS: Would he be prepared to furnish it specifically? And would he be prepared to send the report of the report - the request made in relation to Porus to this House? I would like to get it. And would he be prepared to furnish the report on Porus to this House?

The SPEAKER: Very well. Dr. Chang... Dr. Chang, the answer.

A MEMBER: You don't listen to JIS?

(Cross talk)

Miss HANNA: Lift your standards, man.

(Cross talk)

Dr. CHANG: Thank you.

Mr. CHARLES: You don't have *nutten* to worry *bout*.

Dr. CHANG: Pearnel!

Mr. CHARLES: He who have enough to worry about is nervous.

(Cross talk)

Dr. CHANG: The question, will the...

Mr. CHARLES: Sister P, *dem can* touch *yuh*. *Mi* tell you that.

(*Sotto voce* comments)

Dr. CHANG:

Question: Will the Minister please state when will the people of... (Pearnel, I can't hear myself)

Will the Minister, please state when will the people of Duncans, Trelawny, see the replacement of the Duncans to Crawle pipeline?

Answer: The Duncans to Crawle pipeline replacement is a part of the Georgia to Silver Sands pipeline replacement project which is being undertaken by the National Water Commission, and it's funded under the K-Factor Programme.

The project will involve the replacement of 2.5 kilometer of leaking asbestos cement transmission main between Georgia and Silver Sands with 250 millimeters ductile iron pipes and the installation of 100 millimeter DI and 50 millimeters GI distribution pipes in the areas of Crawle, Logwood and Duncans.

The NWC received approval from the Office of Utilities Regulation to commence work on this project under the K-Factor programme. And to date, the engineering investigations and the design have been completed, and the project went to tender on December 8, 2010, with the return date being February 9, 2011.

The subsequent evaluation approval and contract award period is expected to be completed by the end of May 2011, with work projected to commence in the first week of June, 2011. The project is expected to last for six months with a completion date of December 2011. The communities of Crawle, Logwood, Duncans, Silver Sands and Duncans Bay will benefit from the improved service at the end of the project.

Dr. HARRIS: Thank you, Minister. I welcome this information, but...

The SPEAKER: And that's it.

(Laughter)

Mr. CHARLES: But...? You *caan* have no *but.*

Dr. HARRIS: But, Mr. Speaker, Trelawny is proud of its water supply. The Dornoch System is more than 100 years old, and we would want to see an improvement in the Crawle to Silver Sands leg of that system.

But, Minister, if that is happening it cannot be that that system - that portion of the line alone is improved. And may I just point out that the pipes were put there already and they were removed and for whatever reason they were not done.

So one question, Minister, when will the Dornoch system itself be improved? Because if the system itself is not improved and the lines to that area is not improved, then there will be no water to distribute to that area, number one. And number two, the roads have been in a...

The SPEAKER: Dr. Harris. Stick to this *nuh* man.

Mr. STERN: What is the question?

Dr. HARRIS: The roads have been in a deplorable condition for the past 25 years.

MEMBERS: What! Twenty five years?

Mr. STERN: And you were in charge for 18 years and *yuh* never *sey nutten*?

Dr. HARRIS: The question is, Mr. Minister, when will the residents see some kind of improvement on the roads? And...

(Cross talk)

The SPEAKER: He is the Minister of Water and Housing.

Finish up now Dr. Harris.

Dr. HARRIS: Mr. Speaker, there is a time when we shouldn't hurry things *yuh nuh*, there is a time when we should but look at things and the gravity of it.

(Cross talk)

Dr. HARRIS: This road, Mr. Speaker, forms a main corridor and it is in a deplorable condition. Now the question is, when and who is going to take responsibility for at least making that surface drivable now, considering that the NWA...

(Cross talks/heckling)

The SPEAKER: Okay, Dr. Harris.

Dr. HARRIS: No, no, no!

The SPEAKER: Okay, Dr. Harris.

Dr. HARRIS: The question need to be asked, because the NWA will not take responsibility for the road now and the Water Commission is not going to take responsibility for it. So who is going to take responsibility for it in this period of time for the next year?

(Cross talks)

The SPEAKER: Dr. Chang, just answer the part relevant to your Ministry.

Dr. CHANG: Mr. Speaker, to the first Question; the Dornoch system is being improved because the number of the major lines from the supply area are leaking and are being replaced as part of the programme. One of the critical aspect of it is that the Donoch system which gets the water from the source to the distribution reservoirs is very steep and needs specialized pipes, some of which were placed here a few years ago and removed before I was responsible for this supply. Those pipes are being replaced and once they are replaced, in fact, the supply to the area would be significantly improved.

In the medium term however, we intend to

complete the North Coast Water Supply system which will involve putting in a new plant - two million gallons per day at the Rio Bueno River, and we are currently negotiating funding for that particular project - as I said, medium term. But with the replacement of the pipelines, in the immediate future the entire area will have improved water supply.

The road is not my responsibility as you are fully aware and should be aware, but I'll comment as a Member of the Government, that this Government has undertaken the most massive infrastructure development in the history of this country in both road and water supply, and we talk to each other…

A MEMBER: What?

Dr. CHANG: …as colleague Ministers.

(Inaudible comments by Members)

Dr. CHANG: Of course, we have committed over $300 Million to the improvement of the water supply in the island.

The K Factor Programme was in fact introduced at the request of this Government in the last rate increase, which provides funding to, in fact, improve the efficiency of water supply, and this is a programme we have started now. Over the 15 year life of the K Factor Programme, we will be able to spend some $47 Billion. We don't intend to wait on an annual basis. That's some of the funds we borrowed to fix problems like these, which we have inherited, but like I said, where the road is concerned, I talked to my colleagues...

The SPEAKER: No, you don't need to go there, you don't need to go there.

Dr. CHANG: ...and therefore, there will be cooperation to ensure there'll be satisfactory transport.

The SPEAKER: Dr. Harris, last point, we need to move on, Dr. Harris, last question.

Dr. HARRIS: Minister, you said you are going to replace the pipes of the Dornoch System. Is it possible that we could improve the size of the pipes as well to meet the growing need of the areas that, that system serves?

(Laughter/heckling)

Dr. CHANG: That will be done in some sections. If you read the document, we are currently operating on the basis of - we are improving, we are moving to 10 inch, 250 millimetre…ductile.

(Inaudible comment by Dr. Harris)

Dr. CHANG: I'm suggesting that's 10 inch lines.

(Inaudible comment by Dr. Harris)

Dr. CHANG: No, that is 10 inch lines coming from eight inch lines, and throughout the system we're going to make improvements to the pipeline distribution.

The SPEAKER: (Gavels) Okay.

PUBLIC BUSINESS

Mr. HOLNESS: Mr. Speaker, at Public Business we will be taking the Prime Minister, who gave notice of the CDF withdrawal earlier. Then the Minister of State in the Office of the Prime Minister with responsibility for Local Government will take the resolution on the postponement of Local Government elections, after which point, Mr. Speaker, we will suspend the sitting of the House to return to Standing Finance Committee for the acceptance of the Report.

We will then resume the sitting of the House and if the time permits, Mr. Speaker, then we may take one other matter, which would be the Electoral Report. But of course, Mr. Speaker, if time permits.

The SPEAKER: Very well. Prime Minister.

The PRIME MINISTER: Mr. Speaker, I beg to move for suspension of the Standing Orders to allow me to take the resolution, notice of which I gave earlier.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Order to allow the Prime Minister to take the resolution, notice of which was given earlier.

Put to the House and agreed to.

The SPEAKER: Prime Minister.

CAP DEVELOPMENT FUND – BAUXITE LEVY WITHDRAWAL

The PRIME MINISTER: Mr. Speaker, the resolution is not a matter with which the House is unfamiliar. It's one of those periodic withdrawals from the Capital Development Fund into which the proceeds of the bauxite levy is placed, but there are a couple observations which need to be made on this occasion.

Firstly, the withdrawal on this occasion is for $127 Million, which will go, not to the Consolidated Fund, but will go straight to the - to cover the expenses of...

Dr. DAVIES: Montague Parish Council.

Mr. MONTAGUE: Omar, *yuh* a exaggerate.

The PRIME MINISTER: It will go to the Jamaica Bauxite Institute, Mr. Speaker, to cover their operating expenses.

There was an earlier withdrawal of some $1.4 Billion, which went into the Consolidated Fund and previous resolutions have attracted quite robust discussions...

Dr. DAVIES: Or disgrace.

The PRIME MINISTER: Yes.

Dr. DAVIES: And block road and...

The PRIME MINISTER: ...about the application of Fund.

Might I suggest that the circumstances of this year would militate against any extensive discussion to the simple reason...

(Inaudible comments by Dr. Davies)

The PRIME MINISTER: Let me just give you some figures so that we understand what we're talking about. For 07/08, the proceeds of the bauxite levy, which went into the Fund, was $4.2 Billion. For 08/09, it was $4.4 Billion. For 2009/2010, it was $139.4 Million.

With three alumina plants shut down, there was nothing on which to levy. Indeed, in order to secure the continued operation of Noranda in St. Ann, we had to give certain fiscal concession. In order to encourage and to facilitate the reopening of the Ewarton Plant in UC Rusal Plant in Ewarton, we again had to give certain fiscal concession. So that the inflows into the fund for this year, up to the end of September, the figures I have are - all that came into the Fund, this year, is $18.6 Million.

Dr. DAVIES: US?

The PRIME MINISTER: No, Jamaican.

It is projected that we will get, before the end of the fiscal year, roughly $360 Million. Because under the arrangements there is a payment into the fund which we expect in the first quarter of next year.

We were able to make the $1.4 Billion transfer to the Consol Fund earlier this year from what was carried over from previous years. So the Capital Development Fund, to put it very mildly, is under stress and will continue to be under stress until there is

recovery in the bauxite/alumina industry, or further recovery.

I know that the Minister of Energy and Mining continues, almost on a daily basis, to explore the possibilities and to try to identify ways in which we can hasten the return of more of our alumina capacity. But without offering any assurance to any of the operating companies, we understand that part of what may be necessary to get them back into operation may involve some concessions in so far as the revenues are concerned. And therefore next year may be the first year when there is not likely to be any resolution being brought to the House, asking the House to approve the withdrawal of funds from the Capital Development Fund, unless our fortunes improve much greater than it is possible to project at this time.

But to the extent that the Jamaica Bauxite Institute has operating expenses that have to be met - these are not new these were actually programmed in the Public Body Management Budget, which was tabled in Parliament and, therefore, it is really providing the funds to enable it to undertake the works that were already – and to carry out the operations of which were already budgeted for this year.

The SPEAKER: Thank you. Mr. Peart.

Mr. M. PEART: Mr. Speaker, it is sad to see what has happened to the Capital Development Fund. When we look at the collapse of the bauxite/alumina industry, the economic devastation in the communities affected, and the fact that all these monies that the Prime Minister speaks of, none is directed to assist these communities.

The question I'd like to ask the Prime Minister is, of this $127 Million going to the Jamaica Bauxite Institute, is any of this money going to be directed at Bauxite Community Councils for community assistance for community development or is it just purely for administrative purposes?

The PRIME MINISTER: Yes, it will.

Mr. M. PEART: Administrative purposes?

The PRIME MINISTER: No, no. I said that some of it would go to community programmes.

Mr. M. PEART: Well, the next question is, could I have an indication of how much of this is going to be directed towards the community development?

The SPEAKER: Yes, Mr. Clarke.

Mr. CLARKE: The Prime Minister, can you indicate whether the commitments made by all those bauxite companies re restoration of mined-out areas, if that programme will continue even - although they are not in operation?

The PRIME MINISTER: I'm sorry I can't give you the details as to the community development expenditure from this. I'm sure that is information that the Minister could obtain and make available to you.

The restoration of mined-out lands is not financed from these funds. These are expenditures that the bauxite companies are required, themselves, to undertake from their funds. And the Minister can also make available to you whatever information is available in terms of the restoration programme. But that continues, where mining operations are being carried out. But as, you know, in some sections of the country, mining operations have ceased. And what they would be expected to do is to do whatever outstanding restoration work arises from areas that had previously been mined.

Mr. CLARKE: It is to that I was really referring, sir, because there was a serious backlog in many, many areas and I think an arrangement was made to require that they do a particular amount to catch up over time. So what I want to find out is, even in those areas where there's no mining going on again, if that backlog is being addressed at this time?

The PRIME MINISTER: The only active mining company in Jamaica, now, well there are two: Noranda in St. Ann and they would he conducting restoration works as they are required to do under their mining licences; UC Rusal, Kirkvine, has - Ewarton has recently started operations again. They would be expected to carry out both their current and whatever outstanding obligations they had.

I don't think that it is realistic to expect that a company that has virtually moth-balled its operations, as is the case in say Alpart, would be carrying out those obligations since they don't have the normal business presence and business activity here. And I don't think that there –I don't think there would be any point in pursuing them almost with offensive zeal to get them to do that. What we're trying to do is to try to see if we can get all of the companies, including Alpart, back up and running and once we know that they're back in operation and that they are looking at a brighter future then, perhaps most appropriately then, can we raise with them outstanding obligations that need to be addressed. But we - our first interest, is to get the operations going, get people back on their jobs and then we can see what are the obligations that will have to be met and maybe it would be necessary to even reschedule them in terms of time.

The industry has been so badly affected by the global crisis that it's no point in trying to fix it with a sledge hammer. We have to work with the companies to see how we can get them up and running again and how can we help to reposition their operations in Jamaica. It's a matter that I know is consuming a great deal of the time and the energy of the Minister of Energy and Mining.

The SPEAKER: Now Members, the resolution is before you.

Put to the House and agreed to.

The SPEAKER: Mr. Montague.

Mr. MONTAGUE: Thank you, sir.

Mr. Speaker, the Standing Orders having been suspended, I would like to proceed with the debate...

The SPEAKER: Yes.

Mr. MONTAGUE: ...for the Resolution. Do I have your…

The SPEAKER: Yes.

Dr. DAVIES: That is an unusual approach.

Mr. MONTAGUE: Well, Mr. Speaker, I now move for the suspension of the Standing Orders to enable me to take the Motion, notice of which I had given earlier.

The SPEAKER: Members, the Motion before you is for the suspension of the Standing Order to allow the Member to take the Resolution, notice of which he gave earlier.

Motion put to the House and agreed to.

The SPEAKER: Hold a sec. Hold a sec.

Mr. KELLIER: We going with the ayes, but I still have not seen the Resolution. I may have missed, I may have missed something. It was promised...

The SPEAKER: Unfortunately it was tabled last year I understand.

Mr. KELLIER: It was promised, it was promised that we would get it when he spoke and we waited. We have not seen it.

The SPEAKER: No, but...

Mr. KELLIER: And I'm saying before he proceeds…

The SPEAKER: Yes.

Mr. KELLIER: I'm seeking your guidance and protection.

The SPEAKER: No, in fact I've, I've also asked for a copy too.

Mr. KELLIER: But it is not with us.

Mr. DAVIES: (to Government Member) You have your documents?

Mr. KELLIER: And we would like to see it so that we can properly respond.

The SPEAKER: We're sending, we're sending for copies. Are copies available?

(Cross talk)

Dr. DAVIES: Lend me yours. Lend me yours!

The SPEAKER: Is that a copy? No. I know, understand late last week it was laid on the Table, late. I understand, late. So we're just checking to see if there are copies available. Could, could…

What we'll do, Mr. Kellier, he will probably just read it at the beginning, okay?

Mr. BUCHANAN: No, no! We need to look at it.

Mr. E. SMITH: You can't read. You can read?

Mr. BUCHANAN: The last Petty Session Court case, you lose and recently you win the other one.

Mr. E. SMITH: *A him* brother.

Mr. BUCHANAN: I still help you to win the other one.

The SPEAKER: Okay, we have copies and we'll get additional copies. The matter before you is for the suspension of Standing Order to allow the Minister to take the Resolution, notice of which he gave earlier.

Motion put to the House and agreed to.

The SPEAKER: Minister Montague.

LOCAL GOVT. ELECTIONS - POSTPONEMENT

Mr. MONTAGUE: Thank you very much, Mr. Speaker.

As the resolution stated, the reasons given for the additional 90-day extension is to accommodate a recommendation from the National Advisory Commission on Local Government Reform, which I will quote a section of their Report, Mr. Speaker:

> *In addition, there are several recommendations on which there was no consensus which need to be revisited and also additional recommendations in the final NAC report that need to be given consideration. A revised timetable for completing the Local Government Reform process is therefore now required.*
>
> *The NAC, as one of the early tasks it would undertake, would be asked to prepare such a revised timetable which would seek to be realistic while also spurring timely implementation. While a definitive deadline would be difficult to make at this time, it is likely that a period of 18 to 24 months will be required given the following key reform activities.*

(Cross talk)

> *Passage of the three (3) strategic laws: Given the present stage of this activity, it is estimated that completing all*

the stages to the point of enactment will take another 12-18 months.

Finalizing new financial package for local authorities: This critical prerequisite for enabling local authorities to operate satisfactorily and as autonomous bodies is likely take 12 to 24 months.

And Mr. Speaker, they go down and list the various recommendations, and in their opinion, and in what time they believe it would take to have those recommendations implemented.

In discussing with the NAC, Mr. Speaker, we felt that we should abide by the terms and conditions of the law that was passed in this Honourable House, in July. And they are, therefore, asking the House to permit that postponement, Mr. Speaker.

But bear in mind that the postponement we are seeking is for and until the end of March. That, Mr. Speaker does not stop the Honourable Prime Minister from calling an election before the end of March, so let us make that point.

In addition to that, Mr. Speaker, the Electoral Commission, although they are finished with the consultation, the final Act is not yet gazetted - Sorry, order is not gazetted. So that we are still hampered in terms of deciding the specific boundaries of Portmore and we are committed in having Portmore as the 15th parish in Jamaica.

So, Mr. Speaker, those, basically, are the two major reasons. We're asking the Honourable House to extend the Act of July 2010 for the postponement of Local Government elections to a date no later than the end of March 2011.

(Cross talk)

The SPEAKER: Mr. Fagan.

Mr. FAGAN: Mr. Chairman, Mr. Chairman! (Cross talk)

Mr. Speaker, we are not, on this side, surprised that, surprised that this resolution would come.

(Cross talk)

The SPEAKER: Please Members, Members, please allow the Member on his feet to be heard.

Mr. FAGAN: Mr. Speaker, we are not surprised that this Resolution would come today because when the Minister came with the extension in June, he had actually said that he was going to ask for a further extension to March and so we are not surprised. But, Mr. Speaker, we cannot continue to be postponing Local Government like this.

The Minister - the Prime Minister, Mr. Speaker, had said early in the administration that he had no intention of postponing Local Government Elections.

Mr. PICKERSGILL: Yes!

Mr. M. PEART: Fixed term!

Mrs. NEITA-HEADLEY: True!

Mr. PICKERSGILL: Repeat that, repeat that!

Mr. FAGAN: And so, I'm surprised that we are coming, time after time now, this is the second time now that we're coming to ask for a postponement…

The SPEAKER: Now, Members, Members, too many private meetings.

Mr. FAGAN: ...of Local Government elections.

Mr. Speaker, I want to remind you, sir, that the Duncans Division has been without a…

Miss HANNA: Hear, hear!

Mr. FAGAN: …Councillor for over a year.

Miss HANNA: That's right!

(Inaudible comment by Opposition Member)

Mr. FAGAN: The Frankfield Division has been without a councillor for over eight (8) months. The Norman Gardens Division has been without a councillor for close to six (6) months now. We want to, on this side, want to find out if the Government is not aware that the people at the local level need representation.

Mr. M. PEART: Representation, representation!

Mr. FAGAN: And during this time that we are waiting, what is going to happen to those people in terms of the representation at the local level?

I was doing a little research, Mr. Speaker, and I remember the last time, Mr. Speaker, when the Local Government was - when you were on this side and the Government, we were on that side, no other person than the PRIME MINISTER himself had said, in a news release and I have a copy.

Mrs. NEITA-HEADLEY: Yes.

Mr. FAGAN:

"*Yesterday Mr. Golding vowed to take political action…*

Mrs. NEITA-HEADLEY: Yes.

Mr. FAGAN:

…to resist a deferral of local Government elections and said Opposition would insist that the people's right to elect their local representative was not further delayed."

And you know, it wasn't finished there, you know, Mr. Speaker. The Opposition Spokesman on Finance...

Mr. M. PEART: I wonder who that is.

Mr. FAGAN: …at that time, was Audley Shaw.

(Heckling/cross talk)

Mr. FAGAN: The now Minister of Finance.

The SPEAKER: No, use the - don't call the Member's name.

Mrs. NEITA-HEADLEY: The Member from North East...

Mr. FAGAN: Manchester.

Mrs. NEITA-HEADLEY: North East Manchester.

Mr. MONTAGUE: On a Point of Order, Mr. Speaker...

The SPEAKER: What's the Point of Order?

(Cross talk)

Mr. MONTAGUE: He is calling the Member's name and he is quoting an authority that he needs to bring the evidence of.

(Heckling)

The SPEAKER: Don't call the Member's name, Mr. Fagan.

Mrs. NEITA-HEADLEY: North East Manchester.

Mr. FAGAN: North East Manchester.

Mr. Speaker, I just want to bring the idea of how forceful the Opposition was, when they were on this side, about Local Government Elections. Hear what he said. The Opposition Spokesman on Finance took the fight...(Cross talk)

The SPEAKER: (Gavelling) Can we listen to the Member, please!

Mr. FAGAN: …claiming that the delay was another act of victimization against…

MEMBERS: Noooo...!

Mr. FAGAN: ...on the Opposition Jamaica Labour Party.

(Opposition Members applaud/heckling)

Mr. BUCHANAN: Guiltiness rest on their conscience!

Mr. FAGAN: Mr. Speaker, I have not seen - when the deferral took place, when we asked for the deferral in June, Mr. Speaker, it was said that Portmore should become the **fifteenth** parish, there should be an entrenchment of Local Government, and also, the other reason was that there was a State of Emergency. I have not seen anything - apart from the removal of the State of Emergency, I have not seen anything that has happened between June and now that would say to me that there was anything changing. And I can't see anything happening at this time between now...

Mr. KELLIER: And March.

Mr. FAGAN: ... and March, other than that the - you have not yet started to roll out the roads that should be coming under the JDIP Programme. And I don't know if, between now and then, Mr. Speaker, you will be able to do all those roads in order to call the Election.

(*Sotto voce* comments)

Mr. FAGAN: Mr. Speaker, we are not going to be happy. We are not going to be sitting down and rolling over and allow...

Opposition MEMBERS: Hear! Hear! (Applause)

Mr. FAGAN: …the Government to continue to come here and postpone Local Government Elections.

Mrs. NEITA-HEADLEY: No way! No way!

(Heckling)

Mr. FAGAN: The Government must decide if it is serious about Local Government Elections. They must decide if they are serious about Local Government.

(*Sotto voce* comments)

Mr. FAGAN: All that is happening, Mr. Speaker - I am saying, Mr. Speaker, we are not - you know that all 227 of our candidates looking at them over the weekend, Mr. Speaker… (Heckling) …ready. So any time, any time, any time!

Mr. Speaker...

The SPEAKER: Okay, you can...

(Heckling/cross talk)

Mr. FAGAN: I am just saying, Mr. Speaker, that we are not going to accept another postponement.

Government MEMBER: You are not going to?

Mr. FAGAN: We are not going to accept another postponement of Local Government Elections.

(Heckling/Cross talk)

Mr. FAGAN: We are going to hold you to your word.

Mr. BUNTING: You heard what the Deputy said about you? You heard what the Deputy General Secretary said about you?

(Cross talk)

The SPEAKER: (Gavelling) Members! Members! Allow - Mr. Bunting! Please! Members! Members!

(Heckling/Cross talk)

Mr. FAGAN: I just want to say, Mr. Speaker, that the divisions without Councillors want to have their representatives...

(Applause)...at least three (3) divisions. And the people – there are some Councillors who the people are anxious to have removed.

Opposition MEMBER: Yes!

(Heckling)

Mr. FAGAN: And there are some Councillors who the people are anxious to see take their next term.

Mr. PICKERSGILL: Yes!

Mr. FAGAN: I want the Minister...

Mrs. NEITA-HEADLEY: Which one?

Mr. FAGAN: The Minister with responsibility for Local Government.

(*Sotto voce* comments)

Because, Mr. Speaker, I still don't understand you know, sir, because by now the Minister of State should not have a job.

Mr. BUCHANAN: That's what he said in Westmoreland!

(*Sotto voce* comments)

Mr. FAGAN: It's going on about four (4) years now, sir, and he is still there postponing elections.

The SPEAKER: Mr. Pickersgill, you want to speak? You want to speak? Wait your turn.

Mr. FAGAN: I am going to take my seat, sir, but I am just saying that the Opposition - we have our concerns, sir, and the Opposition is not going to continue to accept postponement of Local Government Elections.

The SPEAKER: Very well. You are repeating yourself now. Thank you.

Mr. Peart...

Mrs. SIMPSON MILLER: Just before Mr. Peart, Mr. Speaker, I really believe though, whether the speaker rises from that side or this side, the speaker should be heard.

The SPEAKER: Absolutely.

Mrs. SIMPSON MILLER: Jamaican people are watching us. And Local Government might be treated in a way as if it is not important - Local Government is very important in this country. And we need for the speakers to be heard. It is looking very bad, Mr. Speaker.

The SPEAKER: I agree with you, but it's both sides of the House, both sides of the House.

Yes, Mr. Peart.

(Cross talk)

Mr. M. PEART: Mr. Speaker, earlier this year we had a postponement of the Local Government - the first postponement of the Local Government Elections.

The SPEAKER: (Gavelling) Please! Members! I know it's getting late in the evening and some of you are tired, but there is no reason for you to be shouting.

(Cross talk continues)

The SPEAKER: Yes, Mr. Peart.

Mr. M. PEART: Yes, Mr. Speaker. Earlier this year we had the first postponement of Local Government Elections, on the premise that Local Government Reform is in place.

What I would like to ask the Minister is, since the first postponement, what specifically has been achieved in Local Government Reform? One.

Two. Between now and the end of March, next year, what is expected to be achieved in Local Government Reform, so we can track this thing to see if they have some timeline to get to an end-point.

Dr. DAVIES: And then a Progress Report.

The SPEAKER: Okay. Mr. Montague.

Mr. MONTAGUE: Thank you very much, Mr. Speaker, and I also thank the two Members for their timely intervention in this debate.

Mr. Speaker, sometimes we must be careful for what we wish for. Because in my

opening of this debate, Mr. Speaker, I was very specific that the resolution is seeking to postpone the elections for a date not later than the end of March. Not later. Therefore, it could be any time between now and then.

Government MEMBER: Okay.

(*Sotto voce* comments)

Mr. MONTAGUE: Mr. Speaker, there was Nomination Day recently in St. Ann, and a certain organization who asked for the election did not turn up. When the elections are called, I hope that they will be ready for Nomination Day.

(*Sotto voce* comments)

Mr. Speaker, I now...

The SPEAKER: (Gavelling) Members!

(*Sotto voce* comments)

Mr. MONTAGUE: Mr. Speaker, I am asking you to…

Mr. PICKERSGILL: Asking you to what?

Mr. MONTAGUE: ...to put the question to the Honourable House.

(Heckling)

The SPEAKER: Members, the resolution...

(Heckling/cross talk)(The Speaker gavels)

The SPEAKER: Members, there are two resolutions...

(Cross talk)

Mr. M. PEART: Mr. Speaker, in all fairness, in all fairness, Mr. Speaker, I asked two questions.

The SPEAKER: I thought his answers were in the affirmative.

Mr. M. PEART: He didn't even attempt to answer one.

Mr. MONTAGUE: Mr. Speaker, in the din and the noise... (Cross talk)…if they will allow me, Mr. Speaker, I will forward to the - not only to the Member, but to the Honourable House, a copy of the Report of the National Advisory Commission. The Report contains all the issues that the Honourable Member would like to have done. So I will - because I quoted from it earlier, and I will have enough copies laid to the House.

The SPEAKER: Very well. Members, there are two resolutions and I have to put both of them separately. The first is the Parish Councils General Election (Postponement) Act, 2010, Extension Resolution.

Put to the House and agreed to.

The SPEAKER: The second is the Kingston and St. Andrew Corporation General Election (Postponement) Act, 2010, Extension Resolution.

Opposition MEMBERS: No, no, divide!

The SPEAKER: You are dividing on the Kingston and St. Andrew...

Mr. KELLIER: Everything! We are divided on both resolutions.

The SPEAKER: Very well. There is a division, so we will proceed with the - only the second one.

Opposition MEMBERS: No, both!

Government MEMBER: No, no, no, the first one passed!

(Cross talk/heckling)

Opposition MEMBERS: Both of them! Both of them!

The SPEAKER: No, no, no! No, with due respect. We had passed the first one and it was after I read the second I heard divide.

Opposition MEMBER: We who?

The SPEAKER: I, I heard divide only on the second one, only on the second one.

(Crosstalk)

Opposition MEMBER: We said no!

The SPEAKER: No, you didn't!

Mr. KELLIER: Mr. Speaker, let us be clear. If we are attempting to say that the division only goes for one, then you can all go on with it.

The SPEAKER: No, with due respect...

Mr. KELLIER: The Opposition is saying that we are divided on both.

The SPEAKER: No, but, Mr....

Mr. KELLIER: And we expect that you will consider that...

The SPEAKER: No. But Mr. Kellier...

Mr. KELLIER: If you want to recall it you can do that. We are saying, Mr. Speaker, that the division ...(Crosstalk)

The SPEAKER: No, but Mr. Kellier.

Mr. KELLIER: The division for this, you know, it's one election, you know, whether the election is KSAC or Parish Council, is the same day, one election. We are divided on both.

The SPEAKER: No, but Mr. Kellier, I put it to you, I put it to the House that we had put...(Cross talk)

Mr. KELLIER: We want a divide on both.

The SPEAKER: No. But I put it to the House that there were two resolutions, I called the first one, no one said anything...

Mr. KELLIER: We discussed them as one, we debated them as one. We never debated one and go back and debate the other, we debated them as one. We debated them as one.

The SPEAKER: I said so. I said I was putting them separately.

Mr. KELLIER: Well, we never hear that. We debated them as one, we never debate two resolutions.

The SPEAKER: But I put them separately.

Mr. KELLIER: No, no, we debated them as one, and we want one vote.

The SPEAKER: Okay. So the division relates to both.

Government MEMBERS: No, no, no!

Mr. WARMINGTON: Mr. Speaker, Mr. Speaker...

(Heckling/cross talk)

Mr. WITTER: It's two separate Acts that govern! Two separate Acts!

Mr. KELLIER: It cannot be! Cannot be!

Mr. WARMINGTON: Mr. Speaker, I distinctly heard when you said there are two resolutions and you are taking them. You took the Parish Council first, there was no division.

The SPEAKER: That is correct.

Mr. KELLIER: We didn't hear!

(*Sotto voce* comments)

Mr. KELLIER: You want us to debate the KSAC now?

Mr. WARMINGTON: Mr. Kellier, just a minute.

On the second resolution…

Mr. KELLIER: Then mek we debate the KSAC nuh, since – mek we debate the KSAC now.

Mr. WARMINGTON: Will you please respect the Speaker, Mr. Kellier! Mr. Kellier, will you please respect the Speaker! Will the Member from South St. James respect the Speaker!

The SPEAKER: Let us hear.

(Heckling)

Mr. WARMINGTON: Will the Member from South St Elizabeth respect the Speaker. The first one was taken, without any divide called. So if a Member, Mr. Speaker, if a Member wishes to call a divide and that Member did not listen or pay attention or changes his mind after, changes his mind after

the thing has gone, you cannot facilitate them. Let's not make this House into a joke or a laughing stock or a circus. It has been accepted, the only one we can deal with at this stage is the KSAC. Let us be big and responsible people inside here. We did not come here to be children and behave like kindergartens.

(Applause)

Mr. HOLNESS: Mr. Speaker, if the Leader of Opposition Business is willing to accept one vote on both resolutions as determined, it is two resolutions so we would have to have two...

(Heckling)

The SPEAKER: No, with due respect...

(Heckling)

Mr. HOLNESS: In other words, just for time sake, Mr. Speaker, if we could take the votes together. Mr. Speaker, we have no objection in taking the votes together.

(Heckling)

The SPEAKER: We are taking one vote, they can say it is for both, it is for one. Go ahead, just take the vote, it is for one.

(*Sotto voce* comments by Members)

(Heckling)

The SPEAKER: We are taking one vote okay, go ahead. Please be quiet, we have one vote to take. Go ahead.

Mr. KELLIER: One vote on both resolutions.

A MEMBER: No!

Mr. KELLIER: Don't try that?

A MEMBER: Try what?

Mr. KELLIER: The House Leader just said he had no objection to us going forward that way and the Speaker agreed. Rule that what? What him rule say? You interpret the ruling. You cannot interpret the Speaker's ruling, the Speaker's ruling must be clear enough so that we can all understand it. You cannot interpret it one way and I interpret it another way. Let us be clear on that.

(Heckling)

The SPEAKER: The position, Mr. Kellier, the vote has to be on the Kingston and St Andrew Corporation resolution. Fine because...

(Heckling)

Mr. KELLIER: You one vote, we are abstaining.

The SPEAKER: That is not true.

Mr. KELLIER: You one vote, we are abstaining. You alone vote, Mr. Speaker, we are abstaining.

(Heckling by Members)

The SPEAKER: One second. Now, what is before us now is the Kingston and St Andrew, listen! After this then I am going to put the question again on the Parish Council…

Government MEMBERS: No!

The SPEAKER: But at the moment - the Kingston and St Andrew Corporation vote.

Ayes: Mr. E. Bartlett,
Dr. Bartlett
Dr. Baugh
Mr. Broderick

The SPEAKER: What is the vote? It is either yes, nay **or** abstain.

No: Mr. Buchanan

Ayes: Dr. Chang
Mr. Charles

The SPEAKER: We need to hear, please.

Abstention: Mr. Clarke

Ayes: Mrs. Philibert

Noes: Dr. Davies
Dr. Duncan

Mr. Fagan
Dr. Ferguson

The SPEAKER: Members, please, if when the Clerk calls a name and there is no yes, nay then silence is not a vote so it might be an absent, so please abstain. It cannot be present; it is either yes, nay or...

(Heckling)

Mr. HENRY: Mr. Speaker, just run the House for me *nuh* please. If they don't answer you mark it either absent or consent but you go ahead. This is not a thing to joke around. We are not going to sit and wait on them to be showing that they are more dumber than they are.

The SPEAKER: Go ahead.

Noes: Dr. Ferguson
Dr. Guy
Miss Hanna
Dr. Harris
Mrs. Hay-Webster
Mr. Hylton
Mr. Kellier
Mrs. Neita-Headley
Mr. Peart
Mr. Pickersgill
Mrs. Simpson Miller

Ayes: Mr. Gallimore
Mr. Golding
Miss Grange
Mr. Henry
Mr. Hibbert
Mr. Holness
Mr. Hutchinson
Mr. Lawrence
Mr. Mair
Mr. Montaque
Mr. Peralto
Mr. Robertson
Mr. Samuda
Mr. Shaw
Mr. D. Smith
Mr. E. Smith
Mr. Spencer
Mr. Stern
Dr. Tufton
Mr. Vaz
Mr. Warmington
Mr. Witter

(Awaiting result of divide)

Mr. HOLNESS: Mr. Speaker, until we get the result of the divide I propose that we continue with our business.

Minister Shaw has a very short matter.

The SPEAKER: Minister of Finance.

Mr. HOLNESS: Minister, go ahead.

Mr. SHAW: Mr. Speaker, I beg to move for the suspension of the Standing Orders to enable me to take the motion, notice of which I gave earlier.

The SPEAKER: The motion before you is for the suspension of the Standing Orders to allow the Minister to take the motion, notice of which he gave earlier.

Motion put to the House and agreed to.

The SPEAKER: Minister Shaw.

Mr. SHAW: Mr. Speaker, I now move:

Be It Resolved that the Income Tax (Amalgamated Payroll Remittance) Regulations, 2010, be referred to the Regulations Committee for consideration and Report.

The SPEAKER: Members, the resolution before you as indicated by the Minister.

Motion put to the House and agreed to.

The SPEAKER: Approved.

(Inaudible comments by a Member)

The SPEAKER: No! The votes were: 29 yes, 15 noes, one declined to vote and 13 absent. So the resolution is passed. (Applause)

Mr. WARMINGTON: If I recall, Mr. Speaker. Mr. Speaker, Mr. Speaker, that is incor… I'm almost sure I heard a Member across there abstain. Yes. (Cross talk)...

The SPEAKER: Yes, yes. There's one. There's one. Mr. Holness, continue. You want to take the...?

Mr. HOLNESS: Mr. Speaker, I now move that the House be suspended in order for us to…

A MEMBER: Permanently.

(Laughter)

Mr. HOLNESS: ...in order for us to reconvene.

The SPEAKER: The Standing Orders Committee. The House will be suspended and we'll now have the Standing Finance Committee of the whole House.

Motion put to the House and agreed to.

(Accordingly, suspension of the sitting of the House was taken at 6:49 p.m.)

RESUMPTION

(The House resumed its sitting at 6:50 p.m.)

The SPEAKER: The House has now resumed its sitting.

Mr. HOLNESS: Mr. Speaker, I now move for the recommittal of the Items: Announcements, Reports from Committees and Notices of Motions Given Orally.

The SPEAKER: The motion before the House is for the recommittal of the Items: Announcements, Notices of Motions Given Orally and Reports from Committees.

Put to the House and agreed to.

ANNOUNCEMENTS
(Recommitted)

The Clerk by leave laid on the Table of the House the Report of the Standing Finance Committee of the whole House of Representatives consisting of all Members of the House on the First Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011.

REPORTS FROM COMMITTEES
(Recommitted)

The SPEAKER: Minister Shaw.

Mr. SHAW: Mr. Speaker, I beg to lay on the Table of the House a copy of the Report of the Standing Finance Committee of the whole House of Representatives consisting of all Members of the House, on its deliberations on the First Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011.

NOTICES OF MOTIONS GIVEN ORALLY
(Recommitted)

The SPEAKER: Minister Shaw.

Mr. SHAW: Mr. Speaker, I beg to give notice that at the next meeting of the House I'll move the following motion:

Be It Resolved that the Report of the Standing Finance Committee of the whole House of Representatives consisting of all Members of the House on its deliberations on the First Supplementary Estimates of Expenditure for the Financial Year ending March 31, 2011, which was laid on the Table of the House on the 14th day of December, 2010, be approved.

And, Mr. Speaker, I beg to give notice that at a later stage today I will move for the suspension of the Standing Orders to enable me to take this motion.

PUBLIC BUSINESS
(Continued)

The SPEAKER: House Leader.

Mr. HOLNESS: At Public Business, once again, Mr. Speaker, the Minister of Finance will now take the Report, notice of which he gave earlier.

The SPEAKER: Minister Shaw.

Mr. SHAW: Thank you, Mr. Speaker. I now move for the suspension of the Standing Orders to enable me to take the motion, notice of which I gave earlier.

The SPEAKER: Members, the motion before the House is for the suspension of the Standing Orders to allow the Minister to take the motions, notice of which he gave earlier.

Put to the House and agreed to.

The SPEAKER: Minister Shaw?

RE: FIRST SUPPLEMENTARY ESIMATES

Mr. SHAW: Thank you very much, Mr. Speaker.

Mr. Speaker, as you are aware and Members are aware, the procedures related to the scrutiny of the Budget and the Supplementary Estimates are undergoing more detailed examination as a result of the commitment that the Government has to a new type of governance, to improve transparency. And we have, therefore, seen already the examination by the Public Administration and Appropriations Committee, and as I gave the commitment last, I think, last week when we spoke, that in future we will ensure, Mr. Speaker, that there is adequate time that is provided to allow for the timely examination by that Committee and then to continue with the work as we have done with the Standing Finance Committee. So that the issues are well aired and I gave the commitment last week and I want to repeat it because I'm serious about it. I have the recommendations of the Public Administration and Appropriations Committee on my desk. And all recommendations that are made to us, both at the Standing Finance Committee level as well as the PAAC level, Mr. Speaker, I want to give you the assurance that we take the observations and recommendations seriously. The intention here is to yield a higher level and better quality of governance. And we are serious about that.

(Applause)

In relation to these Estimates, therefore, Mr. Speaker, I don't want to repeat myself because I gave a summary at Standing Finance Committee this morning. I made the point that we basically have a Budget that, in nominal terms, is $200 Million lower than what was projected at the presentation of the Budget in April.

I also pointed out that we have had to take on board approximately $9.3 Billion of new areas of expenditure. The main ones of course being the Tropical Storm Nicole expenditure, the salary increases for the - the adjustments in salaries for the allowances as well as the IDT award of $500 Million to the teachers. The latter will be paid this month, in December. And in fact, most of these allowances will be paid in December as well. I think there is a residual amount that will be paid in February of next year, but of course, within this fiscal year.

I indicated that we had to set aside an amount for street lights. And it is true. I openly admit that the Opposition did question our ability to raise the property taxes to cover the full amount. I acknowledge that that point was raised and that we just have not been able to raise the amount of funds from property taxes.

As I indicated this morning and I want to repeat, we have to make a special appeal to the people of Jamaica to pay their property taxes.

Mr. SHAW: (*Sotto voce* question asked of Minister of State in Prime Minister's Office)

We have to acknowledge, Mr. Speaker that several years ago the compliance rate was in the 40% or 45% region. We are now being advised by the Minister of State in the Office of the Prime Minister that the compliance rate is up to 57%. So we have to acknowledge that, but we also have to indicate that we have ways to go in terms of ensuring that we get closer to the 100% compliance rate that is necessary. And that when we do that, then we will not have need, Mr. Speaker, to have to subsidize street lighting from the budget, or for that matter to subsidize public cleansing from the budget, because we would be able to deal with it adequately out of our Property Taxes.

We indicated that there is a shortfall in NWC funds and we have allocated $500 Million for the National Water Commission. The truth is, Mr. Speaker, that too many of our Ministries, Departments and Agencies have been holding back on their utility bills and we have to send them the reminder that the utility bills are an integral part of their recurrent expenditure programme. And so that, when we ask for tightening of the belt, it doesn't mean that you exclude utilities. Tightening of the belt means you have to find ways to save and be prudent in expenditure, find ways to cut cost, but you don't do it by ignoring certain bills that are there, and utility bills are absolutely critical. The truth is, the Water Commission owes the JPS over $600 Million. But then again, Ministries, Departments and Agencies owe the Water Commission almost an equivalent amount of money.

So in fairness to the Water Commission, if we don't pay them, they can't pay the JPS; and that is why, Mr. Speaker, we have set aside these finds and we intend...Pardon me?

(*Sotto voce* comment by Opposition Member)

Mr. SHAW: Absolutely, biggest client of the JPS. And therefore, we couldn't just ignore it. We have set aside these funds and we intend to allocate it through the various ministries to ensure that these bills are paid.

In addition to that we have the new busses that were unanticipated for, for this fiscal year, but which have come in. And I mention to you the question of the drugs and medical supplies of $435 Million. The JDF arrears to Petrojam, as well as the Bogue Road, $700 Million additional that had to be found for Bogue Road.

Mr. Speaker, a number of areas then had to be cut and many of them that we cut, I must say, they would not have been implemented anyway, or the pace of the implementation was so slow that they could accommodate the cutting without causing any grievous harm in terms of the budgetary process. And I went through that this morning and therefore would have no need to repeat myself in that area again.

So, Mr. Speaker, I want to stress, I want to stress, however, that we have had to be

running a tight shift, and we are running a tight shift in a very difficult time, very difficult time, very difficult circumstances. And, Mr. Speaker, I want to mention just a few of the things that came up today in Standing Finance Committee because I want to give the Opposition, and I want to give the Parliament the full assurance that there is no intention whatsoever for us to seek to engage in any process of concealment of information, absolutely not.

The question of the arrears, Mr. Speaker, has been a longstanding issue. When I was in Opposition, I spoke about the build-up in arrears. Now that the Opposition is in the position of Opposition, they are speaking about the build-up in arrears. And they can't be faulted for speaking about that build up in arrears, Mr. Speaker, but we have a commitment to Parliament, to ourselves and to the International Monetary Fund to keep our arrears within certain prudential limits, and, Mr. Speaker, we are sticking to that commitment.

Now the former Minister raised also the question of the longstanding matter of the withholding tax on interest, and the question of the refunds of those. I want to give the House the assurance that we fully recognize that we just can't leave it hanging out there, it has to be dealt with and we recognize that. But, Mr. Speaker, upon deep enough probe and investigations, we came to the determination that before we even come up with a formula, present it to Cabinet and suggest that here, let's deal with it this way, discuss it with our international partners, especially the International Monetary Fund, because I said today, you can't hide an elephant in a garden. It's a problem that we must deal with.

But first base, Mr. Speaker, requires that we must audit the accounts and make sure that the amounts that are claimed in refunds that in fact, those amounts are accurate and that all who claim refunds must provide the information confirming the eligibility of those who are to get refunds. It's important.

Mr. Speaker, I want to point out, this is not an evasive action to try to find yet another excuse to delay the payment or to even put together a programme of payment. If it were a simple matter, I would not have inherited the problem. The former Minister is well aware, Mr. Speaker, that it's a long-standing issue and when we took office, the problem was one of the big problems that we saw and we confronted. And yes, it has gotten a little bigger since that time.

And so, Mr. Speaker, what we have to do now is to have it properly audited, discuss it as a Cabinet, discuss it here in Parliament, discuss it with our international partners and come up with the appropriate formula as to how to deal with it.

We have started one aspect of it. We have determined that certain industries, in particular the pension industry, we have decided we are not going to withhold. Once it is established, the eligibility is established, certain institutions are told we are not going to withhold the taxes anymore. Because what we don't want to do is to keep making the problem a larger and larger problem as we go along. We have made that decision.

And of course, Mr. Speaker, having made that decision, it has consequences for the cashflow of the Government. Because it

means that you have made a decision that well okay, you are not going to withhold these taxes from particular quarters anymore, so if it used to be a few hundred million every month or whatever it is, it means that to that extent that you have stopped withholding it means that it is a revenue stream for cashflow that you can no longer look to. So we therefore, have to find alternative means of ensuring that we have the cashflow, so that we can continue the business of government.

The Member from Central Kingston mentions other things and doing the totting up of all the other current liabilities that are out there. No question. No question, Mr. Speaker, but the truth be told, this Government has been doing quite a bit to try to tidy up a lot of the issues that have been vexing issues that have been adding to the liability problem for far too long.

And so that's why we dealt conclusively with Air Jamaica. Because, believe you me, that was one headache, every time I got a call from Air Jamaica, I knew they weren't calling me to tell me that a plane was delayed, they weren't calling me about that, they were calling for a cheque. And they are calling for a cheque because a plane is about to be seized by the Internal Revenue Service of the United States in New York or Miami or somewhere. They are calling me because they can't buy fuel or something else. And it was leading - at one point, it was costing us in raw cash or the assumption of additional debt, to the tune of about $10 Billion per year. So that had to be cauterized, Mr. Speaker, it had to be stopped and we've stopped it.

The question of the Sugar Company of Jamaica is another issue. Billions of dollars were required each year to keep the Sugar Company of Jamaica going. We have now divested all five (5) sugar factories and we have not just divested it willy-nilly, we have not divested it in a way that a few years' time the investors going to take the project and hand it back to Government, that's not the basis of the divestment. It's been divested to people who are serious. Two of them are Jamaican investors and they have started out with their planting programmes and they are refurbishing and reequipping on a very, very intensive basis. We're very, very proud of the work that is being done by our Jamaican investors who have taken over two of the sugar factories.

And then we have a Chinese company that has taken over three (3) factories. And they intend, over the next few years, to invest US$300 Million, Mr. Speaker, in planting out every square inch of available sugar land... (Applause) ...between Frome, Monymusk and closer to Kingston, here.

(*Sotto voce* comment by Opposition Member)

Mr. SHAW: Bernard Lodge. And, Mr. Speaker, they have a plan to construct a modern refinery, sugar refinery, which is a major investment plan. And so, Mr. Speaker, we have that.

Then we have - we just sold the Pegasus, the shares in the Pegasus sold by the Urban Development Corporation, approved by the Government. We are in the process actively negotiating the sale of our shares, through CAP, in **Jamalco**. Because here again, don't want to whip a dead horse, but the truth is, Mr. Speaker, the truth is that, over the past three (3) years since I have been Finance Minister, I have had to write cheques for now over US$200 Million, approaching US$210 Million

for the subsidy of the Forward Sale Agreement with...And that's a subsidy that the taxpayers of the country have been paying. And the truth is that, beyond that, if we stayed in the arrangement, the notional estimate, assuming that energy cost remains where they are now, it's estimated that we would have to find another US$175 Million to continue to subsidize the arrangement through to the end of the Forward Sale Agreement.

So, Mr. Speaker, we have made the decision that we need to cut our losses and run, that's what we are doing. And we are, therefore, under the leadership of the Prime Minister and the Minister of Mining and Energy, we are involved very diligently now in the process of seeking to divest Clarendon Alumina Production within this fiscal year, that is our target, and we are confident that we are going to achieve that target.

(Applause)

So, Mr. Speaker, let me just say, let me just say, therefore, that we have a new dispensation. We have done our best and tried our best to maintain fiscal tightness and to keep fiscal compression, because it's important, it's important. We cannot lose - all of the gains we have made, we cannot afford for fiscal imprudence and irresponsibility and to cause us to target and say well, is Tropical Storm Nicole fault and then is West Kingston fault and is the fault of all these other things and, therefore, we just bawl, hold our heads and allow the deficit to climb and get out of control again, we are not allowing that.

The Central Government deficit, Mr. Speaker, that was targeted in this budget early this year at 6½%, that remains the target through to the end of the fiscal year with this adjusted budget, 6½% is the deficit that we continue to target.

There is a - the overall public sector deficit, which you know, the entire Letter of Intent, programme with the Standby Agreement with the IMF doesn't just look at Central Government anymore, it looks at the total apparatus of government expenditure.

And it is in that context, the overall expenditure, that we have a ballooning of some $5 Billion and that ballooning is principally due to the CAP obligations; which, through to the end of this fiscal year, we have to find US$50 Million to continue to service that same vexing contract. And that in the main is part of what has caused that ballooning, therefore, in the overall deficit. If CAP is sold, and we are confident that it will, that $5 Billion deficit will be removed because there will be a cash injection from the sale that will be able to go towards that deficit; and, therefore, we will be back in line with where we had originally projected, Mr. Speaker, at the beginning of the fiscal year. But for now, just out of an abundance of caution, we are projecting that deficit in the event that the sale is not completed on time.

But I want to say, I want to say, Mr. Speaker, as I wrap up this presentation, that we must not- and this is not JLP Government, this is us as a government and a people - we must understand and recognize that we have been operating as a country within the midst of a global economic environment that has been hostile, Mr. Speaker. We have been in the worst economic crisis in 80 years, since the Great Depression. That's what we are operating in. Countries, of three years and five years ago, we were sending delegations to

them to look at their model, some of them are in serious trouble today. Ireland has gotten a US$100 Billion bailout a few weeks ago. Many of their banks have closed. Let's call a spade a spade. Not one bank in Jamaica, thank God, has gone down..(Applause)..under this crisis that we have had.

When we had the initial implosion we had $200 Million set aside, Mr. Speaker, for the financial sector, mostly the securities dealers who were subject to margin call and we lent them, Bank of Jamaica loaned them $170 Million, Mr. Speaker. And I am pleased to tell you today, to report to you that as of now every red cent of that money has been paid back to the Bank of Jamaica by the securities dealers. Which is good! (Applause)

The Financial System Support Fund that we set aside as part of the agreement with the International Monetary Fund, the first drawdown we got from them; we took it and put it into this Financial System Support Fund as a backup, should there be any sort of serious shocks that came out of the Jamaica Debt Exchange. We have not had to use one red cent, Mr. Speaker, out of the Financial System Support Fund. (Applause) And in all of this we have seen a moderation of the Exchange Rate. The Exchange Rate is relatively stable now at around $86, coming down from as high as $89.83, Mr. Speaker. Today's rate was $85.90. So we are holding our own on the Exchange Rate. And that is why we have seen - positive benefits have revealed itself in this Budget as a result of the stability in the Exchange Rates. Benefits have been revealed in the Budget as a result of the reduction also in interest cost, Mr. Speaker, and we mustn't make short shrift of it.

The Bank of Jamaica open-market operations two weeks ago yielded on 30-day instruments, 7.44% on interest rate. The best interest rate in the Central Bank in over 33 years, Mr. Speaker. (Applause) And while the average on the Debt Exchange was 12% the Treasury Bill auctions are yielding in the region of 8% at this time, 8%. So, Mr. Speaker, we are going in the right direction. The Government of Jamaica Global Bond, the emerging market, Bond Index spread has reduced significantly since the JDX, reflecting stronger foreign market confidence about government finances, stronger market confidence about government finances because they recognize that we are serious about sticking to the fundamentals.

The inflation rate, Mr. Speaker - and we had brought it down, a projection to 6% to 8%, from 7 ½% to 9%, down to 6% to 8%. We were forced to adjust that conservatively, back up to the 7% to 9% range because of the effects of Tropical Storm Nicole and the impact that has had on the domestic agriculture, Mr. Speaker, among other things. The net international reserves remain at a healthy US$1.9 Billion and the Gross Reserves is at US$2.7 Billion, which itself would be representing 22 weeks of goods and services imports into the country, 22 weeks, that's the Gross Reserve. But the standard of US$ 1.9 Billion for about 12 or 13 weeks of imports, that is holding steady as well. So we can't give and we ought not to give short shrift to it, Mr. Speaker.

We have been able to provide some resources, therefore, for the tropical storm. We have been able to work closely with our multilateral partners. That so far, Mr. Speaker,

some $2.4 Billion will be coming in and much of it has already come in. I leave early in the morning to Washington where I will sign the third loan agreement this year with the IDB, of a policy-based loan, another loan of US$200 Million.

The SPEAKER: (Gavels) House Leader.

Mr. HOLNESS: Mr. Speaker, the time being 7:20, I ask for the suspension of Standing Orders to allow us to sit beyond 7:30 to complete the business of the House.

The SPEAKER: Members, the motion before the House is for the suspension of Standing Orders to allow the business of the House to proceed beyond 7:30.

Put to the House and agreed to.

The SPEAKER: Minister Shaw.

Mr. SHAW: Thank you, Mr. Speaker, and I thank the Members. I promise you I am wrapping up now. But I just want to point out that I go to sign the agreement. And some might say, well, why are you going to Washington to sign it? Mr. Speaker, this is the nature of how things sometimes unfold. I have to admit to you, I have built up a strong and credible relationship with our multilateral partners. (Applause) And this is not about - I don't need a plane ride, don't need a plane ride. Mr. Speaker, I would much rather stay at home with my beautiful wife and our lovely little daughter who is now 18 months old, running around and telling everybody, hi, and I enjoy her company. So I don't need the trip. But as long as I am in the position, Mr. Speaker, I want to maintain a healthy level of transparent and effective communication with our multilateral partners. And that is what I am journeying to Washington tomorrow to say to PRESIDENT MURANO that has loaned us this year US$630 Million at interest rates of between 1.2% and 1.5%. (Applause)

MEMBERS: What!

Mr. SHAW: And I must indicate to you, Mr. Speaker, that this year, in this year, 2010, Jamaica, as a percentage of our GDP, we are the largest recipient of loan funds from the Inter-American Development Bank, the largest recipient. (Applause) And we have committed ourselves to very serious and fundamental structural reforms. I won't talk about them now. We will talk about them in the Budget Debate that will come in April. But important structural reforms that relate to tax reform, reform in government, reform in - the Public Sector Transformation Unit is doing its work, there is a lot of work being done now. And one of the things that concerns me, and I know it concerns the Financial Secretary - I saw a note that he sent to me on that last night - is that we are involved in so many areas of critical reforms now that we run the risk of overloading ourselves in terms of being able to have the capacity to deal with all of them at one time. But we are very…

Dr. HARRIS: Any policy that leads to more poverty is bad policy.

Mr. SHAW: Keep quiet and listen, you will learn something. Okay.

Dr. HARRIS: Any policy that leads to more poverty is bad policy.

The SPEAKER: (Gavels) Please, Dr. Harris.

Mr. SHAW: Mr. Speaker, the reforms that I am talking about are critical reforms that are needed and we can't put them off anymore. And so I just want to say in closing that the biggest reform of all that is needed in our country is a return to growth, is a return to

growth. We need a return to investment, a return to growth, a return to production, a return to foreign exchange earnings, a return to quality jobs being created in the economy, Mr. Speaker. It has been a little bit slow in coming and the reason why it has been...

(*Sotto voce* remarks by Mr. Buchanan)

Mr. SHAW: Oh, somebody has returned and '*find back him tongue*' all of a sudden. Okay. (Laughter) Mr. Speaker, all I am saying to you is this, we have had a rocky time over the past three years. The ship of state has been on very rough seas and we have had to be holding that ship of state together, Mr. Speaker. But I think that all of us together, on both sides of the House, must be proud of the fact that in holding it together - because I heard the remark made a while ago about the poor people of this country.

This Government has been able, despite the rocky roads and the rough seas that we have been on, we have expanded the social safety net in an unprecedented way, whether it is for school feeding, an additional 120,000 people on the PATH Programme, a whole range of things, the expansion of the Constituency Development Fund. Many things have been done in order to keep the pressure down in terms of the social safety net and to preserve that in the country, Mr. Speaker. We must acknowledge the things that we have been able to do. It's always easy for us to criticize and point at everything that has not been done, but we need to acknowledge where we are and we need to decide to unify as one country and say now what are the other things - how can we together find a way...For instance how can we talk to the commercial banks- some of us who say we are in the financial sector – how can we talk to the commercial banks and say to them it is time to come down with your spreads. Which country in the world has spread where your passbook rate, a little poor person goes and puts down their little widow's mite in the bank and get 3% on it and yet they refused to come down on prime rate below 17%, although the government rate is 8½%. What is the explanation for that? They cannot be. And the former Minister used to complain about it and I am complaining about it too.

But I am sending the signal, Mr. Speaker, that Cabinet, over the next few weeks, will be considering a number of measures that are going to be put into place that is going to yield greater portability of loans, that will inevitably lead to more competition among our commercial banking community. (Applause) And I am not talking about section 33 of the Bank of Jamaica Act either. I am talking about other things that militate against the portability of loans and therefore militate against competitiveness. It's time for us to put a dose of competitive spirit into the financial sector. And when I say I am going to do it don't say that I can't do it, because I am going do it, and this is a promise that I am going to do. (Applause)

So, Mr. Speaker, we talk a lot about debt and unfortunately we also have to talk about taxation. And I want to say that the announcement that I made in relation to the revenue came - we had responses, many were disappointed at the fact that we have made a policy decision, it's a policy decision around the Cabinet table that we have made to begin to tax alcohol based on the alcoholic content in our beverages. And in as much as it is, Mr. Speaker, a revenue positive measure, I am stating it clearly as I did last week or the week

before, when was it...two weeks ago, I am stating it very clearly, Mr. Speaker, that it is also a social issue that has to be dealt with. There is no question that there is a social issue that if it's not already manifesting itself in the Minister of Health's situation, it's something that you are going to see down the road. We are going to have some more difficulties. But the truth is there also was the need for a levelling of the playingfield, a levelling of the playingfield.

(*Sotto voce* remarks by Members)

Mr. SHAW: No. I will give an example. One of the vexing issues was the question of the tonic wine. Tonic wines have been benefitting under a general low tax system for wine and at the same time the so called tonic wines are not really wines in the traditional sense because they are really based on a stronger alcoholic content. So that an average bottle of a tonic wine could be 15% alcohol, 20% alcohol compared for instance with say a bottle of beer which is maybe 4% or 5% alcohol. And so many developed jurisdictions all over the world, long ago, made the decision that they are taxing alcohol beverages according to the alcoholic content. It's a policy...

Mr. BUNTING: The social problem is that people will be drinking more alcoholic content.

Mr. SHAW: Yes. Absolutely. Especially young people and then they get hooked upon it and they don't even realize what is going on.

That's a decision that had to be made, and we have made it. We know that it caused some stir in the industry.

(*Sotto voce* comments by some Members)

Mr. SHAW: We have met with the industry at various levels. We have also met with the tourism interest because we recognize, Mr. Speaker, that the tourism industry is a unique industry, in terms of its need to maintain and to have competitiveness in that sector. And so, we have decided to make a modification to the revenue measures which was tabled earlier in the House, Mr. Speaker.

This Honourable House is, therefore, being requested to note the following changes to the revenue measures Tabled for fiscal year 10/11.

[The imposition of a revenue-neutral rate per liter of pure alcohol on beers and stouts]

And I will explain.

This Honourable House will recall that I indicated in my speech that the new Special Consumption Tax on beers and stouts would not impact the price of the product. Consequently, the $960 per liter of pure alcohol, chargeable on beers and stouts, has to be replaced and is, therefore, being replaced by a revenue neutral rate of $1,134, with effect from December 10, 2010. So that the - the order was signed already - so that the price of beer remains the same. This is a revenue neutral rate, Mr. Speaker.

There is a reduction in the SCT chargeable on hard liquor which are imported, or taken out of bond by licensed hotels and resort cottages. This honourable House is asked to note that the new SCT did not apply to wines, liqueurs and cordials, imported, or taken out of bond by licensed hotels, resort cottages. This was not the case for the other alcoholic beverages used in the tourism sector.

However, the industry players had complained to Government that due to pre-paid booking, a number of hoteliers would not

be able to absorb the additional expense. It was decided to reduce the rate of $960 per liter of pure alcohol to $450 on spirits, other than beers and stouts, wines, liqueurs and cordials imported, or taken out of bond by licensed hotels and resort cottages.

This reduction in rate is expected to create a revenue shortfall of some $160 Million for the balance of this fiscal year, Mr. Speaker. It is, therefore, our decision that we will be imposing a Special Consumption Tax on certain high caffeine, high energy drinks, which, as you know, Mr. Speaker, are the source of great concerns in other jurisdictions, most notably the United States, in terms of the - here again, a social effect of these extremely high caffeine drinks.

In order to help fill the revenue gap, an *ad valorem* special consumption tax at the rate of 15 per cent will be imposed on certain high caffeine, high energy non-alcoholic beverages known as, some of them, Full Throttle, Monster, Red Bull, Taboo, X-rated, Boom, Night Truck, among other things.

(*Sotto voce* comments)

Mr. SHAW: None of them, none of them!

This measure is expected to yield approximately $60 Million for the remainder of this fiscal year, and the effective date for this new measure is 15th December. This leaves, Mr. Speaker - from the earlier tax measure that we had tabled, Mr. Speaker, of $772, it leaves a gap of $100 Million in terms of revenue. We intend to close that gap by Tax Administration, and Customs Department, in terms of that additional $100 Million. So, the revenue measure goes down.

(*Sotto voce* comment)

Yes, yes!

(*Sotto voce* comment)

Pardon me?

(*Sotto voce* comment)

Well, as I said, Mr. Speaker, the figure I had announced was $772. This adjustment puts it at $672 Million. So, it is $100 Million less, but we intend to make it from compliance.

Mr. Speaker, taxation is never a popular thing, but I want to assure everyone, including our local manufacturers and stakeholders, that my ministry and the staff are there to work out any operational difficulties that arise. And, as I said they met with the tourism interests this morning and we will continue to meet with the various industries, the distributors as well as the - all of the stakeholders that are involved, in order to ensure that we have a seamless and smooth transfer to the new system.

So, Mr. Speaker, with that, I beg to move for the approval of the First Supplementary Estimate. (Applause)

The SPEAKER: Thank you, Minister Shaw. Dr. Davies.

Dr. DAVIES: Thank you very much, Mr. Speaker.

Mr. Speaker, the Minister and I had discussed the presentation before. And he said he was going to be brief. Promise made.

Mr. Speaker, the Supplementary Estimates - and you will see even from the manner in which they have been adjusted, a major objective is to stick as close as possible to the original numbers within the context of the IMF Programme. And the changes to the total have been virtually minuscule, except for the adjustments for the effects of Tropical Storm Nicole, *et cetera.*

But there are some issues which I would

like to raise, Mr. Speaker, in terms of not only the Supplementary Estimates, but also where this whole programme to which we are seeking to adhere, where it is going and some fundamental issues which need to be addressed, as we look toward the new fiscal year, because by and large, let us just accept that, in terms of actual expenditure, *etcetera*, the end of the calendar year virtually marks the end of the fiscal year - the last quarter, traditionally - and this year it is going to be even more so. There is very limited expenditure which will be taking place. Therefore, what we will be looking at would be within the context of the new fiscal year.

There are some issues which I want to raise, Mr. Speaker, because they are fundamental questions affecting the economy and the society. And I will provide you - everything I am using will be drawn from Government data. And I would like to have a clear understanding, as we deal with these issues.

One point I need to make, Mr. Speaker, and let us do it at the beginning. We have just been presented with these changes to the taxation and alcohol whatever form: roots wine, hard liquor through the hotels, beers, *et cetera.* But we were just presented with another set of proposals, which that set of proposals is being revised. And Minister, I have refrained from speaking on the issue because I just didn't understand what was going on. And it seems to me that I was not alone in not understanding what was going on. It would seem that much of this could have been straightened out in earlier discussions with all parties. And now, we are juggling, and I am trying to see who has won and who has lost. I can bet, Minister, that the beer - don't believe that because you have made a revenue neutral adjustment with taxes, beer prices are going to go up. I bet you that. And when I speak is not guess I'm guessing.

In terms of the changes, in terms of the hard liquor taken out of bond by licensed hotels and resort cottages - this is not new information. That was straight lobbying which has caused that. So, we had a proposal which came out before, and now we are juggling them as depending on which special interest would seek.

In terms of the high caffeine, high energy drinks, these are known. They have been around. And so, there is a need, Minister - and you are not a technician dealing with this - but there is a need for us to look more tidy in these things. The discussions could have taken place, and we could have put forward – formulated the set of taxation proposal. I can't comment on it because I need to read this with the previous one. (Displaying a sheet of paper) But one thing I can tell you, Christmas time is not a nice time for you to go touch a man's drink...

(Applause)

...in terms of timing. You could not do worse, in terms of time.

(*Sotto voce* comments)

A MEMBER: Things and time change.

Dr. DAVIES: Really...well, introduce me to them - in terms of timing. But, there is…A year ago, we had some serious miss-steps in terms of the tax measures. And this one, it is not as large, but it is just not consistent with what we are seeking to, much more with better governance.

But, Mr. Speaker, I need to go a little further. There is a fundamental question - I don't know whether the Minister can answer it

now, or he will answer it later. I look at the data presented to the PAAC, and it is substantive data. And it provides - in addition to expenditure, it provides us with revenue data. And I am concerned, and I really don't understand why this is so, that the revenue data, the projections are virtually on target with what the budget said they would be, in terms of revenue, *et cetera.* And the expenditure, give and take the adjustment for the Nicole, *et cetera,* the expenditure is also on target. Therefore, I am not very clear, Mr. Speaker, why then the arrears, whatever the number is, whatever the arrears total is, why is that increasing? Somebody help me here.

We have revenue targets which are essentially being maintained. We have expenditure targets which are essentially being maintained. We have taken into consideration the exceptional expenditure targets, and we need to know what then is happening which would cause the arrears numbers to be increasing.

I look at something, Mr. Speaker. The data presented by the Ministry of Finance to the PAAC indicated totals by ministries for arrears. But the data presented by one ministry in particular - and I am citing that one - that of the Ministry of Health, gives a figure which is $1.2 Billion higher than the figure presented to the Committee cheered by the Member from Eastern Westmoreland.

(*Sotto voce* comments)

Dr. DAVIES: Western – okay, it's Eastern; he's here.

So, we need to know, Mr. Speaker, do we have a handle on the total amount of arrears, whatever that number is? And the reason we need to know that – because I am going to speak to some other issues in terms of, can we have the real picture of the state of the economy. In terms – the Minister spoke to the matter of the arrears, in terms of repayment of tax withheld at source. Officially, Mr. Minister, officially, I received data - officially, indicating the sum of about $20 Billion/$21 Billion. That represents, not a slight increase, but a significant increase from where you got it.

(*Sotto voce* comments by Members)

Dr. DAVIES: But you know that, but you don't know this. All right.

So the question remains, how are we going to handle it?

The Minister has indicated that one approach - and I hear the approach but I cautioned him against it - is to allow certain institutions not to pay the tax- those which are not required, who are going to be due the refund - not to pay the tax at source. Minister, I caution against that approach.

The idea of the withdrawal at source was to simplify the system, but if you're going to start segmenting by institutions it's going to complicate. If the intention is to reduce the arrears then start paying back, but to begin to segment institutions by those which should, or should not base the tax at source, I guarantee you're going to have confusion, and it is not the approach which I would endorse.

The trade is of the view that one proposal will be to issue them bonds, but that is obviously, not a solution. If you issue bonds to the tune of $20 Billion, $21 Billion, that's 1.75% of GDP that's going straight to your debt stock, so that does not represent a solution. And, therefore, it is imperative as we go into the new calendar year and certainly in the new fiscal year, that we have a firm handle on the size of the arrears. We need a firm

handle on the size of the arrears, and let us use this opportunity to know exactly what is the true state of affairs in terms of the fiscal accounts.

Because pushing arrears, Minister - I know it because I've been there – building arrears and saying, here I'm sticking to my fiscal target, we're only fooling ourselves unless we don't intend to pay it, but we know we intend to pay it. So sooner rather than later you have to come to grips with the true size of what the fiscal deficit, especially if this is for work done already, or goods and services already received. This means that we are understating our expenditure. So to come to grips with the issue we need to know the true state of affairs. And I do not know what systems you need to put in place, but we need to know - have a full and clear understanding of the level of arrears.

(Inaudible comment by a Member)

Dr. DAVIES: There is a suggestion that there may be some departments with excess capacity which you could put to work in collecting that data.

Now let me say something about the debt stock - and Mr. Minister you've won some kudos about being able to borrow and the level we have to borrow. And I see the EU put us that we are the biggest recipient of grants, *et cetera.* Thanks, but I don't like when they say we then Haiti.

A MEMBER: Say what?

Dr. DAVIES: We then Haiti. That's what the handout says, and I don't like that. I love Haiti but I don't like that. It says:

> *"Disbursement statistics show that Jamaica is followed closely by neighbouring Haiti."*

Dr. TUFTON: That's a legacy issue though, you know?

Dr. DAVIES: What?

Dr. TUFTON: Legacy issue.

Dr. DAVIES: The fact that we are number 1?

(Inaudible comments)

Dr. DAVIES: They never issued that saying that we were the biggest recipient of – never in my time.

Dr. TUFTON: You are high-risked.

(Inaudible comments)

Dr. DAVIES: Anyway, but let me get to the more substantive issue.

Mr. Speaker, I raised it during Standing Finance Committee and it's something which I urge the Minister and I urge the country to examine. The Minister has made a very strong statement - and he is going off to Washington to sign some more agreements.

Mr. M. PEART: More monies, $200 Million coming.

Mr. BUNTING: Borrow, borrow, borrow!

Dr. DAVIES: Debt, but not only debt, but US Dollar debt.

(Inaudible comments by Govt. Members)

Dr. DAVIES: US Dollar debt.

(Inaudible comments by Members)

Mr. STERN: Inexpensive debt.

Dr. DAVIES: And here is the danger, there is the danger, Mr. Minister. There is a danger point in terms of the mix of your debt, and the exchange against your projected targets, whereby you've borrowed $24 Million more in terms from - in US Dollars just under $300 million - than programmed. Let us assess what is the optimal level in terms of the mix between domestic dollar denominated debt and US Dollar denominated debt.

Right now - and you've pointed to the stability in the foreign exchange market – right now that's not a problem. But if you start by calculating any normal shift as if and when the economy starts growing, immediately there is going to be increased demand for foreign exchange, but at the same time, there is no corresponding earnings, which will lead inevitably to some shaking of that stability which you now have.

So even whilst you celebrate the low-interest US Dollar debt, there is a danger point. And I wish us to be careful that we do not just simply look at the situation in terms of cheaper debt, because the stability is only guaranteed insofar as the exchange rate remains as it is. If the exchange rate started moving within the context of a differential in your CPI, then you will start having a situation where you may be putting yourself in danger in terms of debt servicing.

And I make this point, Mr. Speaker, because if you look at the situation this year, the benefits of the JDX are not simply in terms of the reduced interest, but also we have pushed back the principal repayments. And if you look in nominal terms, in current JA Dollar terms this year, we are spending $120 Billion less in debt servicing than we did last year.

Mr. STERN: That's correct.

Dr. DAVIES: Okay, you checked it. But it doesn't mean that the - but the debt stock is now significantly higher, so the principal hasn't changed; and a higher percentage of the debt stock is in US Dollar. So there is a breathing space which we have here, a breathing space which you're seeking to benefit from, but at the same time in looking to the medium term the questions is, where will the added revenue come from when you start servicing the debt at normal levels? Therein is the critical question.

So, even as we celebrate these low interest rates, note that you are dealing with US Dollar, the stock of debt has increased to the point of approximately $1.45 Trillion, or $1,450 Billion. So the stock of debt is growing even whilst this year we're having breathing space, let us not fool ourselves and become comfortable, because the problem is still there and is going to come back, unless we are in a position to mobilize the revenues. This $120 Billion reduction in current terms, is a significant breathing space, but it's not going to be here in the medium term. Let us note that.

Now, Mr. Speaker, let me speak - since you are talking about the true picture - the Road Maintenance Fund is fascinating to me.

Mr. HENRY: *Nuh badda* talk *bout dat*.

Dr. DAVIES: No it's of interest to me.

Mr. M. PEART: *Yuh* start one road and finish it *wid* cement.

Dr. DAVIES: Well, you haven't spoken to the right people.

If you look at the Road Maintenance Fund - and Mr. Minister, I would like some greater understanding. The Financial Secretary appeared before the PAC and we had some difficulty comprehending and we need to understand. The Road Maintenance Fund has taken on a significant debt from the Chinese EX-IM Bank. But the revenues through SCT- and you've dealt with it, but I'm indicating to you a cleaning up of the process - the revenues which they received are inadequate at the present level to service that debt. And the Financial Secretary told us that the Ministry of Finance would obviously have to service the

debt if the Road Maintenance Fund is unable to do that.

Why do we do this charade? Is it that for the Central Government to take the loan on, you would exceed the agreed ceilings with the IMF? What is the reason for us to do it in this roundabout way? The Road Maintenance Fund has very little to do with the programme, it's just a nominal - they are just there by name. The Programme is NWA and the Minister and the Ministry of Transport and Works and therefore it would seem to me, Mr. Minister, let the Road Maintenance Fund get the money they used to get for their little patching and whatever, and take the programme on frontally within the Ministry, through the Ministry of Finance. Because if you are *gonna* be servicing the debt there doesn't seem to be any rationale. If there is another reason I'd like to hear what that reason for this roundabout is. It sounds an overly complicated way to borrow some money from the Chinese. And I suspect the main reason is that using this methodology, we are able to keep it out of the stock of debt, because it belongs to a public entity. But let us clean the books up and bring it fully within the ambit of the Ministry of Finance.

Now, Mr. Speaker, all of this there are problems, we all know there are problems, money tight *etcetera*. But the IDX provided a breathing space, because the expectation is that you are going to be in a position to service this larger debt. And whenever I hear the discussions about CAP I just wish there was a little acknowledgement that the only alumina plant which stood with us throughout the whole period...

(Inaudible comment by Mr. Stern)

Dr. DAVIES: Just one stood there.

...and one stood there because investments had been made...

Mr. HENRY: No, because it was saved by the JLP.

Dr. DAVIES: At your age you should come out of the comedy line.

(Inaudible comment by Mr. Henry)

Dr. DAVIES: But anyhow that's another issue.

Mr. HENRY: Alright, thank you.

Dr. DAVIES: The Minister indicated that achieving the fiscal targets - and we can't escape the fact that fiscal compression is the priority as per the agreement. But in the final analysis fiscal compression will not lead to what you have indicated to be your real priority, growth. Low interest rates on their own won't lead to that even if you win the battle with the banks. There is an interesting development which has to be tackled, Mr. Minister. Despite the lowest interest rates in whatever time period - what's the time period you said?

Mr. SHAW: Thirty-three.

Dr. DAVIES: *Yuh* make them things up or *yuh* check them?

Mr. SHAW: No man.

Dr. DAVIES: Oh, it's okay, good, good, a just checking.

Let me just read to you - I do not know whether you or your technicians had looked at it, I looked at it and it worries me.

Commercial banks, in terms of non-performing loan, as of October 10, the percentage was 5.5% - October this year. October 2009 it was 3.9%; October 2008 it was 2.5%; that is for commercial banks. Anybody interested in - should I go one year back?

A MEMBER: Yes, one more.

Mr. WITTER: Recession, recession!

Dr. DAVIES: I know, me not fighting, we not fighting but we come to another one, the building societies and this now past economics. This is - you getting to the social fabric, people who have bought a little house through the Building Societies and let us look at it. October 2010, non-performing loans, 6.9 per cent; October '09, 4.8 per cent; '08, 3.3 per cent. So there's been a doubling in the non-performing loans between 2008 - more than doubling, but between 2008 and 2010 and you want me to go one year more.

Mr. KELLIER: Yes, do.

Dr. DAVIES: Okay. October 2007, it was 3.1 per cent. Now I don't know what is acceptable and what is desirable, but I know a doubling is not good for the society and for the economy.

Government MEMBER: We know that.

Dr. DAVIES: You know that. Okay.

You know also - and the Minister makes reference to the heroic. What is the feminine - gender neutral thing?

Mr. PICKERSGILL: Heroine!

Dr. DAVIES: Heroinic? Anyhow, the heroic steps taken in terms of the PATH beneficiaries, etc., but the reality, Mr. Minister and you know it – you represent a rural constituency. We're going beyond PATH beneficiaries now, we're going to the fact that working people who are not PATH beneficiaries are also suffering. We're going to the fact now that there is an increasing percentage of persons called the working poor. Using the STATIN data - data collected by STATIN and PIOJ, there's been a significant increase IN those poverty levels. These are not political data sets. These are data sets which are collected by technicians. DR. HUGHES, until last year, headed the PIOJ in that regard.

Dr. BARTLETT: Go behind, go behind the facts.

Mr. WITTER: Recession, recession!

(Cross talk)

Dr. DAVIES: I hope they don't allow you to say much at Belmont Road. But anyhow, in terms of the reality there, these are hard facts and these are not things we are going to try to score political points in. These are fundamental issues about deterioration in the quality of life. And, therefore, the question is, how do you match an increasing percentage of bad loans, increasing percentage of persons who are having difficulty in servicing their mortgages? What then do you do within the context of 12 or whatever quarters of consecutive negative growth in the economy?

So, Mr. Minister, even as we stick to your objective of meeting your fiscal targets; there is a bigger question which was not answered in the original Budget and is certainly not being answered in the Supplementary Budget. What steps are being taken to address the issue of the continuing decline in the economy; the increases in the poverty levels; the increases in the level of the non-performing loans? What steps - what are the signs of hope to which you can point that where - that these processes will be reversed?

So, Mr. Speaker, the Supplementary Budget, as I said, had no real surprises in terms of the fiscal…

Mr. WITTER: Interchangeable.

Mr. PICKERSGILL: Interchangeable? What? (Cross talk)

Dr. DAVIES: Mr. Speaker, the Supplementary Budget is essentially an

accounting exercise aimed at staying within the context of the IMF agreement.

What I would say to you, Mr. Speaker- Mr. Minister, you're going to Washington tomorrow. I think it's time for you to sit down with the IMF and point to them some of the problems I have identified. Business as usual and continuing on this path holds out no hope for the country, Mr. Speaker. Twelve consecutive quarters of negative growth will be 13. The poverty levels of 2010, all logic would suggest that they would be worse than they were for 2009. The levels on non-performing loans, because a contracting economy does not provide an opportunity for other economic activity. These are signs which we ignore at our own peril. And unfortunately, Mr. Speaker, I cannot identify anywhere within the Supplementary Estimates any signs which would say there is going to be a reversal of these movements.

The final questions I want to ask, Mr. Speaker, and there is nothing here to signal one way or the other. The Minister is Minister of Finance and…

The SPEAKER: The Member's time for speaking has expired.

(Cross talk)

Mr. HOLNESS: Mr. Speaker, I move for a suspension of Standing Orders to allow the Member sufficient time to complete his presentation, which we expect to be soon.

(Cross talk)

The SPEAKER: No, no! The motion before the House is to allow the Member enough time to complete his presentation.

Motion put to the House and agreed to.

The SPEAKER: Mr. – Dr. Davies.

Dr. DAVIES: Thank you very much and thank the Members.

Mr. Speaker, the Minister is Minister of Finance and the Public Service and there is a major issue, which I believe, a year ago, the Prime Minister indicated that all systems were going in terms of - about 2 a.m., a year ago, he announced that all systems in terms of restructuring of the public sector and leading to a reduction in wages and salaries for the public sector dropping from 11 per cent (11%) - yes, of the GDP to about nine per cent (9%). The Supplementary Estimates doesn't take us anywhere. The Minister hasn't spoken to that matter. The issue of the Public Sector reform and or trimming, is this on? If this is not on what, therefore, will be the implications for wages and salaries in the next budget? If it's on, what are the specific plans which the Minister would like to lead us and how will that be implemented?

So this is a major issue not raised by us, but raised by the Government itself, but there has been nothing subsequently said in that regard.

Mr. Speaker, as I indicated, unlike the Minister, I promised to be brief and I've kept my word. The Supplementary Estimates nothing earthshattering. But nothing to give the country any reason to a hope in terms of the critical areas in growth, in terms of alleviation of poverty, or in terms of a stimulus in some way for expansion of the economic activity.

I thank you, Mr. Speaker.

The SPEAKER: Thank you, Dr. Davies.

(Applause by Opposition Members)

Mrs. SIMPSON MILLER: Mr. Speaker.

The SPEAKER: Yes, Mrs. Simpson Miller.

Mrs. SIMPSON MILLER: Minister, my rising to say to a few words is not an

indication that I'm going to be long; I'm going to be very brief.

You have dealt with it from the perspective of the Government. Our spokesman dealt with the question of the economy. I want to raise just a few issues that I would love for your attention and that when you meet with the IDB, the IMF or all of these big lending institutions that you will carry a message on behalf of the people in terms of, that you've been trying hard to balance the books, but people are now demanding that you balance their lives at the same time.

(Applause by Opposition Member)

Mrs. SIMPSON MILLER: For the past - Mr. Speaker, for the past, and I want to be heard too in silence and I'm sure my bloodline will ensure that that is done. (Referring to Mr. Warmington)

(Laughter)

Mr. Speaker, the Minister rightfully identified the expansion of the PATH Programme, but, Minister, you had to do it because poverty is now higher than ever before in this country.

Mr. KELLIER: Much higher, much higher.

Mrs. SIMPSON MILLER: And what more; those who have lost their jobs. And while you expand the PATH Programme, Minister, when you speak to the IMF and international people they are to know that there are number of – education is critical and important to the development of our country and I'm sure the young Minister of Education will agree with me - and will lead to the development and the growth that we so desire because our people, it is the most brand of Jamaica, is the people of Jamaica. And I just want to say…

Opposition MEMBER: Hear, hear!

Mrs. SIMPSON MILLER: ...Minister, that while you expand all of that, we are to be aware that there are a number of students that were awarded places at the universities that couldn't take them up because they could not afford the fees, their parents could not find the fees. And right now there is a number of students who will not be able to take their exams or cannot take it because they did not pay their fees. And so, I think that we need to bear of all of this into - take all of this into consideration.

I'm wondering, Minister – Mr. Speaker, I'm wondering, Minister, why every Christmas, last year Christmas, this year Christmas we have a tax package before the Christmas because that is a Christmas gift. And now the people are now saying - and I don't want to be associated as being referred to as the **grinch** that stole Christmas because there is a cancellation of Christmas. And the Jamaican people – our culture, is that no matter how poor we are, no matter how we are suffering, we love to provide for our family for Christmas. And the men...

Mr. PICKERSGILL: Yes.

Mrs. SIMPSON MILLER: …the men want to meet with their colleagues and no matter how they suffering, whoever can afford will buy so that they can have a drink and a good time.

And I want to say, Minister, I think it's the worse time that we could have had this taxation package. And I know that we have to pay taxes, and you also - but you also made a very important and a telling comment earlier about some of the drinks that are now being taxed, could have health problems. If some of these things coming into our country...

A MEMBER: Cirrhosis of the liver.

Mrs. SIMPSON MILLER: ...should have - could pose a problem to the health of the Jamaican people. It should not be allowed to come into Jamaica and be on the shelves in Jamaica to be sold to our people. It should be stopped.

And I want to recommend, we also have - I don't know if – the creativity of our people and our people trying to make their tonics, and wines...

A MEMBER: Roots.

Mrs. SIMPSON MILLER: ...and roots. And it comes from our culture. Before our scientists discovered certain things they are now exploring for cancer, for example, the **Ginny-hen weed** just grow wildly in the country, but there have been people for a long time who have been drinking, using...

Dr. BARTLETT: But they dying faster.

Mrs. SIMPSON MILLER: ...all of that. I'm not saying, sir, I came from the country. My maternal grandmother died at a 102, her cousin died at a 105 and another cousin died at 101.

(*Sotto voce* comments by some Members)

Mrs. SIMPSON MILLER: And so I am just saying, there are things that are dangerous to our health. And some of the things mentioned, Mr. Speaker, Minister, in the paper, a number of them are not things that are produced in Jamaica. Some of them I do not recognize the name, some of them I do. But I think we need to ensure that we are also looking after the health of the nation at the same time.

Minister, I think that I want to join the spokesman on Finance. People are looking for hope, despite the challenges. And you rightly identified that everybody understands the recession. Only the Minister, that when we warned about the recession and that we were to pay attention, we were told that it would be good for Jamaica.

(*Sotto yoce* comments)

Government MEMBER: Who said that?

Mr. PERALTO: Nobody said it was good. Those are not the words he used.

Dr. BAUGH: Nobody said that.

Opposition MEMBER: You don't remember?

Mrs. SIMPSON MILLER: All right. I am going to get it, I am going to get those statements and we are going to have them printed and circulated in this Parliament.

(Crosstalk)

Mrs. SIMPSON MILLER: I remember when I was even told that the people sending back their money...

Dr. DAVIES: The remittances.

Mrs. SIMPSON MILLER: …that remittances would not be affected. Right here! Sitting right here. I was told that.

Mr. D. SMITH: Omar told you that. (Laughter)

Mrs. SIMPSON MILLER: And I was told that tourism would not be affected, as a matter of fact, tourism was doing very well. So let us be clear and - we cannot remember everything we say from time to time inside of this Parliament and outside of the Parliament, but I know what was said.

(*Sotto voce* comments)

Mrs. SIMPSON MILLER: You mentioned, Minister, about the Property Tax and taxes. I just want to say that when I was Minister of Local Government, I remember the Clarendon Parish Development Committee Chairman came - Billy, very good gentleman - and he...

Mr. M. PEART: Good Labourite.

Mrs. SIMPSON MILLER: Yeah, I like him, I like him very much, Shagourey. And he came, he made representation on behalf of the Clarendon Parish Development Committee about whether - if they work hard to collect more tax, that the Ministry would try to do more in assisting fixing the roads. They had a number of meetings, he went around and had consultation with the people. That year they collected more taxes than ever before. We had to allocate more roads from Local Government than normal, but they lived up to their commitment. And I feel that if people - when they pay their taxes, the farmers would be able to take their produce out for sale. And I am not criticizing any one government, because I know the money will never be enough to fix all, but I think we can really make a greater effort in terms of putting more, and assisting the people. The people who pay their taxes, they are expecting something in return, their roads, cleaning of their gullies, their drains, and all the electricity, water. And I really believe that if we can give a commitment to the Jamaican people that when you pay your taxes they will receive the benefit, more people would be willing to pay their taxes. But people are paying taxes, and some people paying taxes for years, and they do not have a road to walk on or to drive on. And I am not criticizing any one government.

Government MEMBER: Oh!

(*Sotto voce* comments)

Mrs. SIMPSON MILLER: I am saying it. We keep on talking about I heard the comment about legacy, and we are to pay. And I want to know, Minister, through - Mr. Speaker, I hope the Minister is going to repay all the money he is borrowing before the Jamaica Labour Party demits office, if that is the case. Because every new Administration inherits some things that they have to deal with from the other Administration. And I think we must stop the joking, we are talking about serious business.

(*Sotto voce* comments from Members)

Mrs. SIMPSON MILLER: The economic challenges - the challenges of the economy of Jamaica is not affecting only PNP people, it affects PNP, it affects JLP, it affects people who do not support any party at all, and it affects Christians and sinners alike, and all of us have a responsibility. And those of us who are in here, as Members of Parliament, we were sent here by the people of Jamaica to defend their cause and their rights.

Mr. KELLIER: Hear! Hear!

Mrs. SIMPSON MILLER: Minister, the only other thing I would like to say to you is that I was hoping that we would end 2010 with some hope. We need hope in this country, something to offer hope to the Jamaican people that they will feel to get up, to contribute, to work, to support, so that we can succeed.

Minister, I hope that while you will enjoy your Christmas with your family, you will come next year with some hope, so that we will start the year anew, fresh, with hope, and have more strength to continue the work.

God bless everyone. I don't know if we are going to be here next week, maybe you alone. I think everybody should be looking after their constituents at this time.

But anyhow, I am just saying with all seriousness, Mr. Speaker, we need to - the Government, Minister, you need to redouble the effort, and you need to when you meet with the IMF, really lay out the serious challenges we are having in this country.

Because I do not believe the senior citizens, security guards, gardeners, housekeepers, shopkeepers, the people who sell in the markets and on the streets ...

Mr. D. SMITH: Indoor agents.

Mr. CLARKE: And outdoor, too.

Mrs. SIMPSON MILLER: Well, one person mentioning indoor and outdoor agents. But I am just saying I am speaking for Jamaicans, and it's not partisan or political. Minister, put the case on behalf of the people. We need a break. We need to balance the lives of the Jamaican people as we balance the books.

Thank you.

Opposition MEMBERS: Hear! Hear! (Applause)

The SPEAKER: Mr. Shaw. You wanted to speak? Oh. Yes, Mr. Peart.

Mr. WARMINGTON: You cannot speak after your Leader! Your Leader spoke already, you cannot speak after your Leader!

Mr. M. PEART: Mr. Speaker, I have to bring to the attention of this House some parochial matters relating to this Budget. Because whenever, in Jamaica, the people hear budget, they listen for what is in it for them on the ground, and there are some matters that need attention. When you look at the poverty map for Jamaica - I know the Minister must have looked at the poverty map, I know your Financial Secretary is very familiar with it from its inception - you see a widening area of poverty, abject poverty in South Manchester, some of it is in North Manchester, as well.

Dr. DAVIES: What about North East?

Mr. M. PEART: North – the northern side, North West and North East.

And, Mr. Speaker, this year so far I have spent from my CDF, over $1.6 Million for auxiliary fees.

Government MEMBER: So?

Mr. M. PEART: And let me continue. You find that the Government's policy seems to be out of whack. Because when you attend to the school and ask the policy of the school, they require auxiliary fees to be paid. When you speak to the Minister of Labour - the Ministry of Labour, the Ministry of Labour says those who are on the PATH prograrrune should not pay auxiliary fees. When you speak to the Ministry of Education they say that the PATH students mustn't pay auxiliary fees. But the schools require it to be paid. When I ask the schools if the students don't pay the auxiliary fees then who pays it? One would assume it would come from the PATH. But it doesn't work that way. And we need to sort those things out, because those things affect the poorest of the poor, and we have a lot of them in South Manchester.

Opposition MEMBER: Hear! Hear! (Applause)

Mr. M. PEART: I had to bring a matter to the attention of the Minister the other day, and it has not been resolved.

A number of people have gone to the HEART training to get certification for teaching in the basic schools. They were assigned to schools in September and they were supposed to receive their salary/subsidy. The end of September no salary/subsidy paid. The end of October, no salary/subsidy paid. End of November no salary/subsidy paid. I brought it to the attention of the Minister, and the Minister said the matter is with the Permanent Secretary. This week, before I

carne to Parliament, I was advised that the latest information that they can get from the Council – I think there is a new Council now - is that they were not included in the Budget, therefore, they have to wait until the Budget is approved in April. I am just stating that the Commission and its staff assigned people to jobs, assigned them - I just saw the documentation - they were assigned to the schools, and they have been there September, October, November, come December now, no pay. That needs some attention.

We have a situation where we - like my Honourable friend from South East St. Elizabeth with the closure of the Bauxite plants, a lot of the farmers are turning to agriculture. And the Minister of Agriculture and Fisheries said he is stimulating agricultural production and he is supporting farmers. What has he done in South Manchester? I don't know about other constituencies or parishes. But every PMO, every PMO got a grant, every PMO - and I don't have to go through this thing about the PMO again, it is a recently fabricated system. Every PMO got a grant and we have the JAS branches that have been functioning over a hundred years and the JAS branches that are not PMOs received no grant. Let me repeat myself, the JAS branches that are not registered as PMO received no grants.

One farmer told me that he was called to a meeting for the formation of a PMO and whilst he was at the meeting, the Counselor, which I will not indicate which party he was from, but it is suppose to be obvious, was arranging the PMO; and we said, 'we need a Chairman for the PMO' and they said, 'Mass Tom is the good man in the district, *mek* we *mek* Mass Tom,' and him said, 'Mass Tom cannot hold that job, him *de pon de* wrong side.' And he suggested somebody else to take the job as Chairman of the PMO. The PMO smells fishy.

Mr. Speaker, I am not going into the details about this sin tax other than to say that one shopkeeper told me that bulk wine, I don't know if the Minister is aware of this, bulk wine we call it fruit wine or bulk wine that is sold in 15 gallon containers, before the tax it was sold of $4,800 the present price with the new tax arrangement and a reduction in the margin, because the supplier realizes it is out of whack, is $9,800...

(*Sotto voce* comments by Members)

Mr. M. PEART: I am telling you, I am telling you I checked it this morning on my way to Parliament, I checked it again.

(*Sotto voce* comments by Members)

Mr. M. PEART*:* *Mi seh*, I checked it on my way to Parliament to confirm and the shopkeeper said, 'Mr. Peart, hold on, I will call you back, I am going to call the supplier again to ask him what is the price he is offering me now.'

(*Sotto voce* comments by Members)

Mr. M. PEART: Well, I would love somebody to prove me wrong.

Mr. Speaker, we have a problem with roads, everybody have a problem with roads. The road from Gutters to Alligator Pond as many Members are familiar with, six weeks ago, six, seven weeks ago they started to repair the roads they did two miles of the road and stopped, after they had shaped up the holes for repair and left them. When I contacted the National Works Agency, I was informed that the money from the Road

Maintenance Fund had been exhausted...

Mr. GALLIMORE: Informed by whom, you coming here with your *duppy* story.

(*Sotto voce* comments by Mr. Gallimore)

Mr. M. PEART: The regional manager and the parish manager for the National Works Agency for Manchester, **Mr. Uter** and **Mr. Hunter** since you want them. After intense lobbying and a demonstration with a road block, I was told that the road will commence this week. And in fact, I was called this morning by the contractor that the road is going to be resumed. But he has also informed me that the amount of money and asphalt concrete that has been allocated cannot finish the road. This is the second attempt on the first road in my constituency still won't finish it, you know.

(*Sotto voce* comments by Members)

Mr. M. PEART: The Member from South East St. Elizabeth, he is in the same boat as I am, you know. And we see, we hear about the Chinese loan, how many hundred millions of US Dollars we are getting. But what is manifesting itself now, it is not looking too good. And I warned the officer, months ago, that if these roads are allowed to remain in the conditions that they are in, there is going to be problems.

Mr. Speaker, with regard to - Minister of Water and Housing, commended himself with regards to water projects, two water projects in my constituency, one was signed in July last year, the contractor advised me - the contractor advised me that although he signed the contract he cannot do the work because Water Commission said there is no money to pay him. So it has only been signed. So Manchester is one of the driest, ask the Member from South East St. Elizabeth Sir, one of the driest constituencies in Jamaica. We need some action. The people looking at this budget debate, listening to something for them and I am stating it clearly that we have not heard anything for them in this budget more than hardship and the famous mantra that the Member from North East Manchester, the famous mantra that the Member from North East Manchester used to repeat *ad nauseam* in here, the poor can't take, say it *nuh*, finish it.

(*Sotto voce* comments by Members)

Mr. M. PEART: The poor can't take no more. Thank you. (Applause)

The SPEAKER: Thank you. Minister Shaw.

Mr. SHAW: Mr. Speaker, I would like to thank...

(*Sotto voce* comments by Members)

Mr. SHAW: Mr. Speaker, I want to thank the Members for their observations. And let me - just a few comments on some of the issues raised by the Opposition Spokesman on Finance. You know, he raised the issue of the taxation, and on both sides we have had our experiences of - tax is never popular and it is not always tidy. And you know, Mr. Speaker, the Prime Minister himself made reference to it earlier in another session of the House that sometimes - and the former Minister knows - that sometimes there are limits to consultation on taxation because nobody wants to pay taxes, but it is a judgment call at the end of the day. And what we have done, we have sought to, even late as it might be we have sought to consult and this is why we have made some adjustments. And it would not have been the first time that it has happened. It has happened, the previous Minister knows very well, he has had his own experiences in that regard. But the issue is, wherever possible that

we can have appropriate consultation, you know, we will seek to try to do that, Mr. Speaker.

Let me also say, that there is talk about tax on roots. Mr. Speaker, I want to make it clear, there is no tax on roots drinks unless they are mixing the drink with alcohol and then the alcohol content becomes an issue. But an ordinary roots drink that...

(*Sotto voce* comments by Members)

Mr. SHAW: That's right! There is no tax on an ordinary roots drink, right, that is made with the sarsaparilla and this and the strong back and all the things them; there is no tax on that. Anybody who is trying to go put tax on that, tell them that the Minister of Finance has said that there is no tax on it. I want to make it very clear. Arrow root, jump start, strong back, sarsaparilla, dandelion, I want to make that clear.

Now, Mr. Speaker, the question of arrears was mentioned - was raised again by the former Minister and I mentioned it in my speech because it is a concern. And it is no intention whatsoever - the Government has no intention of seeking to brush it aside or to sweep it under the carpet, or to ignore it because we long - we have reached the point where you don't ignore a problem and expect that it will go away. Problems don't go away when you ignore them, so we have to deal with them. And we have been dealing with some and we have many left including this big one that we have to deal with. I have taken note of the observations that he has made in terms of the approach, the particular approach to dealing with it, but the issue is that, we have to find as I mentioned, we have to do that audit and I can't say everything here, but it is based on information that we have that confirms in our own operational conduct that we must do the audit. And so that is the first base that is actually being done now. And after that audit is done, we will then make the decision as to the way forward, Mr. Speaker. As I mentioned before, by the time the budget debate comes around, I will be in a position to make a more definitive statement on precisely how we are going to deal with this issue.

Now, you know, the Member, the former Minister, and I am not too sure and I hope that in his presentation, he was not seeking to be making any derogatory remarks about the European Union's support for Jamaica. Because I want to place on record that, you know, in my opening presentation I spoke about the multilateral institutions, the low cost funds and so on, and I did not mention the European Union but I think it is entirely appropriate, yes I note this, that Jamaica ranks number one, in EU assistance in the entire Americas...

(*Sotto voce* comments by Members)

Mr. SHAW: Conference down there?

...in the entire Americas, number one with 76 Million Euros of grant funding provided for us in the year 2009 alone. The European Union has put together 80 Million Euros negotiated by the previous Government that built that road from Ocho Rios to Port Antonio. There are some issues of overruns now and so on, but the fact of their support is there. So I know that, that was the comment in relation to Haiti and so and I am pretty sure it wasn't meant to be derogatory. We want to make the European Union know and AMBASSADOR ALIMANI know that the Government and the people of Jamaica,

Opposition, everybody are very deeply grateful for the assistance of the European Union, over the years. (Applause)

And, let me just, let me indicate. The Opposition Spokesman on Finance has also raised the question of the Road Maintenance Fund, and the concept that we had, and we have said it and we continue to believe in the concept of dedicating the fuel cess. We had said we will dedicate it to the Road Maintenance Fund; we advanced the idea further to say that we would dedicate it to the Chinese EX-IM Bank Loan and we would use the fuel tax as the basis for being able to service that loan. But the former Minister raised the question that he hopes it is not being kept out of the stock-of-debt, that we are using are RMF as a means of keeping it out of the stock-of-debt. I want to clear that up right now. That is not so, it is in the stock-of-debt. The only difference is that all US$400 Million is not just taken and thrown in there at one time. It is going to be added to the stock-of-debt in accordance with the disbursements of the fund. But it is totally transparent, the IMF knows about it and the US$60 Million that is being spent in this fiscal year will be in the stock-of-debt, and whatever we spend in the next fiscal year will be in the stock-of-debt. There is no intention, whatsoever, on our part to seek to engage in any programme of concealment in that regard.

Let me also just say, you know, the shadow Minister of Finance has made reference to the issue of the nonperforming loans, and it is a concern, it is a concern to us; and we recognize that it is one of the casualties of the time that we are in, the difficulties of the global crises, among other things. When there is a recession, bad loans increase, there is no question about that, and that is one of the things that has happened here. So the issue is, I think, the management of it and for us to be able to extricate and to get ourselves on the path of growth by the fastest possible route. And I think that is where, that is where I really would like to wrap up this presentation in just speaking briefly about what are some of the things we really – that we are doing now, but we have to intensify in order to get that growth trajectory going again.

But before I finish with that - the shadow minister mentioned the issue of the Public Sector Reform. It's a work in progress, as you are aware. There is a Green Paper that has been Tabled here in the House, which is the work of the Public Sector Transformation Unit, which has been appointed by the Honourable Prime Minister.

It is the intention - there is a critical path that is being developed and it is the intention that, certainly, at the time of the new Budget presentation, there will be much more corning out of that. But the consultative process continues. Among the things that we intend to do, we have asked Senator Williams, the Minister of State in my Ministry, to ensure that the Green Paper is circulated to the Confederation of Trade Unions, and all of our stakeholders in the Public Sector, so that we can benefit from their own ideas and input into that proposal.

And from there, Mr. Speaker, the intention is to also... The Prime Minister has also revived the Partnership for Progress discussions with stakeholders from civil society, from the labour unions, from the private sector and from the Employers' Federation, all the groups. That has started

again. I think he has already had two or three meetings. We have had break-out meetings as well on tax policy and other things like that. We are revving up that programme, so that we are benefitting from interaction at every level. And I want to thank the Honourable Prime Minister for getting that revived and going again.

And so, it is in that context that so many of the things that we are concerned about, go back to the question of growth. Even the point the former Minister made about, the concern that, well, are you borrowing too much foreign exchange? Are you tipping the loan portfolio in a direction where when demand increases for foreign exchange as a result of growth, for instance. Because when the economy grows, the demand for foreign exchange is going to be there. And he raised that caution.

And the issue is, is that it is a chicken and egg situation. But the truth is that it says to you, rev up your investment promotion that targets foreign exchange earning industries as well. Because when you earn foreign exchange, then you can afford to spend the foreign exchange in the investment process. (Applause)

But it is a valid point that you make. And in fact, it is a point that can assist us to influence those areas that we target for rapid development. And some of them, here again, started in your time. The Falmouth cruise ship terminal which is now at a point where it will be, I think, the largest ship in the world will come in February... (*Sotto voce* comments) Yes, will come in February. But the project will be completed by April of next year, Mr. Speaker, and the first phase of that project will see a cumulative investment of US$165 Million in that first phase, which is completed by April of next year.

Equally, the people at Harmony Cove have contacted me in my capacity as Minister of Finance. They want to talk to me now about some more details on the incentives programme for their project. So the Harmony Cove project is still a project that is very much out there that has the sort of capacity to transform...Consider Harmony Cove and the Falmouth cruise ship pier together, the kind of transformation that can be put into that region of Jamaica.

And equally, not far from there, in that same region, Minister of Water and Housing recently launched a new project which will see the construction, I believe, of about fourteen or fifteen hundred houses in the Trelawny area as well. (Applause)

There are many other housing projects, Mr. Speaker, that are in the pipeline. Some of them are to support the hotel industry in terms of a dormitory sort of housing for hotel workers, in as much as there are also major projects for housing, listed and earmarked across the island. There are many interesting and new developments that are taking place.

The Prime Minister himself observed that he is being invited more and more to open up more and more projects. And it's starting. You can see the wheels of growth beginning to tum. A banker, big banker told me recently that he's seeing an up-tick in the commercial bank loans and an interest being expressed in loans for the productive sector. He's recognizing that...(Applause)... and seeing that as a sign that people are beginning to respond to the sustainable atmosphere of interest rates going in the right direction, exchange rates

stable and the inflation rates relatively stable as well.

And so, these things that are...The water projects that are earmarked, albeit, the $18 Billion that is lined up are for major water projects. But the Government is committed also, Mr. Speaker, to ensuring that what is not in the Budget now will come in the next Budget to have more small water projects that can penetrate all across rural Jamaica that needs to be put into place as well.

We mustn't underestimate the impact of a revived sugar industry and what that will do to the economy and domestic agriculture, what that is doing to the economy in terms of the growth, despite the setbacks from Tropical Storm, Nicole. We must not ignore those things.

We must not ignore the fact that downtown Kingston is seeing, initially, an investment earmarked for at least US$100 Million which is about to be invested in Downtown Kingston, with the launching of the Digicel project. Another major company has taken over Breezy Castle area to establish their headquarters in Downtown Kingston. And there are several other major projects that are lined up. Other companies have come to me indicating that they want to benefit under the Urban Renewal Tax Relief initiative, to put in more warehousing and factories in the Corporate Area.

Mr. Speaker, there is no question that we are beginning to see some very, very positive signs in the economy. In fact, the Planning Institute of Jamaica has projected that in the last quarter of this Fiscal Year, that there will be growth in the economy. We are confident about that. We are going to keep pushing.

Indeed, I want to mention, because I've been asked to, by the Opposition Members, to raise it in discussions with my multilateral partners. I've done it already. When I was at the IMF World Bank meeting, I looked at MR. STRAUSS KAHN at a breakfast meeting and I said to him, 'we have achieved relative stability in the Jamaican economy right now despite the challenges. But we fully recognize that the job doesn't even really begin until we can really go for growth.' And I said to him, 'we need to move from a partnership for stability, to go to a partnership for growth.' And he repeated that several times in the presentation after I made it to him.

(Inaudible comments by Dr. Davies)

Mr. SHAW: We are taking certain initiatives on our own. We have asked the Planning Institute of Jamaica, under the direction of the new Director General, PROFESSOR HUTCHINSON, to help us to target areas for growth. And in that respect, he has gotten a consultancy; PROFESSOR DON HARRIS has come onboard. They are working on it now to target some areas that we can look seriously at in how we can begin to navigate our way, Mr. Speaker, towards these growth impulses that are so very much needed in the economy.

So what I'm seeking to say, when you combine with all of this, the road prograrnme ...and please, let's stop criticizing the Chinese Road Programme now. (Applause)

A MEMBER: Hear, hear!

Mr. SHAW: Let's stop criticizing it now. Let us work with the programme. All roads can't fix one time. But let us work with the programme because it is a good programme.

MEMBERS: Yes!

Mr. SHAW: And when that programme matures, all across Jamaica will feel the benefits from the road repair programme under the Chinese funding.

(Applause)

And so as mentioned before...

(Inaudible comments by Opposition Member)

Yes, we need breathing space. Yes, former Minister, we need breathing space. And the economy needs breathing space. But you cannot, you cannot nurture the environment for investment and growth unless you can guarantee stability. We have worked hard on it and we have it now. Together now, let us go for growth.

God bless you. Thank you very much.

(Applause)

The SPEAKER: Could you put the resolution.

Mr. CLARKE: Mr. Smith goes to Washington.

Mr. SHAW: Turn diplomat now, eh! Mr. Speaker, I ask that the motion be approved.

The SPEAKER: Yes. Members, before you is the motion on the Supplementary Budget.

Motion put to the House and agreed to.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not proposed to do any further business today. I therefore, move that the House do adjourn until the 21st...

Opposition MEMBER: Next year.

Mr. HOLNESS: ...of December, Tuesday next, when we will take second reading of the Charter of Rights and other matters.

The SPEAKER: Members, the motion before the House is that this Honourable House do adjourn until Tuesday, December 21, at 2:00 p.m.

Motion put to the House and agreed to.

The SPEAKER: (Gavelling) This Honourable House stands adjourned.

The House accordingly adjourned at approximately 8:58 p.m. until Tuesday, December 21, 2010, at 2:00 p.m.

THE HONOURABLE HOUSE OF REPRESENTATIVES

SESSION 2010 – 2011

THURSDAY, December 21, 2010

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.37 p.m.

PRESENT

THE SPEAKER

HON. DELROY HAWMIN CHUCK, (JLP), St. Andrew, North Eastern.

MRS. MARISA COLLEEN DALRYMPLE-PHILIBERT, (JLP), Trelawny, Southern, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

ANDREW MICHAEL HOLNESS, (JLP), St. Andrew, West Central, Minister of Education, Leader of Government Business and Electoral Matters.

DR. KENNETH LEIGH O'NEIL BAUGH, (JLP), St. Catherine, West Central, Deputy Prime Minister and Minister of Foreign Affairs and Trade.

DR. HORACE ANTHONY CHANG, (JLP), St. James, North Western, Minister of Water and Housing.

PEARNEL PATROE CHARLES, CD, (JLP), Clarendon, North Central, Minister of Labour and Social Security.

LESTER MICHAEL HENRY, CD, (JLP), Clarendon, Central, Minister of Transport and Works.

DR. CHRISTOPHER CHARLES TUFTON, (JLP), St. Elizabeth, South Western, Minister of Agriculture.

MINISTERS OF STATE

THE HONOURABLES:

DARYL WESLEY PHILLIP VAZ, (JLP), Portland, Western, Minister without Portfolio in the Office of the Prime Minister, Minister of Information and Telecommunication.

CLIFFORD EVERALD ERROL WARMINGTON, (JLP), St. Catherine, South Western, Minister of State in the Ministry of Water and Housing.

NEVILLE ANDREW GALLIMORE, (JLP), St. Andrew, West Rural, Minister of State in the Ministry of Labour and Social Security and Deputy Leader.

OTHER MEMBERS

MR. GEORGE DELANO ARSCOTT, (PNP), Clarendon, South Western.

MR. LUTHER BARTLEY MONTEITH BUCHANAN, (PNP), Westmoreland, South Eastern.

MR. ROGER HAROLD CLIFFORD CLARKE, (PNP), Westmoreland, Central.

DR. OMAR LLOYD DAVIES, (PNP), St. Andrew, Southern.

MR. COLIN ALFRED A. FAGAN, (PNP), St. Catherine, South Eastern.

DR. MORAIS VALENTINE GUY, (PNP), St. Mary, Central.

MS. LISA RENE SHANTI HANNA, (PNP), St. Ann, South Eastern.

MR. IAN DAVE HAYLES, (PNP), Hanover, Western.

MR. JOSEPH URIAH HIBBERT, (JLP), St. Andrew, East Rural.

MR. DERRICK FLAVIUS KELLIER, (PNP), St. James, Southern.

MR. DESMOND GREGORY MAIR, (JLP), St. Catherine, North Eastern.

MR. CLIVE ARTHUR MULLINGS, (JLP), St. James, West Central.

MR. PHILLIP FEANNY PAULWELL, (PNP), Kingston, Eastern and Port Royal.

MR. TARN ANDREW PERALTO, (JLP), St. Mary, South Eastern.

MR. ROBERT DIXON PICKERSGILL, (PNP), St. Catherine, North Western.

THE MOST HON. PORTIA LUCRETIA SIMPSON MILLER, O.N., (PNP), St. Andrew, South Western, Leader of the Opposition.

REV. RONALD GEORGE THWAITES, (PNP), Kingston, Central.

PRAYERS

Prayers were offered by Rev. Ronald Thwaites.

The House resumed its sitting at 2.37 p.m.

The SPEAKER: Please be seated.

This Honourable House now resumes its sitting.

CALL OF THE ROLL

(See Listing)

The SPEAKER: House Leader?

PASSING OF FORMER MPs BEN CLARE & COLONEL LESLIE LLOYD

Mr. HOLNESS: Mr. Speaker, before we proceed with the business of the House I would want to bring the attention of the House to the passing of the former Member of Parliament for Western Hanover, MR. BEN CLARE, who passed on December 17. He was 72 years of age, Mr. Speaker. He was also a former Minister of State in the Ministry of National Security.

Members may want to take note and add their word of note on his passing.

HON. ORETTE BRUCE GOLDING, (JLP), Kingston, Western, Prime Minister & Minister of Defence, entered and took his seat.)

(HON. MICHAEL ANTHONY STERN, (JLP), Clarendon, North Western, Minster of State in the Ministry of Industry, Commerce and Investment, entered and took his seat.)

Also, Mr. Speaker, we just received news today of the passing of COLONEL LESLIE LLOYD, who was a former Member for Kingston Central in 1993; he was also a former Parliamentary Secretary in the Ministry of Environment and Housing. Mr. Speaker, I crave your indulgence to allow Members to express they condolences.

The SPEAKER: Mr. Kellier.

Mr. KELLIER: Thank you, Mr. Speaker. I would like to offer condolence and sympathies to the family of the late BENJAMIN CLARE. Members who are here long enough will remember that he served this House in this Chamber from 1989 and did three (3) consecutive terms before he left. Prior to that he was a Senator and he was also an Ambassador for this country to the Soviet Union and to Cuba. And indeed his work in the Ministry of Foreign Affairs in which he was a Minister of State - most of his time in this Parliament he spent as Minister of State in the Ministry of Foreign Affairs and Foreign Trade.

He accomplished quite a lot in breaking new grounds right across the globe on behalf of this country. There was Almost no country that Benjamin Clare didn't visit that you can

think of, to try and build relationships and to ensure that Jamaica had a face in some of these very distant places.

(HON. EDMUND CURTIS BARTLETT, (JLP), St. James, East Central, Minister of Tourism, entered and took his seat.)

(HON. JAMES RUDOLPH EDWARD ROBERTSON, (JLP), St. Thomas, Western, Minister of Mining and Energy, entered and took his seat.)

(HON. LAURENCE GEORGE BRODERICK, (JLP), Clarendon, Northern, Minister of State in the Ministry of Energy and Mining, entered and took his seat.)

He served as well, Mr. Speaker, not only in Foreign Affairs but also he did a stint in the Ministry of National Security as well. And we can all remember him for his very quiet and unassuming approach to doing things. He was a very quiet and tolerant person. And his constituency in Western Hanover which he served with distinction, I am sure that all the citizens - he was able to straddle all the boundaries in the consistency and indeed he was a mixer, so to speak. He could walk with kings and he did not lose the common touch. He was that kind of person, because he met just about everybody, not only on the diplomatic circle but as well as in his constituency. I would wish on behalf of the Opposition to offer condolences to his family, his wife and his children and to ask, of course, that the usual courtesies be extended from this House.

The SPEAKER: Thank you, Leader of Opposition Business. Mr. Hayles.

Mr. HAYLES: Yes Mr. Speaker.

Mr. Speaker, since the passing of Benjamin Clare it has been a sad day for the people of Western Hanover.

A MEMBER: Especially you.

Dr. DAVIES: This is serious business, creng, creng!

Mr. HAYLES: Mr. Speaker, I speak on behalf of the people of Western Hanover. Ben Clare has served the people of Western Hanover well and he has served with much dignity. He is always someone that has placed service above everything else and he has placed people above self. And, Mr. Speaker, it is with this in mind that I visited the family on Sunday and there were persons there from within the constituency because Ben was loved by all. He was a calm man. He had a calm spirit. And he believed that in Jamaica, he believed each day that each of us there is better and much good within all of us, even when one has to straddle the fence at times.

Mr. Speaker, Ben had travelled the world and before we all knew or came to learn about Brand Jamaica, Ben Clare travelled the world and sold Jamaica. And so when we speak about Brand Jamaica Mr. Speaker, we speak about Ben Clare and his legacy.

And my condolences on behalf of the constituency and myself go out to his family. He has served us well in Western Hanover and he has served the people of Jamaica well.

Thank you.

The SPEAKER: Thank you, Mr. Hayles. Mr. Arscott

Mr. ARSCOTT: Thank you, Mr. Speaker.

I came to know Ben Clare when I was the representative of Jamaica to World Festival of Youth and Student in Cuba.

(HON. RUDYARD CONRAD SPENCER, (JLP), Clarendon, South Eastern, Minister of Health and the Environment, entered and took his seat.)

He was a gentle giant at the time and was also instrumental in terms of the negotiations for the gifts from Cuba, Garvey Maceo, Jose Marti, G. C. Foster, and he was probably one of the forerunners and pioneers in terms of the development of the relationship between Jamaica and Cuba. His wife was an integral part. She was very dynamic as part of the team and Jamaica probably in that case got two for the price of one, in terms of the representation that we got from the Clares.

I know his work with the students, even at that time when it was difficult to get foreign exchange, he was always accommodating to the students at that time with pioneering the relationship between Jamaica and Cuba. Therefore, it is in this context that I would like to express certainly on behalf of the People's National Party, our sincere gratitude for the work he did and for the chart and role he played in blazing the trail for the development of the relationships between Jamaica and Cuba.

I wish to express condolences. May his soul rest in peace.

(MRS. NATALIE GAYE NEITA-HEADLEY (PNP), St. Catherine, East Central, entered and took her seat.)

The SPEAKER: Reverend Thwaites.

Rev. THWAITES: Mr. Speaker, it would be appropriate for me to rise to pay tribute to the late COLONEL LESLIE LLOYD, a man of considerable energy and undisputed devotion to Jamaica. He had the distinction of serving on both sides of the aisle in this House and also occupied executive positions in this country. I succeeded him in the constituency of Central Kingston in 1997.

He continues to enjoy the remembrance and the goodwill of many many persons in the inner city and also in the parts of St. Andrew which he originally represented.

Colonel Lloyd gave the task of public representation his all. Often misunderstood, he nonetheless prized the privilege of representing a constituency, and despite his strong personal views which did not always find favour, he nonetheless exhibited considerable goodwill in all that he did.

In later years, Mr. Speaker, it is worthy to note, albeit in condolence to his family and in memorial to him, that he was disappointed because he felt that without asking much nonetheless that which he had given and the years of service that he had offered and the career that he had forfeited - careers that he had forfeited went unrequited. Mr. Speaker, that is a complaint which has justification not only his circumstances but in fact for many of us. And he suffered considerable illness in his last days, and I know would be grateful for the record that we are placing towards him today.

I am hoping that given the memory of his struggles as well as his efforts two things will ensue. One, that this House of Representatives, and indeed the nation, will never by default fail to give close attention to the needs of the inner city which he bespoke so well; and secondly, that we attend to the needs of our retired parliamentarians with an earnestness and with an appropriateness that I do not think exists today.

To Colonel Lloyd's family and his friends and in gratitude for his service especially to Central Kingston, I make these remarks and pray for the repose of his soul.

The SPEAKER: Thank you, Reverend Thwaites. Mr. Mullings.

Mr. MULLINGS: Thank you.

It would be remiss of me, Mr. Speaker, if I

did not speak of the late Ben Clare, the lawyer. I can recall as a young lawyer practising in the courts in Western Jamaica in Lucea and in fact Green Island in particular, when Ben, after he left the portals of this House started practising law again, we would repair to two particular places, Mr. Speaker, one in Green Island known as "Parkie", where we would have a certain punch soup - I would not indicate the source of it for fear of enraging certain persons in the wider society.

(*Sotto voce* comment by Members)

Mr. MULLINGS: Indeed. And another place known as 'Gun Court' in Lucea, where after the day's proceedings we would go there and exchange thoughts, solve the world's problems and at the end of it all come to a conclusion, that conclusion being that on the next occasion we would again seek to solve the world's problems.

(MR. ANTHONY GEORGE HYLTON, (PNP), St. Andrew, Western, entered and took his seat.)

But Ben was one who in a very quiet and distinguished way would give his views and give guidance. In fact I can recall speaking to him when I had a particular challenge when I was President of the Cornwall Bar Association, and he was able to give me some valuable guidance in a certain respect, and to him I owe a lot.

(DR. FENTON RUDYARD FERGUSON, (PNP), St. Thomas, Eastern, entered and took his seat.)

I believe, Mr. Speaker, that when we have toiled hard and long on this earth we sometimes don't remember that we are here just for a time. And it is on occasions like this that it should in fact remind us that our tenure here must be one that is engendering concern, care, thought, love, humility but most of all we must leave a mark on mankind before we depart.

And so I would like to wish all the best for his family in this very difficult time and that his soul may rest in peace and light perpetual shine on him.

Thank you.

The SPEAKER: Thank you, Mr. Mullings.

The SPEAKER: Prime Minister?

The PRIME MINISTER: Mr. Speaker, not to prolong the intervention that we have made and quite rightly so.

You know, it is always sad to have to record keeping of persons who have served among us. It is particularly sad, of course, when we do so a few days before Christmas, in this case to two persons who have served and served well.

As the Leader of Opposition Business said, Mr. Ben Clare entered Parliament - entered this House in 1989, served until 2002, and during that period was appointed Minister of State in the Ministry of Foreign Affairs. I can't think of any Ministry for which he was more suited because of his temperament, because of his urbanity, and served there with sufficient distinction and accomplishment that even after demiting - even after leaving active politics, as we know, he served as a distinguished Ambassador of Jamaica. I too, want to join in expressing my condolences to his family.

In the case of Colonel Leslie Lloyd, I speak more on a personal note. He too served. He has the, not unique, because others have done it, but he is one of those three people who have represented - who have been Members of this House representing different

parties. In 1983 he was the JLP representative for East Central St Andrew. And then in 1993 became the Member of Parliament for Central Kingston. But I do have a long personal relationship with him because he was married to a first cousin of mine who actually, died last year. And as a youngster, attending high school, I actually boarded at his home, first at Clieveden Avenue and then at Lady Musgrave Road when he was then just a Captain in the JDF and during that period was promoted from Captain to Major.

He was someone, very ebullient, with a roaring, raucous, bellicose kind of laughter that infected any room in which he was. But he was also someone who held very strong views on matters. And those were views that he was prepared to hold so strongly that they defied, whether party affiliation or friendship. And he was never unwilling to defend those views, even if he stood alone. And therefore, he was somebody of courage and of conviction, even though there were many issues on which he and I disagreed.

There was one particular incident. In 1976 during the State of Emergency he was still in the military. At that time I think he was a Colonel in the Jamaica Defence Force. The security forces at that time found it appropriate to conduct a raid, a search of my home at Five o'clock in the morning in Old Harbour. And he was part of the party that conducted the search. I was so upset about it and offended. My wife had to get up out of bed because she had to be upstairs with one set while I was downstairs with another set. And Leslie walked in to greet me as if I ought be so pleased to see him. I haven't seen him for a long time, when he is part of the party conducting a raid on my house and somehow managed to convince Lorna before he left to fix him a cup of coffee. Something that I'm still trying to forgive her for. But he was a member of my extended family, somebody with whom I had long and good relations. And I want to express my condolences to his children, particularly Yolande who is here and Eddie of course is abroad, but to all of his family and friends and to express my sincere condolences to the families of both of them.

The SPEAKER: Thank you, Prime Minister. Leader of the Opposition?

Mrs. SIMPSON MILLER: Thank you, Mr. Speaker.

I'd like to express condolences to the wife and children and family members of Mr. Ben Clare, a former parliamentarian, and Colonel Leslie Lloyd, former Parliamentarian as well. Ben had a very quiet, calm disposition. He loved people. He made a valuable contribution, serving his constituency, Western Hanover and indeed, the parish of Hanover as a lawyer, and the Government of Jamaica under which he served and served his people well.

Colonel Leslie Lloyd was a very strong, confident man. He walks in a room and everyone would turn around to look. That was Leslie Lloyd. He had presence and was very strong in his beliefs. He was a very good friend of mine. And we will miss him. Always calling to give advice on different, different issues affecting the country. And I certainly will miss him and the advice from time to time. I want to extend condolences to his daughter and his son and other members of the family.

But you know, Mr. Speaker, in this House, the only time we remember the politicians is who are no longer making a contribution, the

retired parliamentarians, it's when they are gone. And I really believe we perhaps should establish a council of former parliamentarians so that we can be in touch with them. Because there are times when some of them are going through some serious difficulties and if it is just some of us to be in touch, to know, so that we can visit and give some support. I really believe it is important - and I'm talking about parliamentarians from both sides of the political divide. I really believe we should do that.

The other point I want to raise. It is interesting and it fascinates me that when someone is leaving the political arena, or they pass, we speak everything that is good and glorious and when they are alive we forget about them and we do not say anything good when they are making their contribution to the country. And I think that's an example for us here this afternoon, something we can learn from, that we not only wait until they retire or when they are gone, but we find a way to do it all the time.

I want to thank you. (Applause)

The SPEAKER: Thank you, Mrs. Simpson Miller. Mr. Bobby Pickersgill?

Mr. PICKERSGILL: Thank you, Mr. Speaker.

I rise to pay a tribute to both but I would unequivocally endorse everything that has been said about Ben. And I do so in the knowledge that for a tribute to be immortal it doesn't have to be eternal.

And I move to Leslie who I was closer to. I regard him as a friend. I visited him in the hospital some weeks ago and it was obvious that time was passing. Only this morning MRS. MOVETA MUNROE who is a relative of his, I was calling her to find out how he was doing. And she called, so I said, how is Leslie doing. And she said to me, that's what I called you for. He's dead.

He was first and foremost a soldier. And every bit a soldier, because when I went to look for him - because I went more than once - oh, everything was fine Bobby, and yet he was trying hard to breathe. But as I said, he was every inch a soldier.

We were aware that he suffered some disappointment, Mr. Speaker, when he had to leave the army. And I think it is something that played on his mind. And during those times I was his attorney. But circumstances developed that the retainer had to be stopped.

He was a man of great culinary skill. And we would meet several mornings for breakfast. And he would make sure that he had his steak. And of course, if you pass Walker's Wood and didn't stop, he would be very upset because he was also an excellent entertainer.

Mr. Speaker, I, too, would like to extend my condolence to his - well his wife predeceased him, but to the rest of his family, children and his sister. May their souls rest in peace.

The SPEAKER: Thank you, Mr. Pickersgill. Mr. Bartlett?

Mr. E BARTLETT: Mr. Speaker, I too, wish not to prolong this, but rather need to make a comment simply because of the journey that I've had with these two outstanding sons of Jamaica.

MR. BEN CLARE: As a young boy in Sav-la-Mar I recall seeing this very dapper and debonair young lawyer coming through and literally sweeping off the feet of my teacher, Evangeline. She indeed was one of the prettiest girls in Sav-la-Mar at the time and was part of a group of very outstanding young

teachers that taught in the high school system in Westmoreland. And I've watched over the years how he was developing and then became involved in political activities, and Vangie herself becoming so very attached and devoted and committed to his causes.

And I really want to put on record the deep sense of loss that Westmoreland - even though he really hails from Hanover - but the deep sense of loss that Westmoreland shares with Hanover and, indeed, the rest of Jamaica, because Ben Clare served and served well. He was a committed politician, a committed public man, a committed professional and a committed human being. And those are important qualities that we think are important to be emulated by all of us.

He was perhaps characterized by his sartorial consistency ever since he changed his attire from the Western style. He perhaps would only rival one other person on that side, Donald Buchanan, in terms of that sartorial consistency.

But it won't only that which we recall him for. We also recall him because he gave of himself selflessly to building Westmoreland as he did Hanover.

And I want to say to his widow and the children; Jamaica is indebted to you for giving Ben to us. And we hope that in some measure what he has left behind will be able to sustain you as you continue to serve in your own way.

Colonel Lloyd, I met as an adult and Minister of Government, and perhaps one of the things that I recall about him most is what the Leader of the Opposition said about the presence, the sense of presence that he had. And I give you an example of this - a friend of mine said "Swagger", say a little more Swagger.

When I was Minister of Sports and MICHAEL MCCALLUM had his fight with SEAN MANNION, a fight that we all thought perhaps he might not have won and very few people thought of going. And as Minister I decided that yes, I should go because here is a Jamaican fighting for a World Title under my watch, and I have to be there. And Colonel Lloyd said, "I want to go with you". And so we went. And we had not made the full arrangements to be properly met and even properly seated, although we had a reasonable good seat planned. But when we arrived, the place was buzzing man, everybody was all excited and there was no room for us, and Leslie Lloyd got up and said, 'this is the Colonel, the Colonel is here', and I am with the Minister. And they said, the Minister, who is the Minister', but we know Colonel... (Laughter) And so, because of that presence, the Colonel, we ended up in the front row of course, and had a good seat and we were able to watch a fight that brought great glory to Jamaica because MICHAEL MCCALLUM defeated SEAN MANNION and became Champion of the World.

But that was the nature of the man, he was a man of great fun and excitement and there was never a dull moment with the presence of Leslie Lloyd.

But he also had a strong commitment to people, and I know he served well in East Central under the JLP banner, as he did in Central Kingston under the PNP banner, a real public man. And I want to pay tribute to him today, as a true servant of the people. May his soul and the soul of Ben Clare, both rest together eternally in peace.

The SPEAKER: Mr. Hylton?

Mr. HYLTON: Mr. Speaker, I'll be brief

with my comments, but I feel that as someone who had the privilege and the opportunity to serve with BEN CLARE and to have come to know LESLIE LLOYD, that I must record my own views on these two personalities, almost contrasting personalities. Ben Clare being a very gentle, urbane and a very suave person, very sophisticated in the experiences that he had garnered over the many years, first as Ambassador to various countries, serving Jamaica's interest in the Foreign service, and then to serve as Minister in the Ministry of Foreign Affairs and Foreign Trade.

I knew him in that latter part of his life. I must say that BEN CLARE had a significant influence on my life as I entered the foreign service, Ben Clare was there and shared a great deal of what he knew, both as a Diplomat and as political and Minister. He had a lot to say about many things, and in his very quiet way imparted quite a bit of knowledge to those of us who would listen to him. I knew I listened to him and learnt quite a bit at his feet.

He was a committed person. He had very clear views about the world, about our foreign policy. He was committed to Jamaica's foreign policy; he understood the importance of a foreign policy as an area of not only of stability, not only of respectability, but potential economic value for the country. And he believed in the friendships and the relationships that he made around the world.

I saw him cultivate those friendships and I saw how, in difficult times, he was able to draw on some of these friendships to Jamaica's benefit. He was selfless in that regard, in the sharing of the knowledge and the sharing of the experiences that he has had. I am very saddened to hear of his passing, not surprised but very saddened nonetheless and I want to say that he is - I will miss him.

Leslie Lloyd was somebody I knew at a later stage in his life. I listen to the many parts of his life and I only knew him in perhaps the final parts of that life. But he was someone with whom I had built a good relationship with, the friendship was such that he would feel very comfortable picking up the phone and calling me and talking to me about a particular issue or a problem and giving of his views and his commentary, his advice about how that particular problem should be dealt with.

As was said before, he's a very, sort of larger than life figure, very repressible in his own way and himself a very committed person, a very committed politician that cared a great deal about Jamaica and what happens to this country. And so I was very surprised in coming to Parliament to hear that he had passed and I know that his passing would sadden a good number of persons to whom he was close and we shared mutual friendship with.

And so, in a real way, the passing of both these gentlemen will have its impact, not only on the families that are directly affected but on the Party which they were both ardent supporters and on the Jamaican population at large. And I here say that the country is poorer for their loss, but we are pleased and privileged to have had them in our midst and to have shared in the way that they have shared. And my own personal commendation, my condolences to the families of both these gentlemen and to say that we miss them and we wish their family and their loved ones well in these very difficult periods.

The SPEAKER: Thank you, Mr. Hylton.

Dr. Duncan.

Dr. DUNCAN: Thank you. Mr. Speaker.

I have just recently left a discussion with the widow, MRS. ANGELINE M. CLARE of former AMBASSADOR MP BEN CLARE. And as you would imagine she is a very distraught person at this time, as she calls it, this year has not been the best year of her life, having lost two extremely close members of her family, her son and now her husband of 40-odd years. However, she is in good spirits and I am assured that she will continue to do so as long as these tributes that have been paid to her husband and l am sure to herself continue to keep her feeling strong. She was a very strong woman and for 40-years, she stood beside that very gentle giant, as most people would know about Ben Clare.

I don't want to take up the time of the House too long, but it would be remiss of me if I were not to pass on a bit of the conversation we had this morning, where we reminisced about the fact that at the time that Ambassador Clare accepted the task of becoming the Ambassador to Cuba it was very unpopular. It was not the fancied diplomatic post; it was not the one that was being desired by those who usually enter the public service. It was ground-breaking. Ben was not, I would say on the political - far left of the political spectrum, but Ben recognized years in advance that one could not have a neighbour 90-miles away and not speak with them. And he decided, as a young Jamaican, to accept and volunteered for a task at that time.

Most of us who saw him carry out that task over the years and then proceeded to the Soviet Union as Ambassador were very proud of him.

Mr. VAZ: With your guidance.

Dr. DUNCAN: (Laughter) He acquitted himself very well in those posts and was only surpassed by the level of admiration and love that the constituents of Western Hanover had for him, as the Member for North Western St. James will no doubt tell us, either in here or outside of these Chambers, having locked horns with him from time to time.

So, Mr. Speaker, I am very proud this afternoon to stand here to join in the tributes to a great Jamaican, a quiet Jamaican, an effective Jamaican, the consummate representative, the unflappable Ambassador, a good friend and last but not least, a good JC old boy, who turned out to be an exceptional comrade. (Applause)

Mr. PICKERSGILL: Oh, you were doing so well. (Laughter)

The SPEAKER: Thank you very much, Dr. Duncan.

In the usual manner, we are going to ask the Clerk to write to the family, expressing the condolence of Members of Parliament and also at this time we'll have a minute silence for the two departed.

(A minute's silence observed)

The SPEAKER: May their souls rest in peace and light perpetual shine upon them.

ANNOUNCEMENTS

The Clerk laid on the Table of the House a copy of the following:

- **Ministry Paper No. 101**
  Revised measures for the financial year 2010/2011
- **Green Paper No. 2 of 2010**
  Establishment of an Environment Regulatory Authority

- National Advisory Council (NAC) on Local Government Reform re special assignment to reduce/evaluation implementation status of recommendations of the NAC
- Report of the Joint Select Committee to consider and report on the Report on the Review of Jamaica's Defamation Law
- Development Bank of Jamaica (DBJ) Limited.
  Annual Report and Audited Financial Statements for the financial year 2009/2010
- Real Estate Board, Annual Report and Audited Financial Statements for the financial year 2009/2010

BILLS BROUGHT FROM THE SENATE

The Clerk read the following Message from the President of the Senate:

To The Honourable House of Representatives:

I have the honour to advise the Honourable House of Representatives that on the 17th day of December, 2010, a Bill entitled "AN ACT To Amend the Urban Renewal Tax Relief Act" and a Bill entitled "AN ACT To Make Provisions for the Establishment and Operation of the National Library of Jamaica and to Provide for connected matters were both passed in the Senate with one (1) and seven (7) amendments respectively for which the Honourable Senate desires the concurrence of this Honourable House.

And the Amendments for the Bill entitled "AN ACT To Amend the Urban Renewal Tax Relief Act" have been circulated.

Amendment to the Bill entitled "AN ACT To Make Provision for the Establishment and Operation of the National Library of Jamaica and to Provide for connected matters.

In the Schedule, the amendment is in subparagraph 3(d) of paragraph 1, delete the words "any related discipline" and substitute therefor the words "any other relevant discipline".

Signed: Oswald G. Harding,
President of the sense

The SPEAKER: Miss Grange.

Miss GRANGE: Mr. Speaker, I now move the Senate amendments to "AN ACT to make provisions for the establishment and operation of the National Library of Jamaica and to provide for connected matters".

The SPEAKER: Thank you. House Leader.

Mr. HOLNESS: Mr. Speaker, on behalf of the Minister of Finance and the Public Service, I beg to give notice that at the next meeting of the House he will move that the Senate amendments to "AN ACT to Amend the Urban Renewal (Tax Relief) Act", be approved.

The SPEAKER: Miss Grange just to ask the House for the Act to be approved and - the amendment to be approved.

Miss GRANGE: Mr. Speaker, I now ask the House to approve the amendments.

The SPEAKER: Thanks. Members, before you is the amendment put from the Senate and laid before you by the Minister, Miss Grange.

Put to the House and agreed to.

REPORTS FROM COMMITTEES

The SPEAKER: Prime Minister.

The PRIME MINISTER: Mr. Speaker, I beg to lay on the Table of the House a copy of the Report of the Joint Select Committee of Parliament which was set up to consider and report on the Report on the review of Jamaica's Defamation laws.

NOTICES OF MOTIONS GIVEN ORALLY

The SPEAKER: Minister Charles.

Mr. CHARLES: Mr. Speaker, I beg to give notice that at the next sitting of the House I will move to introduce and have read a first time a Bill entitled AN ACT to Amend the Minimum Wage Act.

The SPEAKER: Prime Minister.

The PRIME MINISTER: I am sorry. Sorry, Mr. Speaker. Mr. Speaker, I beg to give notice that at the next meeting of the House I will move:

> Be it Resolved that the Report of the Joint Select Committee of Parliament which was set up to consider and report on the Report on the review...

(*Sotto voce* remarks by Members)

The PRIME MINISTER: Is not me, you know, is what I am reading. (Laughter)

…which was set up to consider and report on the review of Jamaica's Defamation Law which was laid on the Table of the House on the 21st day of December 2010, be approved.

In fairness, Mr. Speaker, it is really a Report on the Report of the Hugh Small Committee. That's what it really is. So it's not incorrect. But I beg to indicate that at the next meeting of the House I will move to have that matter dealt with. I also wish to give notice, Mr. Speaker, that at the next meeting of the House I will move:

> Be it Resolved that Green Paper No. 2 entitled: The establishment of an Environmental Regulatory Authority, which was laid on the Table of the House on the 21st of December 2010, be referred to the Public Administration and Appropriations Committee of the House of Representatives for consideration and Report.

And let me just give further notice, Mr. Speaker, that I will seek suspension of the Standing Orders to enable me to take the Resolution to have it referred to the Committee later today.

The SPEAKER: Thank you, Prime Minister.

PUBLIC BUSINESS

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, the Prime Minister will move for the suspension of Standing Orders to take the matters, notice of which he give earlier; after which we will move into the second reading of the Charter of Rights which will be taken by the Prime Minister, and then after that the Member from Western Westmoreland will be taking the Report on the Public Sector, on the restructuring of ministries and departments and agencies in the public sector.

The SPEAKER: Prime Minister.

The PRIME MINISTER: As indicated, Mr. Speaker, I move for the suspension of Standing Orders for the purposes previously outlined.

Members, the motion before you is for the suspension of Standing Orders to allow the

Prime Minister to take the motion, notice of which was given earlier.

Put to the House and agreed to.

The SPEAKER: Prime Minister?

The PRIME MINISTER: Mr. Speaker, the motion is really just for the referral. The Green Paper outlines the Government's policy position regarding the establishment of an Independent Environmental Regulatory Authority. It's a matter that we would want to have deliberated on by the Public Administration Appropriations Committee and the House is being asked to authorize this referral accordingly.

The SPEAKER: Members, before you is the referral as indicated by the Prime Minister.

Put to the House and agreed to.

CONSTITUTION – AMENDMENT T0 CHAPTER 3

The SPEAKER: Prime Minister.

The PRIME MINISTER: Thank you very much, Mr. Speaker.

Mr. Speaker, let me put this debate in context. You will recall that in April of 2009 we tabled in Parliament a Bill to amend the Constitution to replace the current Chapter 3 with a new Chapter 3, which sets out the **fundamental rights and freedoms** that we seek to have guaranteed to the citizens of Jamaica, to all citizens of Jamaica.

We commenced debate, Mr. Speaker, on that Bill in October 2009. Because, as you know, the Constitution requires that where you are seeking to amend an entrenched provision there must be a period of three months that elapses between the time when the Bill is laid and the time when the first debate on the Bill commences. And once the debate is concluded there has to be a further three-month period before a vote can be taken and in that vote, the vote has to be recorded by vote call and it has to be established in order for the Bill to be passed, that it enjoys the approval or support of not less than two-thirds of the entire membership of the House.

In that debate, Mr. Speaker, the Opposition then raised some concerns. And those concerns were raised against the background that the Charter of Rights, what is contained in the Charter of Rights is something that has been the product of enormous, exhaustive work that has been done involving both sides of the House. But the Opposition raised some issues where having - you will recall that we had taken a conscience vote in the House as to seeking to express the view and the will of the Parliament in terms of the retention of the death penalty. But the Opposition pointed out, during the debate on the Charter of Rights Bill, that notwithstanding that, the effect of the Privy Council ruling on Pratt & Morgan would make it virtually impossible for that will to be reflected in actual implementation of the death penalty. And it was a matter that was the subject of discussions between us before.

We indicated at that time that we were prepared to give an undertaking to bring a separate Bill to amend the Constitution. I think it's actually section 91 of the Constitution which would, in effect, remove the strictures imposed by the Pratt & Morgan ruling. The Barbados route, think we perhaps prefer to say the Barbados route than the Zimbabwean route, but Zimbabwe also did it. And I had hoped and sought to have passage of the Bill, the Charter of Rights Bill, with the assurance that the other Bill would be brought with dispatch. The Opposition was of the view that

they were not prepared to support the Charter of Rights Bill without the Bill to negate Pratt & Morgan being simultaneously presented and voted on. And **Hansard** is very clear in terms of that being the position of the Opposition.

During the debate, Mr. Speaker, the question of the accession to the appellate jurisdiction of the CCJ and the removal of the Judicial Committee of the Privy Council, that was raised as an issue and I am going to return to that shortly. So in the face of the position that the Opposition took the Bill died. What we had sought at that time was to have had the debate so that the three-month period could ensue and the vote could have been taken before the end of that legislative year, before the prorogation of Parliament. In view of the position taken by the Opposition, we realized that we would have to start all over again, we would have to introduce the Bill and we would introduce both of them at the same time. I remember that in those discussions it was agreed between both sides that when we do bring the Charter of Rights Bill for the second time we really wouldn't have a debate on it because the debate had already taken place.
But once it was brought with the accompanying amendments to section 91, then it would be dealt with and then we would have to wait for the three months.

The very reason, Mr. Speaker, why Parliament is meeting today, why the House is meeting today - because I don't recall the House ever meeting so late in December - the specific reason why the House is meeting today is because we hoped that we could have had that simple formality of a debate today and then have the three-month period ensue so that we could take the vote on the Bill before Parliament is prorogued, which is normally the end of March.

Now the Charter of Rights Bill, as I have said, has been the subject of exhaustive deliberations, went through a constitutional Commission, Chaired at first by MR. JUSTICE KERR, then by DR. LLOYD BARNETT, went through a Joint Select Committee of Parliament. There were public seminars, public fora that were held. The Joint Select Committee received submissions from various members of the public, various organizations. They were invited here, they made verbal submissions in addition to the written ones that were submitted.

Now let me recognize, Mr. Speaker, that what we finally agreed to present to Parliament and to use and to exercise our authority here to bring into being the Charter of Rights, is not something around which we have been able to secure unanimity, unanimity means everybody agreeing. There were issues on which everybody was not able to agree and where we in here were not able to agree those were left out. Where we in here agreed but there are persons outside who didn't agree we exercised our duty to proceed.

There are two kinds of issues on which some disagreement exist. Some of those are issues of fundamental principle such as the relationship between the power of the State and the rights of the individual. And put and expressed in a slightly different way, the friction that often emerges in a democratic State, the friction between order that a State must have and the freedom that an individual must have. And there is no perfect balance between those two. Different States, different countries configure that balance differently.

And it is in that context that, you know, this thing that we borrowed from the American Constitution **''Parliament shall pass no law that", et cetera**. But we recognize that we couldn't put a stop there. We recognize that for the State to function efficiently there were circumstances in which the government may need to take action but we wanted that action to be very clearly defined and subject to proper oversight. And therefore while we borrowed and inserted that particular phraseology that Parliament shall pass no law, we provided derogation but in providing that derogation we interposed the Court. So we said, except where demonstrably justified in a free and democratic society. And once you speak about demonstrably justified then it means that you have brought the Court into the game, and the Court will determine whether what you are doing is consistent with the Constitution or not.

We did another important thing and that is that we declared the Charter of Rights that the rights of the citizens are justiciable rights, rights for which he can seek both a determination of the court and also appropriate redress. But there were some other issues, issues that represent the emphasis placed on them by particular interest groups. There was, for example, the debate about freedom of expression and freedom of the press; and there was the view that freedom of expression is broad enough but particular enough to cover all kinds of expressive freedoms. There was a feeling among some members of the media fraternity that we should have put in specific freedom of the press expression.

Quite recently, and by recently I mean last week, I received a letter from the J-FLAG organization which sought and was insisting that we should insert in the Constitution, in the Charter of Rights a very clear statement regarding protection against discrimination on the grounds of sexual orientation. And they are doing so because what they were seeking to do was to define the criterion that deals with discrimination which already covers things like gender, race, religion, political affiliation; they now felt that sexual orientation ought to be one of those. I make this point, Mr. Speaker, to admit, to concede that what we have here is not a perfect document but it is a vast improvement on what now exists and it represents a significant level of consensus.

Constitutional arrangements are not static. They must be secure but they are not so absolutely unchangeable. They are not so immune to review that they can't be changed. And it may very well be that in years to come future Parliaments may want to review and may want to make changes that we either would not countenance now or which may not be necessary now.

In relation to the Pratt & Morgan situation, it's held up as the sort of flag for doing away with the right of appeal to the Privy Council. Mind you, we need to be a little cautious about how we assert that. Because in that famous "voice case" the Caribbean Court of Justice, whilst not going the extent of the Privy Council on the Pratt & Morgan principle, the Caribbean Court of Justice certainly signaled that they are not going to countenance anything where you have somebody sitting down on the Death Row forever and ever and ever, that they feel that there is an element of, lack of, there is something that is inhumane about an extended period before the person's sentence is either commuted or sentence is carried out.

But there have been concerns, because the UK, having abolished the death penalty, there has always been a concern that that position which, no doubt, is strongly supported by the British people, influences the Privy Council - the law lords of the Privy Council in dealing with matters that are referred from Jamaica, even though they have a duty, when considering a matter referred from Jamaica not to look at British tradition and British jurisprudence, but to look at our Constitution. Their job is to interpret our Constitution. But there is a fear that subjectively, that position is compromised.

We took the Parliamentary conscience vote, as I mentioned before. And therefore, what we have before Parliament as well, is the proposed amendment to Section 91 of the Constitution, which, what the amendment seeks to do basically, is to empower the Governor-General. And naturally in this case, I imagine he would be acting on the advice of our - his, local Privy Council - allows the Governor-General to set a time-limit that must be not less than 18 months, during which any person who is sentenced to die must commence his petitions to any entity beyond the strict judicial system.

So, if our judicial system stops at the Privy Council, then there would be a period of no more than 18 months during which he must commence his petition. And also for the Governor-General to set a time-frame within which - let me use my words carefully because I don't want to mis-state it - to set a time-frame beyond which time would not be taken into account in calculating the period.

So, in other words, if he says that look, you have 18 months to get a decision from the Inter-American Commission on Human Rights, and let us say the Inter-American Commission on Human Rights were to take three years, it doesn't mean that while the matter is before the American Commission on Human Rights you could hang the man. But what it means is that any period beyond 18 months that the matter is before the Commission, would not be taken into account in determining whether or not the man has been on Death Row for an extraordinarily long period of time. So, you may still have to wait for that matter to be determined, but time beyond the time specified by the Governor-General would not then be an argument or an excuse for the penalty not being carried out.

Our experience has been that the State has been held hostage because the process is manipulated. It is their job so to do, and lawyers do find ways to ensure that if you need it, that the length of time that you have been on Death Row can become a considering factor. And that is how this five-year thing is virtually impossible to achieve.

An important part of that proposed amendment, Mr. Speaker, is that it has no retroactive effect. So, anybody who might have been sentenced to death prior to the coming into effect of that amendment, this new provision would not apply to those cases. It would only apply to those cases in relation to which sentence is handed down after it comes into effect.

Now, let me just say, final comment, Mr. Speaker, on the issue of the Caribbean Court of Justice. We know the Opposition's position. They have been consistent in that position. We have, for a long time had concerns, and we are not alone, there are others who have had concerns. And it is good that we have had those concerns because... because the structure

of the Caribbean Court of Justice as was originally presented in the form of a Bill that was brought to this House in the 1990s would have been, in my view, a potential threat to our judicial system.

It has benefitted, - what eventually emerged - benefitted significantly from the debate, from the friction from the disagreement. Method of appointment of Judges for example, the method of appointment of the Regional Judicial Services Commission... This thing started out, you know, with the Judges being appointed by Heads of Government. And that's the way it started out.

(*Sotto voce* comments)

It's not unknown, but some of the places where it is known is not where l would like to go seek my justice. (Laughs)

And I said here in that debate - and I also said it at King's House when MR. JUSTICE WINSTON ANDERSON was sworn in - that having viewed the operations of the Court, first of all, we recognized that significant, significant improvement have been done in terms of the security at the Court, and it's insulation from political interference.

Insofar as its jurisprudence is concerned, I said it - if I didn't say it here, I certainly said it when Mr. Justice Anderson was sworn in, that on the basis of the judgments that have been delivered so far, we were satisfied with the quality of the decisions that were being made, both in the original and in the appellate jurisdiction. But it is early days yet.

Although the Court has been in operation now for ten (10) years…. is it...? somewhere about ten (10) years; up to now - and I think up to August - I don't know if anything has come out since - but up to August in the appellate jurisdiction, it had delivered a total of 38 decisions. In the original jurisdictions, it had delivered four. For this year, between January and August, four (4) decisions, three (3) on appeal from Regional Courts and one (1) original.

I am not blaming the Court; I don't know that they have a backlog of work. They can only work as fast as cases are submitted. But there are still some concerns that we have.

When the Court was established, it was envisaged that the Court was to be a Caribbean Court which would have been supported by, and would have involved a significant number of Caribbean countries. So far, the Court has two members...?

A MEMBER: Three.

The PRIME MINISTER: Three...

It has Guyana, Barbados and Belize – and Belize only recently. What is emerging as the likely final composition of the Court is far different from what was envisaged.

Why do I say so? In at least one country, namely St. Vincent, where, unlike our case where technically, a two-thirds majority in Parliament can authorize – in the case of St. Vincent, they needed the cotes of the people. For some reason, that and other countries in the Caribbean felt that if you are going to do away with your final judicial appellate body, you can't sit in Parliament and do it; the people have to do it.

And when the matter was to put to the people in a referendum, albeit and I will concede, the people were not given an opportunity to vote on that specific issue; they had to vote on a basket. And that's something that has worried me in terms of how we are going to present to a referendum, to the voters, the various issues that require their vote

because I am not sure that the people are well served if you say to them take it or leave it.

Now it may be that there are things that hang together so you can't have one without the other, if that is so then we must combine those as one question. But where they are completely separate the people should have a right to say I want - suppose somebody wants to say I want a Republic. I want Jamaica to be a Republic, I believe in that, but I want to retain appeals to the Privy Council. You going to put a whole thing together where you have a big public relations campaign and you going to give it a name and you going to put that name where you would normally put your name on a ballot and you tell the people they must vote yes or no. I mean that's how many referendums are conducted and that's what happened in St. Vincent.

So the people rejected the package of constitution measures. And it may very well be that there are persons in St. Vincent who would have supported the CCJ, but they don't want to lose the Queen. Right? They want the Queen and they were not given an opportunity where they could choose separately. So St. Vincent is on record. Now I don't know what their Constitution allows in terms of whether you can go back to the people and whether there is a period of time that has to elapse. But the people have spoken for whatever reasons or motivations they did.

There is another Caribbean country whose - which I won't identify for understandable reasons whose Prime Minister said to me, sitting down in a VIP Lounge at an airport, that I am personally in favour of the CCJ, but I know if I put it to the people in referendum, and my Constitution requires that I put it to the people, I know if I put it the people, the people are going to vote against it. That is what he said. So you see you can't lead the people to where they don't want to go.

A MEMBER: Consultation.

The PRIME MINISTER: So as to whether or not that country will ever go there I don't know.

Trinidad which is significant because between Trinidad and Jamaica we pick up more than 50 per cent of the cost of the court. Jamaica, I think, is 27 per cent and I suspect Trinidad maybe even more. And Trinidad's position is still certainly uncertain. They need a 75 per cent majority in their Parliament, not in a referendum, in their Parliament, 75 not two-thirds, 75. And the position that appears to be the position of the new Government does not encourage the view that Trinidad is likely to become a member of the Court any time soon.

You will recall, Mr. Speaker, that I indicated that we were prepared - because we not cast in - our minds are not cast in any concrete. We had some very strident positions against the Court at the beginning and we feel that history has proven that those positions were well founded, but there has been a response to many of the issues that we raised. I've commented already on our view, early preliminary though it is in terms of the quality of the jurisprudence, coming out of the Court.

So we undertook to set up a committee which I asked the Deputy Prime Minister to chair to examine our position. It wasn't a parliamentary committee, a committee to examine the Government's position, to review the position that we had taken. And the committee submitted a very detailed report. I shared it with the Leader of the Opposition, the views that were canvassed: one of which it

is something that I don't recall we had really discussed at the beginning of all of this deliberation going back ten-fifteen years or even more. One of which was having our own final Court.

Mr. MAIR: Hear, hear!

The PRIME MINISTER: Own Jamaican final Court. (Applause by Mr. Mair)

And I remember at that time, at least one member of the Opposition signalled, *sotto voce*, that that was something that he was always in favour of. I subsequently heard in a comment made by the Leader of the Opposition that they rejected, the Opposition rejected that. But it's an idea that I feel we need to look at. Right?

But the final point I want to look at, Mr. Speaker, and there is a particular reason why I've taken the trouble and I've taken so long. We took a position from as far back I recall as 1993, when this debate began and even before the constitutional Review Commission chaired by the late MR. JUSTICE KERR was appointed. We expressed our opposition to it, but we took the view at that time that the final Court the Court that will have power over all other courts, this is the apex of your judicial architecture that it is one of the three pillars on which the society rests. The other being the Parliament of which we are Members and the Executive, which has the responsibility for the management for the affairs of the country and we argued at that time that if you are going to make such a fundamental change to your constitutional architecture, then no matter how many votes we won by when we came here, we don't have a mandate to do that. That's something that must be put to the people. (Applause by Government Member)

I mentioned that in the case of some Caribbean countries certainly I know St. Vincent, Antigua, I believe Dominica it's written in their Constitution. You can't make this kind of change unless you go to the people and the people have voted. For some reason we didn't put that in. But the fact that we didn't put that in 1962 when the Constitution was formed does not, in my view, mean that we have a right - a mandate to go and now remove.

I will say it quite frankly, there are Members sitting on this side and who I will leave to identify themselves, if they so choose, who are in favour of the Caribbean Court of Justice as our final Court. There are Members of my Cabinet who are in favour. But we-

Mr. MAIR: Don't impose it on the people. It's how you lead.

The PRIME MINISTER: The Member for Western St. Andrew must be a little less intolerant. You may disagree with somebody but don't believe that your views represent progressive and everybody else's view represents regressive.

Dr. DAVIES: Exactly!

The PRIME MINISTER: That's not a proper view to hold particularly four days to Christmas. (Laughter)

Dr. DAVIES: How about reaction?

Mr. SHAW: What an uncharitable view.

The PRIME MINISTER: But all of us here, all of us on this side are at one that it can't be - it cannot be that if you want to - for example, the Bill that we have here for term limits was to have a companion, you know. The companion was to remove the Prime Minister's power to call elections whenever it suits him.

Mr. PICKERSGILL: Oh!

The PRIME MINISTER: Yes, that was a commitment we gave.

Mr. PICKERSGILL: So that's where that foolishness coming from - bout the Constitution.

The PRIME MINISTER: That's a commitment we gave in our manifesto...

Mr. PICKERSGILL: Not supporting it.

The PRIME MINISTER: Well, that's you.

Mr. SHAW: Yeah, you're Mr. No.

The PRIME MINISTER: Maybe the comment of the Member for Western St. Andrew can be placed somewhere else.

Dr. DAVIES: It's four (4) days before Christmas.

The PRIME MINISTER: But the reason why it was not brought because it was pointed out to us by the legal authorities that while that section, I think it's section 64 of the Constitution, while that section is not entrenched because it is related to another section that is entrenched, you cannot change it because you're changing the scheme of arrangements in the Constitution. Right?

(Cross talk)

Mr. PICKERSGILL: It's at the core of the Westminster model. So when you take that from the Prime Minister how does-

(Inaudible comments by Dr. Davies)

The PRIME MINISTER: We are not arguing the point here now, man. I'm just simply making the point. I'm simply making the point. The point I'm making is that, something like that and things of even lesser significance can't be changed unless you go to the people. But here's a situation where you can go and change the fundamental basis of your judicial architecture without going to the people. I'm just making the point that we argue, we argue that whether we have the technical, legal constitutional...

Opposition MEMBER: Nobody said that!

Mr. PICKERSGILL: That was deliberately put.

Opposition MEMBER: Nobody said that!

Mr. PICKERSGILL: Deliberately put.

The PRIME MINISTER: ...and I imagine it was deliberately put in the St. Vincent constitution that they can't do it.

Mr. PICKERSGILL: No, no l don't know about St. Vincent.

The PRIME MINISTER: And what we are saying is that we believe that if you are going to make that change, whatever may be our views even if we become persuaded that that is the way to go, take it to the people. (Government Members Applause) And let the people...

Mrs. SIMPSON MILLER: Let's go. Let's go!

The PRIME MINISTER: ...and let the people...

Dr. DAVIES: Are you supporting it? (Inaudible comments by Mr. Mair)

Mr. PICKERSGILL: We're going as one? Are we going as one?

The PRIME MINISTER: Because, well...

Mrs. NEITA-HEADLEY: No problem.

Mr. PICKERSGILL: If you going as one.

Rev. THWAITES: Come you hold hands, we ready.

Mr. MAIR: Okay good, you change your position now.

The PRIME MINISTER: I don't think that...

Mr. BUCHANAN: No one is changing position.

The PRIME MINISTER: I don't think that any of us here must ever make the mistake of presuming that there is any consensus of the people of Jamaica on this, nor must we ever seek to assume that the majority of those people will vote in a particular way.

And I go one-third step...

Mr. PICKERSGILL: I have to assume that.

The PRIME MINISTER: …one-third step...

Mr. MAIR: You want shove it down dem throat.

The PRIME MINISTER: If we are dependent - if what we are depending on is a consensus among us so that we go to the people and say both the Government and the Opposition, both the JLP and the PNP, are urging you to vote in that particular way after all the years of discussion and debate on this matter, what would that say to us? That it is political mobilization that would have to get the people to support something like that. It is something that we need to ponder. Ponder very, very seriously.

Dr. DAVIES: Prime Minister, I'm having difficulty. Where you going?

Mr. MAIR: No, you afraid of the people?

The PRIME MINISTER: Where I'm going is that what we have before the Parliament today, Mr. Speaker, are two Bills. We have two bills, there's one that we're currently debating. And when the matter was debated - when the matter was debated earlier, last year, the member for North West St. Catherine, was the person who gave from our position - who gave the official position of the Opposition. And he said this:

> "*All of the matters concerning constitutional reform require at the very least a two-thirds majority. That means the cooperation of the Opposition is necessary. The cooperation of this Opposition will not be difficult to obtain."*
>
> *"The Opposition wishes humbly to suggest that we postpone the opening of this Charter of Rights debate until the end of January. Mr. Speaker, postpone the opening of this debate of the Charter of Rights until the end of January in light of the length of time that has already been passed that further extension could hardly do much harm."*

And then - because the point he was making was that it won't take you long to prepare the amendment to section 91, which deals with the Pratt & Morgan. So rather than take this now and then we take that at some other time, postpone this, bring that amendment and we take them both together.

It wasn't possible to get that done within that legislative year because this was October and the three-month and three-month would have traverse to the end of the March. We have brought these back in 2010. The matters are before us. They were tabled. The first reading was taken, notice of second reading was given, and the three-month period has elapsed. We're taking second reading now. When we're through we have to allow another three months to elapse before we can take the vote. If we don't take the vote in March, before prorogation and if we don't allow the Senate I

believe that it is also a requirement that the Senate would have to pass it in the same session, I'm not absolutely sure, our chances of getting this passed during this legislative year requires that we proceed along that timetable.

We have spent a year, because the Opposition raised particular issues. We have sought to address those issues, and we have brought the companion measure. I made sure to send a copy of the draft Bill to amend section 91, to deal with Pratt & Morgan. I sent that to the Opposition, the Opposition expressed to us that they were satisfied that it met the objectives of removing the strictures of Pratt & Morgan.

The matter, Mr. Speaker, is now properly before the Parliament.

(Applause)

The SPEAKER: Thank you, Prime Minister.

Leader of the Opposition.

Mrs. SIMPSON MILLER: Mr. Speaker, I wish to make some comments. We recall that during the debate on the motion concerning the retention or the abolition of the death penalty, one year ago, an undertaking was given by the Prime Minister, dependent on the outcome of the conscience vote on that motion.

Suggestion made by the Opposition that the Charter of Rights Bill would be amended, Mr. Speaker, to insert a provision that removes the five-year bar to the carrying out of the sentence, that suggestion Mr. Speaker, was led by the Member from North West St. Catherine. And the Member was pointing to a recommendation that had been made by the Joint Select Committee which had considered the Charter of Rights Bill.

We, on this side of the House, have lived with the entire development of this Charter of Rights and Freedoms. We have always been anxious to support any step to move the process forward, so that all citizens, all the citizens of Jamaica will begin to enjoy a wider stand of fundamental rights, modernized and entrenched in the new chapter of the Constitution, Mr. Speaker. Today's proceedings take this highly desirable process closer to finality. And we look forward to the debate in the Upper House.

Mr. Speaker, there are, however, three (3) matters that we should bear in mind before the Bill leaves this Honourable House. The first is that in retaining the death penalty for certain crimes in Jamaica, we must note that in our system the death penalty is no longer an automatic form of punishment for murder.

The Judges now have discretion concerning the punishment that is appropriate, according to the evidence that is presented in the case before the Court. That has come to pass because of amendments that were made to the law concerning Capital and Non-Capital murder during our time in office, and certain rulings that were made by the Judicial Committee of the Privy Council in the United Kingdom.

Mr. Speaker, the amendments now being made to the Charter of Rights Bill do not disturb that position. The discretion of the Judge remains, in regard to the appropriate punishment that is to be imposed in any particular case.

The second matter that we should note, Mr. Speaker, is that our position, whether in Government or in Opposition, has been that the overhear bar that was imposed by the Privy Council, has never found favour with us, never. We believe that the imposition was

arbitrary. We also believe that the decision by the Privy Council and its subsequent rulings on the subject, have served to prevent the death penalty from being carried out in Jamaica and the Caribbean.

Mr. Speaker, the Opposition fully understands that there is a strong worldwide lobby for the death penalty to be abolished. The Opposition also believes that the suspension or the abolition of the penalty is a policy issue for the Executive and the Legislature.

Mr. PICKERSGILL: Hear! Hear!

Mrs. SIMPSON MILLER: The death penalty should not be suspended as a result of the rulings of a Court, any Court. We hold that that is what has taken place in Jamaica and the region.

Mr. Speaker, there is a third matter that I wish to bring to the attention of this Honourable House. Only two of our CARICOM partners have moved to put in place the constitutional amendments concerning the death penalty, which we are seeking to put in place today. Those territories are Barbados and Belize. Members of this Honourable House would do well to contemplate why Barbados and Belize moved to abolish appeals to the Privy Council at the same time that their Parliaments were making these amendments. Those countries decided that the Caribbean Court of Justice would be their final Court of Appeal. In our case, the Privy Council will remain our final Court of Appeal even after these amendments have been made.

This means, Mr. Speaker, that the Judges of that Court will be the same Judges who had put the five-year rule in place. How will they react to Jamaica's move to reverse a ruling that they have made in the context of the strong global lobby against the death penalty?

Mr. HYLTON: Good question.

Mrs. SIMPSON MILLER: That's - that is anybody's guess. Barbados and Belize, Mr. Speaker, did not take the chance to wait to find out how that question would be answered.

We have to bear in mind that the real strength of the abolition lobby is centred in the European Union of which the United Kingdom is a part. In fact, Mr. Speaker, Britain abolished the death penalty for murder as long ago as in 1969.

Mr. PICKERSGILL: Yes. Yes?

Mrs. SIMPSON MILLER: There is no guarantee that these amendments will find favour with the Judges of the Privy Council.

The Judges of the Caribbean Court of Justice have already ruled that that Court is not in favour of the arbitrary five-year imposition. They maintain, Mr. Speaker, that it should be left to the Judges to decide in each case, whether too much time has passed for the death penalty to be carried out.

The Opposition respectfully agrees with the position taken, Mr. Speaker, by the Caribbean Court of Justice. That is just another of several reasons for the Opposition's unrelenting push for Jamaica to abolish appeals to the Privy Council and to have the CCJ as our final Court of Appeal.

(Applause)

Furthermore, it would be good if it could happen while our Prime Minister is the Chairman of CARICOM.

(Applause)

Mr. Speaker, there are, of course, several other powerful reasons. Mr. Speaker, shame and embarrassment should drive us...

Mr. PICKERSGILL: Yes!

Mrs. NEITA-HEADLEY: Yes!

Mrs. SIMPSON MILLER: …as Members of this Honourable House, to do everything in our power to avoid a repeat of the authorities in Britain advising us that we have overstayed our welcome.

(Applause)

Again, Mr. Speaker, financial prudence should tell us that in these and the foreseeable economically-troubled times, we should and must be making use of an institution whose upkeep we are helping to underwrite.

(Applause)

And, Mr. Speaker, no one can doubt that the time has long passed for the pinnacle of our justice system to be removed from a Court whose Judges know nothing about the people of Pepper, in St. Elizabeth, Marlie Hill and Bartons in St. Catherine, or Troy in Trelawny, or Guys Hill in St. Catherine... (Applause) ...and how those people live, work and raise their children.

Mr. Speaker, while it cannot be doubted that the amendments that are being addressed today, and in keeping with wishes of our people, I wish to issue a warning to my colleagues in this Honourable House. With the Privy Council as our final Court of Appeal, this might not be the end of the matter.

Mr. HYLTON: Hear! Hear!

Mrs. SIMPSON MILLER: There is, therefore, Mr. Speaker, all likelihood that this amendment will set off another round of energy-sapping arguments which all of us, and especially the Government will find distracting.

Mr. HYLTON: Hear! Hear!

Mrs. SIMPSON MILLER: The only means of putting those arguments to rest, Mr. Speaker, is by abolishing appeals to the Court in the United Kingdom, and sending those final appeals to a Court that we have created for ourselves... (Applause) ...and those - and, Mr. Speaker, whose strength and integrity are beyond question.

Mr. HYLTON: Hear! Hear!

Mrs. SIMPSON MILLER: Mr. Speaker, that course of action lies in our hands, as legislators; and while we fiddle, our justice system burns. These amendments then, Mr. Speaker, take us only to a part of the journey. If we stop in midstream we would do well to anticipate and be prepared to face the dangers that will continue to float around us.

The Government side has never shown an appreciation and understanding of those dangers. When they were in Opposition, and even in their early days in Government, they did not miss one opportunity to tell the people that the PNP Government did not have the political will to have the death penalty carried out...

Mr. D. SMITH: It's true! It's true, absolutely true!

Mr. PICKERSGILL: You said that!

(Cross talk)

Mrs. SIMPSON MILLER: …and that they would do so in short and order.

(Cross talk)

And, Mr. Speaker, you should remember...

Mrs. NEITA-HEADLEY: One hundred days!

Mrs. SIMPSON MILLER: …you should remember, Mr. Speaker - Mr. Speaker, perhaps by now, after three years in office the Government will have awakened to smell the coffee...

Mrs. NEITA-HEADLEY: Yes.

(Applause)

Mrs. SIMPSON MILLER: ...for

Jamaican coffee smell good...

Opposition MEMBER: Buy some of the Blue Mountain!

Mrs. SIMPSON MILLER: ...particularly the Blue Mountain.

For our part, Mr. Speaker, we support the amendments that have been placed on the Table. But we also wish to warn, Mr. Speaker, once again, that they could become meaningless, unless we decide to do the right thing. The Opposition remains firm in our view that, remaining where we are, Mr. Speaker, is only a recipe for further disappointment and anguish.

And there are a number of up - outstanding lawyers in this Honourable House on both sides. I am warning, and the country and the Jamaican people they are going to hold particularly those who are of legal minds accountable for what is happening in this area.

We urge and we invite the Government's side once again to tell us, what is it that they know which is so lost on the Parliamentarians and the people of Belize, Barbados and Guyana and the Government's stubbornness for Jamaica to fully join the CCJ remains so strong.

The message of these amendments is that we must clearly see the link between what we are debating today and the process we have set ourselves for what Vision 2030 is meant to accomplish.

Mr. Speaker, we should also hope that this was part of the message that last week's conference on Economic Cooperation that was held in the Cayman Islands was meant to send.

The Opposition dares to hope, Mr. Speaker, that Jamaica will move to end our squatting relationship. (Applause) Let me repeat, our squatting relationship, with the United Kingdom Court before August 2012, when we will mark, Mr. Speaker, 50 years as an independent nation, 50 years as an independent nation, Mr. Speaker, let us think about this as well. The ball is in the Government's court.

We are always ready and willing, Mr. Speaker, to cooperate in that process, and we will not rest in our push for the CCJ to become our final Court of appeal. (Applause)

We hope that this debate and we are seeking to put in place will what serve to open the eyes of those who refuse to see. This is a debate and a conversation, Mr. Speaker, that has been ongoing in Jamaica since the 1960s. The People's National Party Opposition is not content to leave the implementation process to another generation. That generation will be occupied with their own challenges. What is more, Mr. Speaker, we have the solution in our hands, let us do it. Can we not find agreement even on one developmental subject matter, Mr. Speaker?

Already, Mr. Speaker, already it is being suggested that we should - It is being suggested that our Members should all be banished to Pedro Cays.

Mr. SHAW: Who said that?

Mrs. SIMPSON MILLER: You didn't read that suggestion somewhere? It was suggested, yes. What are we waiting for?

(*Sotto voce* comments by Mr. Shaw)

Mrs. SIMPSON MILLER: I am not even going to respond to the Member because very often he doesn't remember what he says. (Applause

Mr. Speaker, I heard the Prime Minister, Mr. Speaker, and the Prime Minister always find a way of putting some things. But Prime Minister, the phi Council is asking us to leave,

they say we are to leave.

Mr. HYLTON: Have we no shame?

Mrs. SIMPSON MILLER: My Lord, have we no shame? We are a sovereign country and an independent nation. My God! Have we no shame? And what the Prime Minister is saying... (Cross talk)

Mrs. SIMPSON MILLER: The argument that the Prime Minister is advancing, the argument the Prime Minister is advancing does not arise because we have no option. The people said to us, leave. Our option is to establish our own Court of Appeal.

(Applause)

Mr. PICKERSGILL: And or timetable for our departure.

Mrs. SIMPSON MILLER: What in that we do not understand? What is so difficult for us to understand it? Ha! And what of leadership and the Prime Minister say we must consult. Prime Minister, My God, I am so happy to hear you say so, I wish your government would live by that… (Applause) ...consulting the people, and going to the people. (Applause)

(*Sotto voce* comments by Mr. Shaw)

Mrs. SIMPSON MILLER: You don't take me on, you never consulted anybody on the budget.

Mr. SHAW: No government has ever consulted the people more than this one. (Applause)

Dr. DAVIES: Especially with the liquor tax. You are feeling better.

Mrs. SIMPSON MILLER: I am so happy to hear you say so. You have more nerves than all the nerves in the human body.

(*Sotto voce* comments by Mr. Shaw)

Mrs. SIMPSON MILLER: Tell that to the public servants, tell that to the police, tell that to the nurses, tell that to the Jamaican people, tell that to people of Jamaica. Ha!

Prime Minister, I hear you say that we can put something and the people do not have to agree, it is true. But in a referendum called, with both sides going to the people with the same message, and if we lose then we do not deserve to be sitting here as parliamentarians and as legislators.

Mr. PICKERSGILL: I agree with you.

Government MEMBER: What you agree with?

Mr. PICKERSGILL: What she just said. You didn't hear. If both of us go out there and cannot convince the people, we don't worth getting anything.

Mrs. SIMPSON MILLER: I am sure, if Government and Opposition, in the interest of the Jamaican people, go to the people, with the same position, Jamaica Labour Party, Government and People's National Party, Opposition tell me, you tell me...

Mr. PICKERSGILL: Unstoppable.

Mrs. SIMPSON MILLER: You tell me. We must stop trying to...

(*Sotto voce* comments by Members) (Laughter)

Mrs. SIMPSON MILLER: The Prime Minister spoke about Mr. Speaker, we are trivializing...

(*Sotto voce* comment by Members)

Mrs. SIMPSON MILLER: Do I have your attention now, Mr. Speaker?

The SPEAKER: Please continue.

Mrs. SIMPSON MILLER: I think we are trivializing the importance of the issue and the Honourable Minister of Finance said they consult, I never heard about any consultation about Christmas that was cancelled by the Government, about the cancellation of

Christmas for the majority of Jamaicans. I never heard any consultation on the budget...

(*Sotto voce* comments by Members)

Mrs. SIMPSON MILLER: Mr. Speaker, I want to ask one question. What are we waiting for? When everything is taken into consideration, is the move to leave the Privy Council and to have the CCJ as our final Court of Appeal not inescapable?

Mr. HYLTON: Inescapable, wasting time.

Mrs. SIMPSON MILLER: Without that, Mr. Speaker, what we are doing today may very well amount to nothing other than beating the wind, signifying absolutely nothing.

We hope that the warning will be quickly taken outboard, fully digested, Mr. Speaker, and urgently addressed.

That is the expectation of the Opposition in this Parliament, it should be the expectation, Mr. Speaker, and pledge of all the Members who sit in this Honourable House for the year 2011.

Thank you.

(Applause)

The PRIME MINISTER: Mr. Speaker, I believe that we need to find a way not to overwhelm consensus and agreement of dispute. Let me say what I mean by that. We agreed on the provisions of the Charter of Rights, we have agreed on that. That hopefully will be on its way to passage and law within a matter of months. There is an issue, which is a separate, not completely unrelated, but a separate issue.

Mr. HYLTON: It is not unrelated.

The PRIME MINISTER: What is that?**Mr. HYLTON:** It is not unrelated.

The PRIME MINISTER: It is a separate issue.

Mr. HYLTON: It is very related.

The PRIME MINISTER: What is wrong with this man?

(*Sotto voce* comments by Members)

The PRIME MINISTER: It was not our understanding. It is not our understanding that if you don't get the CCJ you can't get the Charter of Rights, it was not our understanding.

Mr. SHAW: You married it.

The PRIME MINISTER: But he is not a marriage officer. How him gwine married something like that.

Mr. CHARLES: You ever hear donkey and mule married.

Mr. PICKERSGILL: Yes!

The PRIME MINISTER: That, Mr. Speaker, is something that remains on the table of discussion. I have indicated, I have indicated that the views of this side are not inflexible. I agree, we agreed with the Opposition that our future cannot be hinged to the...

Mr. PICKERSGILL: As squatters.

The PRIME MINISTER: You know why I am not using terms like that because it is not true to say it. There is one, LAW LORD DAVID PHILLIPS, who made certain comments.

Mr. HYLTON: Hoffman as well.

The PRIME MINISTER: One, Law Lord one, one.

Mr. HYLTON: Two.

The PRIME MINISTER: And subsequent to that, the British Government was asked what is their position? They say their position remains what it has always been, that their facilities are available to countries who wish to use them until they make their own arrangements. But that is not the point I want to make, that is not the point l want to

make. That is not the point. That is not the point I want to make. I know I speak for myself and I believe I speak for the majority, if not all the Members on this side on this point. (Applause) We have to dispense with the Privy Council, we have to dispense with the Privy Council. We are not yet satisfied, we are not yet satisfied that in doing so we must take out a Court, a final Court over which an external entity over which we don't have control as a State to replace it will something else whose existence and continued existence is not even within our gift, not even within our gift.

And therefore I made the point that consistent with the recommendation of the Committee that was chaired by the Deputy Prime Minister, we, this side, this side, this side, we wish to consider in great detail and in earnest. We believe that we have the judicial experiencing do it. We believe that we have the maturity to do it. We wish to consider establishing our own final Court of Appeal in Jamaica.

(Applause) (Cross talk)

A MEMBER: Now we talking!

The PRIME MINISTER: And we would respectfully wish that that is something for which due consideration ought to be given.

What I do not believe that the Opposition could be suggesting, Mr. Speaker - I cannot believe that the Opposition is suggesting that on the question of what should constitute our final court, our ultra supreme court, the court that can overrule every other court, that there is no need to consult the people on the matter. I can't believe that!

(Interruptions)

Mrs. SIMPSON MILLER: Mr. Speaker, on a point of order, on a point of order.

(Interruptions)

The SPEAKER: A point of order. A point of order, yes, the Leader of the Opposition.

Mrs. SIMPSON MILLER: When did the Opposition say that? The Prime Minister needs to tell us. We are asking him to tell us. Because we are not going to allow him to lie on the Opposition. Not in here.

Opposition MEMBER: No...

(Inaudible)

(Interruptions) (Cross talk)

The PRIME MINISTER: Mr. Speaker.

The SPEAKER: Yes, Prime minister. (Interruptions continue) Order, order!

The PRIME MINISTER: Mr. Speaker, there's no mistake about it you know. The Opposition would like us to agree in this House that with a two-thirds majority of the 60 of us, so with a minimum of 40 votes in this House and 14 in the other place...

(Inaudible comments by Mrs. Neita-Headley)

Miss HANNA: Say it loud.

The PRIME MINISTER: ...that we are to change one of the fundamental pillars on which our sovereign nation rests.

(Interruptions)

Mrs. SIMPSON MILLER: On a point of order. Mr. Speaker, I'm not going to allow the Prime Minister to stand in here with the authority of the Prime Minister and lie on me.

The SPEAKER: No....

Mrs. SIMPSON MILLER: I say if both sides get out there to the people with one position, tell me that we cannot achieve what we want.

(Interruptions)

The SPEAKER: Mr. Buchanan! Prime Minister.

Mr. BUCHANAN: Yuh deh right a prison door yuh nuh, so keep quiet!

The PRIME MINISTER: Mr. Speaker, you know, I don't understand what this fuss is all about. The position of the Opposition has consis... We are the ones who have insisted on a referendum. This side. (Applause) They are the ones who have said, you don't need a referendum. There are numerous articles published in the paper written by the former Attorney General...

Government MEMBERS: AJ!

The PRIME MINISTER: ....where he has made the point...

Mr. PICKERSGILL: Yes.

The PRIME MINISTER: ...that if the Government side would be a little more - be progressive...

Mr. PICKERSGILL: Yes.

The PRIME MINISTER: ...that we in this House could have dispensed with the Privy Council and we could have replaced it. Technically correct.

Dr. DAVIES: True, true!

A MEMBER: Hypocrite!

The PRIME MINISTER: You know what we are saying? You know what..? Mr. Speaker, Mr. Speaker. You know that if we here to decide, if we were to decide that, look, the Senate consists of 21 persons, maybe we ought to bring in some additional people in the Senate. So we want to increase it to 25. Do you know you can't do that unless you go to the people in a referendum? Do you know that if we were to say...

Miss HANNA: That's why you want term limit.

A MEMBER: Why you don't do that with term limit?

(Interruptions)...

The PRIME MINISTER: Mr. Speaker, Mr. Speaker.

The SPEAKER: Please, please, one at a time.

The PRIME MINISTER: Mr. Speaker, right now we have had a great furore over dual nationality.

Mrs. NEITA-HEADLEY: That's why dem turn yuh in a poppy-show because yuh look like one already... (Inaudible)

The PRIME MINISTER: Do you know? Do you now that somebody from Tuvalu, a citizen of Tuvalu can live in Jamaica for one year and can become a member of parliament, can become prime minister.

Dr. DAVIES: Barely can make it.

(Interruptions)

The PRIME MINISTER: If we in this House, if we in this House were to decide that look we don't want that. We want to make sure that only Jamaicans and Jamaicans alone can be members of parliament do you know that you could have a two-thirds majority and you can't change that? You have to go to the people.

(Inaudible comments by Mrs. Neita-Headley)

The PRIME MINISTER: The point I'm making is, if matters of that nature require that you go to the people in a referendum...

Opposition MEMBERS: Yes!

The PRIME MINISTER: ...we are simply saying that a matter as important as our final Appellate Court must receive no lesser approbation than by a vote of the people. That's what we are saying. (Applause) And therefore, Mr. Speaker...

(Inaudible comments)(Heckling)

Mr. BUCHANAN: That's what he said you know.

The PRIME MINISTER: Why you don't trust the people?

Opposition MEMBER: We don't want to go to the people?

The PRIME MINISTER: And you don't want to go to the people unless we hold hand?

Mr. BUCHANAN: We nuh need fi hol' han'

(Cross talk)

The PRIME MINISTER: Mr. Speaker, Mr. Speaker...

(Cross talk)

The SPEAKER: Mr. Pickersgill, you have a point?

(Inaudible comments by Mrs. Simpson Miller)

The PRIME MINISTER: Mr. Speaker, nobody inside here including some of the closest people to you, know what going on between me and you! (Laughter)

(Mrs. Simpson Miller laughs)

And you are not to tell them. Right?

Mr. Speaker, what we have before us, what we have before us...

(Shouting)

Mr. Speaker, is something that.... whatever may be the direction and whatever may be the time-frame for addressing the matter of our final court we want to give the people something more than what they have now, because what they have is something that is not even in their hands. We have given them rights but we have ensured that those rights remain in our hands, for us to take them away at such time as we feel that it is appropriate to take them away.

Mrs. NEITA-HEADLEY: That's dangerous.

The PRIME MINISTER: We have done a considerable work on it. We have addressed the matter of the impediment posed by the Privy Council ruling in relation to Pratt & Morgan. That's the Bill that is to come. I won't even raise the issue there because I've already covered them here.

Mr. Speaker, I'm moving second reading of the Bill. I hope that we can go to committee and clear it at committee. And then we'll have to suspend any further action on it until the three month period has elapsed as required by the Constitution.

The SPEAKER: Members, the question is that the Bill be read a second time.

Put to the House and agreed to.

Bill entitled:

"*AN ACT to Amend the Constitution of Jamaica and to Provide for a Charter of Fundamental Rights and Freedoms and for connected matters*",

read a second time.

The SPEAKER: The House will now resolve itself into a Committee of the whole House to consider the Bill clause by clause.

COMMITTEE STAGE

The CHAIRMAN: Members, just for information. After we do this Bill clause by clause, we are going to - the Bill will be laid on the House for a further three months. In other words, we are not going to take third reading at the end of this because the Constitution requires that we lay it after second reading and we have passed it. Because in the event that there are any further changes between now and three months time then it has to go over again. So it remains for three months on the Table before we take third reading. Okay. Is that clear to everybody?

MEMBERS: Yes.

The CHAIRMAN: Fine.

(Inaudible comments by an Opposition Member)

The CHAIRMAN: Well it is for the public at large or anyone, to raise a question.

A MEMBER: To raise a question.

The CHAIRMAN: Yes.

(Inaudible comments by some Members)

The CHAIRMAN: Well would you like to... It's only 20 clauses.

(The Clerk and the Speaker in consultation)

The CHAIRMAN: Actually it's three (3) clauses. So, Members, please, this is a very important constitutional issue, so we want to go through these three (3) Clauses.

Clauses 1, 2 and 3 put to the Committee and agreed to.

The Title and the Enacting Clause put to the Committee and agreed to.

The CHAIRMAN: The question is that I do report the Bill as having passed Committee Stage without amendment.

Put to the Committee and agreed to.

RESUMPTION

The SPEAKER: I do report the Bill as having passed Committee Stage without amendment.

The second Bill.

The PRIME MINISTER: Mr. Speaker, I really wouldn't need to detain the House on this one because I've addressed those issues in the discussion on the...

The SPEAKER: That's right.

The PRIME MINISTER: ...Charter of Rights Bill.

As I indicated this is just to amend sectional to authorize the Governor-General to set time limits for the appeals to human rights body. We have withdrawn from the United Nations Protocol but we are still a signatory and still required to adhere to the Inter-American Commission on Human Rights. But the Governor-General will now be able to set time limits.

This Bill, too, section 91, is an entrenched provision. And therefore, similarly, we will have to complete the second reading and then we'll have to allow the matter to remain on the Table of the House for three months before a final vote can be taken.

The SPEAKER: The question is that the Bill be read a second time.

Put to the House and agreed to.

Bill entitled:

"AN ACT to Amend the Constitution of Jamaica ",

read a second time.

The SPEAKER: The House will now resolve itself into a Committee of the whole House to consider the Bill clause by clause.

COMMITTEE STAGE

The CHAIRMAN: Members, as was indicated, this is a constitutional amendment Bill for amendment of section 90 of the Constitution - 91, sorry.

Clauses 1, 2 and put to the Committee and agreed to.

The Title and the Enacting Clause put to the Committee and agreed to.

The CHAIRMAN: The question is that I do report the Bill as having passed Committee Stage without amendment.

Put to the Committee and agreed to.

RESUMPTION

The SPEAKER: I do report the Bill as having passed Committee stage without amendment.

As indicated, Members, both Bills will lay on the Table for three months before third reading. Very well. House Leader.

Mr. HOLNESS: Mr. Speaker, the Minister of Finance has a brief matter that he would like to take, and I believe that it would be expedient for us to take it at this point.

The SPEAKER: Okay, thank you. Mr. Shaw.

THE URBAN RENEWAL ACT

Mr. SHAW: Mr. Speaker, I beg to move for the suspension of Standing Orders to allow me to take this Bill that was sent back to us from the Senate.

The SPEAKER: The motion before the House if for the suspension of Standing Orders to allow the Minister to take the motion, notice of which was given earlier.

Put to the House and agreed to.

The SPEAKER: Minister Shaw.

Mr. SHAW: Mr. Speaker, this relates to the Urban Renewal to Relief Act which was passed in the House and which was sent to the Senate and there are just a few amendments, Mr. Speaker, that improve the Bill and we want to thank the Members of the Senate, and in particular SENATOR MARK GOLDING, who was very instrumental in working in the Senate on these amendments.

The first one really is a matter of a definition of the "Commissioner" and what the Commissioner means for the purposes of theBill, the Commissioner of Taxpayer Audit and Assessment.

The second amendment relates to changing the wording of "**property owned by an approved developer**", instead using the term "**improved property**" improved by an approved developer in relation to blighted areas. It's just - it's meant, Mr. Speaker, to tightened and make sure that the purposes for which the incentives are intended are properly directed.

The third amendment relates to removing the term “income tax liability" and substituting the term "gross income" instead of the "income tax liability". And this of course, relates - it was considered it was not an appropriate term as the lessee is entitled to claim on his gross income and not on his tax liability.

I think the most important amendment, however, Mr. Speaker, relates to the issue of a further tightening up in ordered disallow the possibility of manipulating the use of the double-rental deduction. There is a double-rental deduction and the amendments to Sections 14(a), (ii) and (iii), that have been sent back from the Senate, the net effect of it is that of the new clauses, is that you cannot benefit from the double-rental deduction if you are a connected person, or if the rental amount is not determined in accordance with market value. In other words, the arm’s length principle must apply to the transaction.

So connected person is defined in accordance with the Income Tax act, which reinforces the Commissioner's power to apply the arm’s length principle. So, Mr. Speaker, I beg to move for approval of these amendments.

The SPEAKER: Members, put before you are the recommendations from the Senate as put forward by the Minister for approval.

Put to the House and agreed to.

The SPEAKER: The amendments approved. House leader.

(Discussion between the House Leader and Mr. Shaw)

Mr. SHAW: Mr. Speaker...

The SPEAKER: Yes, Mr. Shaw. Just a little misunderstanding between myself and the House Leader.

Dr. DAVIES: And a big one between you. (Laughter)

PAYMENT AND CLEARING SETTLEMENT ACT

Mr. SHAW: Mr. Speaker, there have been some further amendments as well in the Senate in relation to the Payment and Clearing Settlement Act, 2010. And here again, Mr. Speaker, the main areas of amendments really have to do with definitions, tightening up on the definitional clauses throughout the Bill. And in Clause 2, the definition of **clearing house** in the Bill expressly excludes the Bank of Jamaica and the Stock Exchange.

However, on reviewing the definition, the technical persons from the Bank of Jamaica concluded that the exclusion of the Bank of Jamaica was not justified as the Bank does in fact operate clearing facilities. And based on this advice the Senate approved an amendment to the definition of clearing house, to delete the wording which seeks to exclude the Bank of Jamaica and the Stock Exchange.

In the Bill also passed in the House, the definition of "systemic risks" is predicated solely on a participant in a clearing and settlement system being unable to meet its obligations as they became due, thereby causing other participants in the system to be unable to meet their obligations.

Whilst recognizing that this is the internationally accepted core definition, the Senate took note of the fact that systemic risks can also occur where the inability of a participant to meet his obligations in a clearing and settlement system, causes significant liquidity or credit problems that might threaten stability and confidence in the financial system. Accordingly, the definition has been expanded to include reference to significant liquidity and credit problems, which threaten the stability and confidence of the financial system.

Mr. Speaker, in Clause 15, a clearing house is required to provide the Bank of Jamaica with prior notice of any significant change to its constituting documents and to the bylaws, agreements, rules and procedures or documentation governing the designated system, and as regards any other changes to forthwith provide the bank with notice after it makes the change. An amendment has been made in the Senate to that clause with the introduction of what is now subsection (3), to provide that where Bank of Jamaica finds any such change inappropriate, it may direct the clearing house to refrain from making such change or require the clearing house to make any other changes as the Bank may specify.

And in order to reflect the amendment in this clause, the marginal note has been amended to read'. "clearing house to notify of changes and other information".

And finally, in Clause 19, it contains provisions which seek to give legal recognition to agreements governing the netting of payment obligations. Notwithstanding the laws of bankruptcy and insolvency, or any Court order made in respect of the administration of a reorganization arrangement or receivership involving insolvency. The Senate took the point that in making reference to a reorganization arrangement or receivership, specific reference should also be made to a liquidation, which is

one of the steps which a Court may approve in any insolvency. And this clause his accordingly been amended to make reference to a liquidation.

Mr. Speaker, these are the amendments that have been sent by the Senate and I beg to move for their adoption.

The SPEAKER: Members, before you are the amendments proposed by the Senate, which was presented to you by the Minister of Finance for approval of the amendments?

Put to the House and agreed to.

Mr. SHAW: Mr. Speaker, the third matter which also came as recommendations from the Senate in response to issues that were raised there in relation to the regulations to the Credit Reporting Act and the regulations that are developed, there were some broad areas of revision to the Regulations which are proposed, and which I seek the approval of the House:

One, there has been a minor amendment to regulation 22(b)(1), dealing with documents to be submitted with the application. To refer to Certificates of Incorporation, which is the term used in the 2004 Companies Act.

So it's just to be consistent with the term that is used in the Companies Act.

The second one relates to regulation 3, which has been amended to change the previous formula for the calculation of annual licence fees, which was $50,000 plus $100 for every 1,000 consumer enquiries to a flat rate of $100,000 *per annum*.

The third area relates to regulation 5 on the insurance requirements of Credit Bureau, and this has been amended to clarify that the coverage should be sufficient to cover potential claims from customers, as well as any other pertinent risk faced by the Credit Bureau in the course of its operation.

In regulation 6, the previous reference to an Annual Report to be submitted to the supervisors entitled, Management's Discussion and Analysis of Financial Condition has been renamed to be more consistent with the main statute. It is now referred to as the Auditor's Report on the Credit Bureau's Operation.

And the final amendment proposed, Mr. Speaker, is the Schedule to the Regulations, namely the Application Form, has also been substantially amended to be more detailed and comprehensive to provide a clearer picture of what is required for licensing and what documentation must be submitted to support an application.

These requirements include *inter alia*, details of an applicant's capital, group and organizational structure, business plans and projections, technological capacity, disposal and customer dispute procedures and the proposed arrangements with credit information provided.

Mr. Speaker, these are the proposed improvements to the Regulations on Credit Reporting, and I ask for the adoption of the House.

The SPEAKER: Members, before you are the proposed improvements/amendments.

Put to the House and agreed to.

The SPEAKER: House Leader.

Mr. HOLNESS: Mr. Speaker, the Chairman of the PAAC will now take the PSTU Report. .

REPORT: GREEN PAPER NO.1

The SPEAKER: Dr. McNeill.

Dr. McNEILL: Thank you, Mr. Speaker.

Mr. Speaker, it's my pleasure to present the Report of the PAAC and our deliberations

on Green Paper No. 1 of 2010, the Public Sector Master Rationalization Plan.

Mr. Speaker, before I go into that I want to point out that this is the third Report that has been referred to us this year, and there is a fourth. We recognize the increased workload that was coming on us and we welcome it. The Committee, I think, is willing to do whatever work is necessary, but we recognize that we were having some difficulty because of the lack of technical assistance that the Committee had. So we approached the IDB and with the assistance through the Ministry of Finance and the PIOJ, we have been able to secure the services of an adviser, a technical adviser to the Committee. She is here with us today, MISS MEGAN DEAN....

(Applause by both sides)

....formerly of EX-IM Bank and NIBJ and she is working with us. And I am still going to be working with the Minister of Finance, because I still think that given the amount of work we are having, we are still building on the structure of the Public Administration and Appropriations Committee.

Mr. Speaker, in seeking to ensure that these deliberations would benefit from aide cross-section of input from the society, we put advertisements in the paper, requesting feedback on the Green Paper. We also sent by email, Memoranda to all the - to over 200 public sector bodies.

In response to that we received responses from 15 entities, several of them being public sector bodies that expressed concerns about the implications of the methods proposed in the Master Rationalization Plan in respect of their particular organizations. In our report the details are presented in section 2(7).

In addition, the Committee had some discussions and we arrived at the conclusion that you could not really have a master rationalization to go through this process without having the strong input from the private sector.

The private sector was part of the oversight committee, the Committee that headed it - PETER MOSES headed that Committee - but we also sent out to both the private sector organizations, umbrella organizations, as well as to the unions seeking feedback from them. And we got reports from the PSOJ, from the Joint Confederation of Trade Unions, also from DR. CARLTON DAVIS and a number of other Reports, and those Reports are also submitted along with this Report. Because of the bulk of all the information, these are on the Website.

Mr. Speaker, the Report was laid some weeks ago and every Member will have a copy of it. I am going to go through briefly just the findings of the Committee.

The first thing that we found, Mr. Speaker, was that, we underpaid that it's always important to have a comprehensive reform of the Jamaican public sector. We acknowledge this. But the Committee had to look at the reasons why we were having this particular review at this particular time. The mandate of the PSTU, the Public Sector Transformation Unit, indicated that it had been set up to lead, monitor, evaluate and facilitate the implementation of the restructuring of the public sector for efficient effective and economical government. Those were the reasons that were in the **Green Paper** that the Public Sector Transformation Unit presented to us.

But, Mr. Speaker, we also had to take in

the timing of the issue, and the timing would suggest that it also seeks to conform with the requirements of Jamaica's request to the International Monetary Fund for a 27-month Standby Agreement which ends March 2012. According to the Standby Agreement, Mr. Speaker, the Government is committed to maintaining the current Public Sector Wage freeze and Salary Increases into the year - financial year 2011/2012 while it develops a comprehensive reform of the public sector, which is this process which is taking place, to ensure that the Government's objectives of reducing the size of the wage bill from 11¾% of GDP to about 9½% over the next four (4) years is achieved. So therefore, Mr. Speaker, what we were recognizing is that whereas the PSTU, the Unit was telling us that the real thing was to get more efficiency, there was also the fact that we had to achieve this 9.5%, the cut to 9.5% of GDP.

Now, Mr. Speaker, the Committee recognized that there were two ways that we could achieve the reduction in the Public Sector Wage Bill to 9.5% of GDP. The first way would be to cut the public sector, to have an absolute cut in the number of people or to cut the salaries and that would cut the public sector. The second way would, of course, be to expand the economy and to increase the Gross Domestic Product so that the figure that would constitute 9.5% of GDP would be greater than what it is at present. Mr. Speaker, we recognized that there was a balance here because the two of them go hand in hand, the more efficiency you get is the more that we are hoping down the line that you would get a catalyst effect and cause an expansion of GDP, which would prevent us from having to cut the wage bill in absolute terms. But, Mr. Speaker, we as a Committee had to determine, in a sense, the success or how we would determine whether this Report was going to be successful or not. And the difficulty that we found is that what they were looking at was efficiency, the other is to cut it to 9.5% of GDP.

(*Sotto voce* remarks by Members)

Dr. McNEILL: Right. Now the problem was that in the **Green Paper** no figures were provided for us. There were no indications of the net cost or time period within which net savings would be realized.

Therefore our committee was unable to evaluate the net monetary result of the overall scheme. We were consequently informed by the PSTU that these figures would be outlined in additional documents subsequent to the approval of this paper. However, we found ourselves at a disadvantage in our attempts to access the potential effectiveness of the strategy due to the absence of these crucial details. Therefore, Mr. Speaker, while we can express support for the general recommendations of the plan, we are unable to provide an objective assessment of its potential to facilitate fulfilment of the mandate of the PSTU with regard to whether it will make the public sector more efficient and/or stimulate economic growth, or whether the cuts will bring about the required monetary reduction.

Mr. Speaker, one of number of the things that we find in this, is that this is something that's a moving target. One of the discussions that also took place was, as we said, we wanted to expand GDP. Already, this year, the targets decreased a bit. I think we were expecting slight growth this year. And I think the Financial Secretary said that the growth rate

may be .6, or -1 per cent.

What will happen is that you are looking at this having a multiplier effect. So, the fact of the matter is that, if we are going to achieve these targets - if part of the success of this Reform is going to be whether or not we attain this - the wage bill becomes 9.5 per cent of GDP, then it means that we are going to have to have some figures associated to the **Green Paper** that will allow us to assess whether or not this plan will be successful.

Mr. Speaker, the second thing that the Committee looked at has to do with enhancing efficiency. In the discussion of enhancing efficiency, there were two things that we recognize. Efficiency is multi-faceted. There is one way of looking at efficiency. You can determine whether or not you are going to have one person doing more work, or you can get less people doing the same amount of work; efficiency in terms of the public sector, it could be in terms of its output. So, that was one way of determining efficiency.

But there was a second determination that we had of efficiency. It had to do with efficiency of how Government functions. It had to do with efficiency of the Government in providing the services for the private sector to enable them to achieve growth and employment in the society. So, one of the things that we looked at was that we felt that while a number of the recommendations that were made, showed how things were going to be done: merging departments, merging ministries, or moving departments within ministries, it did not really speak a lot to the Government processes.

Two of the things that were - we found important; one had to do with permits. It had to do with the issuing of permits and it came up for a lot of discussion. The more efficient Government is in facilitating these things, issuing these permits; speeding up the time to get these things done is the more we could expect to have GDP - growth in GDP for the country.

The second thing that we also thought was important was to strengthen the capacity of those sectors of Government that facilitate growth. So, while the Paper spoke in a general sense to all the ministries, all the agencies, all the departments, we thought that you might actually cut a lot of them, but we needed to focus on some of the ministries and departments that can more facilitate growth, because if we can expand the economy, then this makes it a lot easier.

So, it was the feeling of the Committee that we needed to look specifically at the Ministry of Tourism, the Ministry of Industry, Investment and Commerce, including JAMPRO, the Ministry of Mining and Energy, and the Ministry of Agriculture.

It is the feeling of the Committee that failure to address issues of efficiency and institutional strengthening, in respect to the machinery of Government in these areas, would inhibit us achieving the goals that we wanted to achieve. So, one of the things that we want to recommend to the House is that while we are looking at this, that we also look at those areas. It can't be that we just say, how can things work more efficiently there. It may well be that we need to expand some of these areas, but in expanding them and expanding the economy, it gives us more room to play with, in terms of those.

Mr. Speaker, the other recommendation of our Committee - well, actually it was more of a concern. What was brought to the

attention of the Committee in our discussions was that in terms of the public sector, especially the Public Sector Wage Bill, that 65 per cent of the Public Sector Wage Bill is already dedicated to three areas. It is dedicated to Health, Education and National Security. And these areas are already cut. These areas are undefended, underfinanced right now. So, there is not a lot of scope to cut them further. So, what you are really looking at is really working with the other 35 per cent. And the truth is that you have been having rationalization processes taking place for the last fifteen years. So, there is not a lot of scope left in how you are going to make that more efficient and better.

What we have found in our deliberations were, there were some other areas that needed to be looked at. And two of them that we found very important had to do with the issue of pensions, and the issue of leave - of public sector leave.

Mr. Speaker, these things are addressed in the Green Paper, but we felt, as a Committee, that they were not addressed in detail that we thought they should be. They were not addressed - well, let me not say detailed - we thought that the importance of these issues made it necessary for more work to be done on them. So, the Committee asked the PS'IU to go back and have some further discussions. And in those discussions - they had some discussions with the unions, with Dr. Davis and others. And a further report was given to the Committee on this.

LEAVE

Mr. Speaker, that Report can also be found on the website. But it was interesting, just on the issue of leave, it was found that people who enter the public sector prior to 2002, were entitled to 74 days leave per year. This included vacation leave of 35 working days, 14 departmental days, 14 sick days, and of course, you have the public holidays separate and apart from that. Now, what has happened is that subsequent to 2002, our information is that that now has changed and it is now 14/14/14.

Having had discussions, the PSTU came back to us subsequently, and has made a further recommendation. This recommendation is not contained in the **Green Paper**, but the recommendation is that as of 2011, persons would receive 15 days vacation leave, three days casual lease and 10 days sick leave, and that this should become standard for the entire public sector. Mr. Speaker, as I said, this is a further recommendation of the PSTU that has been put to us. And so, it is something to be discussed here at the House.

PENSIONS – (C.P.P.) ETC

Mr. Speaker, the other thing that concerned the Committee - and there was a lot of debate about it had to do with pension. The pension liabilities for - annual pension liabilities in Jamaica on the Budget, was about $14 Billion. That's what we pay out each year on pensions. We were informed that a recommendation was being made that a defined contributory scheme for public sector workers should be put in place. And that a good example of this would be for the - there is an existing system in place that's being used in the public sector bodies.

Mr. Speaker, it was also recommended that the existing family benefit deduction which comprises four per cent of each public sector employee's salary could also be used as

a basis for the proposed Contributory Pension Plan.

Mr. Speaker, it is the recommendation of your Committee to indicate that these measures can be swiftly implemented, and need to be addressed immediately, and that there need also to be ongoing consultations was the unions and the other stakeholders about implementing these proposals.

Mr. Speaker, just in terms of the savings, it was also felt that tremendous savings could be achieved through the implementation of the development of the **Govnet, Jamaica**, and the other information and telecommunications technology-based strategies that will increase efficiency and reduce spending. We therefore, recommend that these be undertaken without delay.

Mr. Speaker, the Committee recognized that the implementation of this Master Rationalization Plan is going to come with a cost. Considerable expenditure is going to be required for implementing certain components of this strategy, such as the creation of the Public Sector-wide Information Technology Platform. It's going to take a lot of funds to do that. Also, any planned job losses will incur expenditure in the form of redundancy and early retirement payments.

Again, Mr. Speaker, the absence of details in the Master Rationalization Plan did not allow the Committee to determine what these costs would be and where the funds would be found for the implementation. We therefore, want to emphasize, Mr. Speaker, the need to ensure that the funding is identified and secured so that the plan can be implemented on a timely basis.

Mr. Speaker, your Committee also felt that the success or failure of this plan could also hinge on strong leadership. We want to recommend that a person - someone needs to be identified who would be the leader of this process, and that sufficient dialogue takes place with the relevant stakeholders in the industry.

Mr. Speaker, another difficulty that the Committee found had to do with the decisions that were being taken here. Mr. Speaker, in truth and in fact, what is happening here is that you are getting movements of departments, agencies, within the ministries. But these fall under the purview of the Prime Minister. It is the Prime Minister's decision whether or not he would like to move which department, which agency; it falls under the Prime Minister.

So, the difficulty that we find with this Master Plan - and something that was brought up - is that it is reversible, and that the lifespan of this change could really just last until the next Prime Minister because if you do not get consensus with the Opposition, with the Government, and the other stakeholders, it is in the purview of the Prime Minister as to how this is done. An example of this, Mr. Speaker, is if Minister Grange is in charge of Women's Affairs within Sports and Community Development, the truth of the matter is, if MINISTER HENRY for some reason was moved to that ministry, they may not feel it is prudent to leave Women's Affairs with MINISTER HENRY. It may well be. But the fact of the matter is that that falls under the purview of the Prime Minister, therefore it is something to be thought about because you cannot...

(*Sotto voce* comment/laughter)

Dr. McNEILL: It's something that has to be thought about because if you do not get consensus, all of this work may not last longer

than to the next Prime Minister.

Mr. Speaker, there is another thing, the number of ministries. The PSTU determined that the number of ministries would remain at 15, where it is. Mr. Speaker, we had discussion at the Committee; some Members felt that it should be cut, some Members felt that it should be increased. I just want to point out that while we have not really said anything on it, it is not that we arrived at consensus or agreed on that, but it was just the position that was put forward by the PSTU.

Mr. Speaker, in terms of the changes that were suggested, in terms of the proposal for specific entities, of all the entitles that came before us, there were four (4) that we determined that we disagreed with the PSTU on.

Mr. Speaker, the first has to do with the public service portfolio. Mr. Speaker, it was the recommendation of the PSTU that the public service portfolio be transferred to the Office of the Cabinet. Mr. Speaker, after a lot of discussion at the level of the Committee, something came up that we were a little bit concerned about which we need to put to the Parliament. The problem with that has to do it, at present, when there is a negotiation public sector - it's Finance and the Public Service, what happens is that when there is a negotiation, while there is a Minister in charge of it when that Minister has the discussion, if the various sectors, whether it is nurses, police, teachers, when they do not reach consensus with the Minister, invariably, the first thing they do is they say they want to speak to the Minister of Finance. So, they end up going to meet with the Minister of Finance. If you move it to the Office of the Cabinet, it would mean that when you move from the Minister who is in charge of it - of Public Service... the line Minister, the Cabinet Minister would be the Prime Minister.

As it stands now, it goes from the Minister without Portfolio in Finance, to the Minister of Finance. And, if the Minister of Finance even says no, the persons, the public sector feels, well, there is a final arbiter because we can go to the Prime Minister. If you move it to the Cabinet office, what happens is that it goes to the Minister in the Cabinet Office, but then it goes straight to the Prime Minister. And we at the Committee felt that there was some reservation that you were putting the Prime Minister in the direct line of fire, and that this in itself may not be a good move, in terms of moving it to the Cabinet Office. It has a lot of positives to it because the Office of Cabinet, how it would be restructured would be a good thing, but that in itself created some concerns for the Committee.

Mr. Speaker, in terms of ICENS, the International Centre for Environmental and Nuclear Sciences, suffice it to say the information is there, there was a feeling that that should remain in the Office of the Prime Minister.

THE NATIONAL HOUSING TRUST

Mr. Speaker, there were some strong concerns issued in moving the National Housing Trust to a Ministry of Housing and Sustainable Development. It was raised at the level of the Committee; and three options were put. One is leaving it where it was. The second was moving it to the Ministry of Housing and Sustainable Development. And the third would be, to move it under a subcommittee of the Parliament. In other words, get a Committee of Parliament, turn it

into a true foundation - a true thrust in its sense and give it even more independence. Mr. Speaker, while disagreeing with the move, the Committee did not reach a final decision as to where it should go.

Mr. Speaker, the last thing that the Committee - the last change that the Committee recommended has to do with the Tourism Enhancement Fund. Mr. Speaker, it was a feeling that the Tourism Enhancement Fund should be merged with Tourism Product Development Company. That was the recommendation that was carried in the Green Paper. When we got it. we subsequently got a letter from the JHTA who gave us their concerns that by moving it and merging them, this may lead to misuse of the funds. Those were their terms - that was the JHTA's concern. The JHTA then went and met with the PSTU again, and out of those discussions, the PSTU came to us and said they had actually had a prior position that they wanted - they had wanted to keep them separate, and so they reverted to their prior position.

So, our recommendation, Mr. Speaker, is that this merger does not take place, that the TEF remains independent. And that is also was supported now by the PSTU - to revised position of the PSTU.

Mr. Speaker, the only other thing that I would say on this, Mr. Speaker, and it is not contained in the Report, but there was some discussion on it, Mr. Speaker, the Ministry of Labour.

One of the things that - in this whole discussion of ministries and those that drive economic development, there is an important role for the Ministry of Labour.

The Ministry of Labour is not just about looking at disputes or overseas work programmes, important as they are, but we feel that there is a need for the Ministry of Labour to start - they are doing some of it to become more active in looking at market trends to form that nexus between the Ministry of Education, between the private sector and the Government so that where the work is, where the trends are, where we are going to develop, where growth is going to take place, the Ministry of Labour can become prescriptive in how we get those done.

So, Mr. Speaker, will those few remarks...

The SPEAKER: Few!

(Laughter)

Dr. McNEILL: ...the Report is now before the House.

(Applause)

The SPEAKER: Do I put it for approval... it's for approval?

The PRIME MINISTER: Mr. Speaker, I would want, in this very few remarks I intend to make - genuinely few to commend the Committee...

A MEMBER: Hear, hear!

The PRIME MINISTER: ...and the Chairman in particular, for their diligence, and the way in which they have approached this task.

(Applause)

I have noted the - I have read the Report; I have noted the concerns, I have noted those areas where the Committee has expressed agreement with the proposals.

There are certain deficiencies, as the Chairman has pointed out unavoidably so. The Public Sector Transformation Unit has taken a whole range of issues and they have sought to position those in a way for decisions to be made that would then allow them to configure those positions with the kind of detail, data,

and supported by figures and so on, that you indicate.

We had taken the view that we wanted to get the thinking of the Parliament through your Committee. As to the general direction in which the work has taken us, that has now been provided. It is now for the Executive to look at the recommendations that have been made. I am certainly going to seek to get in - in addition to the Report, I would like to see the verbatim notes of the Committee. And, I hope that they were taken because some of the positions that the Committee has taken, I would love to see how those positions were developed, and what were the issues that might have been addressed in that process.

I would like to take the opportunity as well, Mr. Speaker, to commend the Public Sector Transformation Unit which is lead by one of Jamaica's most distinguished Public servants MRS. PATRICIA SINCLAIR-MCCALLA who is here....

(Applause)

…and her team. She has a very able team which she, herself assembled and they been working assiduously. It's a mighty work they're doing and I hope that in the decisions we make and in the support that we provide to this process going forward - because it doesn't end once you take a decision. There is tremendous support to be given to the changes that have to be made.

MRS. SINCLAIR MCCALLA knows that I have been insistent in the meetings that I've had with the Unit that changing structures is one thing, but there are also cultural changes that have to take place; there's a whole new kind of thinking. And I have insisted that part of what need to be done to get that cultural change is that, you know, we have to - we have some good people in the public service, I mean they get a bad name but I mean we have some good people who work hard. But even good people will sometimes have difficulty because of the way in which the service has developed over the time. I quarrel a lot about what I consider to be the misalignment between responsibility and authority. Authority is one place and responsibility is another and the two can never function separately; the two have to be synchronized together. So there's a whole, there's a different phase of this process that is going to go and going to have to be a continuing thing. And it's going to be important for the work that the Unit has done that we continue to give them the kind of moral and other support that they need.

I would want, as well, to commend the oversight team led by MR. PETER MOSES because they have been very, very attentive. I think they started out figuring that they would meet like once a month and ended up meeting sometimes more than once a week. And they have been very, very diligent. It's an unpaid job that they are doing and I want to commend them as well for the support that they have given and commend them as...

(Applause by Government Members)

Mr. Speaker, I want the House to be assured that the views of the Committee are going to be taken seriously into account. The Committee has done justice to its mandate and we must therefore do justice to the views that they have expressed. And the matter will be brought back here in the appropriate form because we'll have to keep the House advised as we go along as to what are the decisions

that are being made and how the implementation of the programme is proceeding.

Thank you very much, Mr. Speaker.

The SPEAKER: Dr. McNeill could you just ask then for the adoption of the Report.

Dr. McNEILL: Yes, Mr. Speaker, I'd also like to commend MRS. SINCLAIR-MCCALLA and her team and MR. MOSES, and their team for assistance that they gave us in our deliberations.

With those - I'd like to move for adoption of the Report.

The SPEAKER: Members, before you is the recommendation for the adoption of the Report.

Motion put to the House and agreed to.

The SPEAKER: House Leader.

ADJOURNMENT

Mr. HOLNESS: Mr. Speaker, it is not intended to do any further business today. (Applause)

Mrs. NEITA-HEADLEY: Merry Christmas.

Mr. HOLNESS: It is only left for me, Mr. Speaker, to wish my colleagues a peaceful and happy season. And to wish -

Dr. DAVIES: You don't have a Christmas party.

Mr. HOLNESS: There will be no Christmas parties, Mr. Speaker, and to wish for Jamaica a prosperous new year.

Mr. Speaker, we should resume our sittings by mid-January but, Mr. Speaker, I going to move that the House do adjourn for a date to be announced - to be fixed.

The SPEAKER: Thanks, House Leader. Leader of Opposition Business.

Mr. KELLIER: Mr. Speaker, I wish to just add on behalf of the Opposition, our sincere thanks to yourself and the Clerk and her staff and all the Members of the House both those that serve us downstairs in the days as well and to all the support staff, our secretaries in our constituencies, and the drivers that take us - and the security personnel that accompany some of us. I want to thank all of them for all your support over the period; and of course, to the Members of the Press, who attend us here as well. And to wish for everybody a peaceful and prosperous season and hope that we'll rest and come back for some productive work in 2011.

The SPEAKER: Thank you, Mr. Kellier.

On behalf of the staff of Parliament, we certainly also would like to wish all the Members a very happy holidays and I'm sure that Parliament would like to wish the country a very peaceful holiday period and hope that everyone will keep safe and secure.

The Motion before the House is that this Honourable House do adjourn to a date to be fixed.

Motion put to the House and agreed to.

This Honourable House stands adjourned.

The House accordingly adjourned its sitting at approximately 4.56 p.m. to a date to be fixed.