



GRENADA

PARLIAMENTARY DEBATES

(HANSARD)

First Session of the Tenth Parliament

OFFICIAL REPORT

HOUSE OF REPRESENTATIVES

Friday, 07th September, 2018

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Attendance

PRESENT

Honourable Michael Pierre, MP	- Mr. Speaker (In the Chair)
Dr. the Rt. Honourable Keith Mitchell, PC, MP, JP (St. George North-West)	- Prime Minister and Minister for National Security, Public Administration, Home Affairs, Information and Communications Technology, Finance, Planning, Economic Development and Physical Development
Honourable Gregory Bowen, MP (St. George South-East)	- Minister for Infrastructure Development, Public Utilities, Energy, Transport and Implementation
Honourable Dr. Clarice Modeste-Curwen, MP (St. Mark)	- Minister for Tourism and Civil Aviation
Honourable Alvin Da Breo, MP (St. John)	- Minister wrf Forestry and Fisheries
Honourable Peter David, MP (Town of St. George)	- Minister for Foreign Affairs and Labour
Honourable Oliver Joseph, MP (St. David)	- Minister for Trade, Industry, Co-operatives and CARICOM Affairs
Honourable Kate Lewis, MP (St. Andrew North-East)	- Minister wrf Youth Development
Honourable Pamela Moses (St. Patrick East)	Minister wrf Tertiary Education, Skills Development and Education Outreach
Honourable Emmalin Pierre, MP (St. Andrew South-East)	- Minister for Education, Human Resource Development and Religious Affairs
Honourable Nickolas Steele, MP (St. George South)	- Minister for Health, Social Security and International Business
Honourable Kindra Maturine-Stewart, MP (Carriacou and Petite Martinique)	- Minister for Carriacou and Petite Martinique Affairs, Local Government and Legal Affairs
Honourable Delma Thomas, MP (St. Andrew North-West)	- Minister for Social Development, Housing and Community Empowerment

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Attendance

Honourable Anthony Boatwain, MP - Deputy Speaker
(St. Patrick West)

Honourable Tobias Clement, MP - Member
(St. George North-East)

ABSENT

Honourable Yolande Bain-Horsford, MP - Minister for Agriculture and Lands
(St. Andrew North-West)

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Prayers

Moment of Silence

Minutes

The Sitting began at 9:22 a.m.

Mr. Speaker: Honourable Members, let us pray.

(Prayers were said)

Mr. Speaker: Honourable Members, as we are standing, I want to ask that we remain standing for just a moment, as we recognize and extend our sympathies to Bishop Emeritus Sydney Charles, who has passed on, after serving this country for forty (40) plus years. Let us just pause, for a moment, as we recognize his passing.

(Moment of silence observed)

Mr. Speaker: May he rest in peace. Pray be seated.

Clerk Assistant: Item 3 - Oath of Allegiance or Affirmation of a new Member.

Item 4 - Confirmation of Minutes.

Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, I beg to move that the Minutes of the proceedings of a Sitting of the House of Representatives held at the Parliament Chamber on Wednesday, 18th July, 2018 be taken as read.

Question put and agreed to.

Minutes taken as read.

Mr. Speaker: Leader of Government's Business.

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**Minutes
Announcements**

Hon. Gregory Bowen: Thank you, Mr. Speaker. I beg to move that the said Minutes of the proceedings of a Sitting of the House of Representatives held at the Parliament Chamber on Wednesday, 18th July, 2018 be confirmed.

Question put and agreed to.

Minutes confirmed.

Clerk Assistant: Item 5 - Messages from the Governor-General.

Item 6 - Announcements by Mr. Speaker.

Mr. Speaker: Honourable Members, I welcome you to the Third Sitting of the First Session of the Tenth Parliament. Let me say to you that we ought to be eternally grateful, because fourteen (14) years ago, today, our country faced and our country was shaken, a fellow Ivan beat his drum. Today, as we look around, we find very few reminders of what we saw on the morning of the 8th of September. And, so I urge us to always remember, and to give thanks and be grateful to God for His mercies.

I also want to take this opportunity to commend our Netball Team, who has just done very well at the Netball Tournament, and so **(applause)** congratulations to the Management and the Leader of that team, Senator Glynis Roberts and others and the members of the team, for a job well done and putting Grenada on the map again.

Honourable Members, I also want to urge us to manage our phones well, so that it would not be disturbing and providing the kind of feedback that would interfere with our broadcast and Sitting of the House. So, we may have to use it, but please do not let it be a disturbance.

Honourable Representatives, I must take this opportunity to say to all Parliamentary Representatives that you have a right to protest, and to make the issues, which affect you or your Constituencies known. If you choose to voice your protest of the Sitting of the House of Representatives, that is your right, as you are protesting to

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your employers, that is the Constituents, at whose pleasure you sit in the Chamber of this Honourable House.

I must mention, Honourable Member for the Constituency of St. George North-East, your protest at the last Sitting held on the 18th of July, 2018 is not the issue here. The action, which followed the verbal protest is the issue. The writing of a cheque exclusive of the NIS deduction and causing it to be placed on the Speaker's desk while the House was in Session, could be interpreted to be improper, or even disrespectful to the Parliament and the Speaker.

Please be reminded that neither the Speaker, nor the Office of the Parliament pays to the Parliamentary Representatives their salary. This is done by the Ministry of Finance. So, any return of remuneration received in the future, that cheque should be made payable to the Government of Grenada and sent to the Ministry of Finance. Honourable Member, I consider the action, which followed the verbal protest, an error in judgment, and advise that it would not occur again in this House. Thank you.

Clerk Assistant: Item 7 - Presentation of Petitions.

Item 8 - Presentation of Papers & Reports from Select
Committees.

Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. I beg to move that the following Papers be laid on the Table.

- i. Report of the Director of Audit, Grenada, on the Resources managed for the period from 1st January, 2017 to 31st December, 2017 by the Project Coordination Unit within the Ministry of Finance and Energy – Safety Net Advancement Project (SNAP).

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- ii. Report of the Director of Audit, Grenada, on the Financial Statements of the Basic Needs Trust Fund (BNTF) – Grenada for the period 1st January, 2017 to 31st December, 2017.
- iii. Grenada Development Bank – 2017 Annual Report.
- iv. Annual Report of the National Insurance Board (NIS) for the year ended 31st December, 2016.
- v. Annual Report 2017 – Grenada Council for Technical and Vocational Education and Training/National Training Agency (GCTVET/NTA).
- vi. Report of the Director of Audit, Grenada, on the Financial Statements of the Grenada Bureau of Standards (GBS) for the year ended 31st December, 2017.
- vii. Report of the Director of Audit, Grenada on the Resources Managed for the period 1st January, 2017 to 31st December, 2017 by the Project Co-ordination Unit within the Ministry of Finance and Energy for the Regional Disaster Vulnerability Reduction Project (RDVRP).
- viii. Office of the Ombudsman – Annual Report 2017.
- ix. Grenada Ports Authority – Annual Report and Accounts 2017.
- x. Report of the Director of Audit, Grenada, on the Financial Statements of the Office of the Integrity Commission for the year ended 31st December, 2016.
- xi. Representations by the Minister for Finance, Planning, Economic Development and Physical Development on the 2017 Report of the Fiscal Responsibility Oversight Committee (FROC).

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Mr. Speaker: Honourable Members, the Papers and Reports from Select Committees have been placed on the Table.

Clerk Assistant: Item 9 - Unopposed Private Business.
Item 10 - Questions.
Item 11 - Urgent Questions under the Provisions of Standing Order No. 20(1) (Notice of Questions).
Item 12 - Statements by Ministers.

Mr. Speaker: Honourable Representative for St. Mark.

Hon. Dr. Clarice Modeste-Curwen: Thank you, Mr. Speaker. Mr. Speaker, I rise to inform this Honourable House of some very important events that have been taking place in Grenada, Carriacou and Petite Martinique under the Ministry of Tourism, both Ministries, one is more exclusive to Tourism and the other, which is Carnival, which demonstrates significant collaboration between the Ministry of Tourism and the Ministry of Culture.

Mr. Speaker, I would like, through you, to take this opportunity to communicate some very important statistics to this Honourable House, in regard to our visitor arrivals during the Carnival Season. And, for the Carnival Season, the numbers are taken for a period of twenty (20) days before Carnival, so these statistics represent the visitor arrivals, twenty (20) days prior to our 2018 arrivals.

Mr. Speaker, we are very proud of the great collaboration that was exercised between the Ministry of Tourism and the Ministry of Culture to improve the product on the part of the Ministry of Culture, but also there was great collaboration in the marketing of our country. For months now, since Carnival was launched, the Ministry of Tourism, particularly through the GTA has been advertising our Carnival, either through the modern media means that they use now and also through the physical visit in

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collaboration with Culture that was done in Trinidad, was done in the United States, in Canada and other places, and that resulted in a resounding increase in our numbers.

So, the projection for increase for our numbers was 5.3 prior to the Carnival Season, and we were rewarded by our efforts with an increase of 24.9% increase of visitors, Mr. Speaker. **(Applause)** They came from all over, and the two (2) areas that were of great interest and, maybe, gave us the edge over other Islands were our Jab-Jab and our Monday Night Mas, that is what the people like. This is our Heritage, this is our Culture, our Jab-Jab and the Monday Night Mas outdid itself, Mr. Speaker. And, what everybody was also saying, was the peace and the safety and the comfort they felt. So, underlying everything that we do, everything that we say, as Ministries, even more important is what our people have done, and that is what tourists are saying all the time, how our people are, they are so kind, they are helpful and they are peaceful. And these are values that we must not underestimate, we must not take for granted, and that we must keep that kind of unique difference between us and our competitors, because Tourism is highly competitive, and if we do not do what people like, or give them the experience that they are expecting and even exceed that expectation, we will not have people coming to our shores.

So, through you, Mr. Speaker, I want to compliment Team Grenada, our people, Government, the citizens, everyone, who has played a role. The Police, especially did an excellent job, in keeping the peace, they were very vigilant, very visible, and I want to compliment them for that, as well. **(Applause)**

Mr. Speaker, just to highlight a few areas. We saw growth from most of our source markets, some had a slight decrease, but these are areas where people do not usually come in any numbers for Carnival. But, we are looking at our numbers, critically, and making decisions and making plans, as to where we would market more effectively, in the next few months, because we have to take a page from Trinidad's Carnival; when one Carnival finishes they start working for the next one. But, to give a few stats, Mr. Speaker, Canada, the numbers in 2017 were eight hundred and thirty-one

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(831); in 2018, was one thousand, three hundred and seventy-nine (1,379), an increase of 65%.

The Caribbean, an increase of 25%, from two thousand, one hundred and forty-four (2,144) to two thousand, six hundred and eighty-one (2,681). CARICOM, the wider CARICOM, 25% increase, from Trinidad and Tobago. We had an increase of 38.5%, Mr. Speaker, and that is one of the areas where we marketed heavily, between Culture and the GTA.

From Europe, we had an increase of 31%, from one thousand, eight hundred and forty-five (1,845) persons, to two thousand, four hundred and seventeen (2,417), and from the UK, an increase of 35%. I want to underscore UK, an increase from one thousand, six hundred and twenty-eight (1,628). These numbers are 2017 numbers, and the 2018 numbers, an increase to two thousand, two hundred and six (2,206). Mr. Speaker, I mentioned UK, specifically, because over the past years, since BREXIT, our numbers from the UK fluctuated, and it was always a concern for us. We have, in recent times, beefed up our marketing in the UK, and this is one of the results that we are seeing.

Mr. Speaker, I am particularly pleased and grateful to our Minister for Finance and our Ministry of Finance for committing significant funds to increase our ability to market, and to the staff of the Ministry of Finance, for providing the funds, in a timely manner, so that we could do this, so that our people could benefit, Mr. Speaker.

When we talk about the numbers of people, who come, we also have to look at how it has boosted the Economy, how the Taxi Drivers, the small Vendors, the Hoteliers; I have never seen them so happy. I have more friends in the Hotel Sector than I have ever had before. Everybody is smiling, because they are happy we are doing what we have to do. **(Applause)** And, that is our duty, as a Government, to plan well, but also execution depends, largely, on the Minister and the Ministry of Finance. So, through you, Mr. Speaker, I want to compliment the Member for St. George North-West, our Prime Minister and our Minister for Finance for working out the figures, so that some extra monies could have gone into the Sector.

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Mr. Speaker, we are doing a lot more in improving our product, our attractions. We are looking at making the experience for our visitors even more memorable, and in the next few days, our Prime Minister will be hosting one of our biggest Cruise Lines Executives. Five (5) of them are coming to Grenada to visit with us, from Carnival Cruise Lines. This was a Cruise Line that we had lost at some time, and now they are coming back stronger than before. We are courting them, we are working with them, and we want to show them a good time within the few hours they are going to be here, and our Prime Minister is going to be leading the charge, to make requests for what we want, and to make commitments to them, so that they would see Grenada, as a very viable destination.

Mr. Speaker, I move now to the second success we have had and it has to do with the Cruise Lines. So, as I speak about that I want to mention that very recently Grenada was named as the top rated Southern Cruise Destination in Cruise Critics for the second year. **(Applause)**

Mr. Speaker, the people, who rate, are the people who have been here and who have been to other destinations, and Grenada was rated. And, Southern is important, because the Northern Islands, like Jamaica and those further up, closer to Puerto Rico and the United States, which a lot of the Cruise originate from, it's easier for Cruise Lines to plan to go to go to these Islands. And, when they come far South, as Grenada, we are practically the last destination that Cruise Lines go to, because Trinidad is not big on Cruise, and when they come this far South.... And, I want to say here, Mr. Speaker, to clarify, that while our numbers increased due to the hurricane problems that other countries suffered, it was not the sole reason, it was to a significant extent due to the fact that we marketed well, our people behaved well, and the people loved Grenada. Let us keep it that way, let us keep it natural, and our numbers, our expectations for 2018, which our Season starts somewhere in October to 2019, our expectation is that it would grow, Mr. Speaker.

So, Mr. Speaker, I am very happy for that. I just want to end with one of the Reviews that was given. Somebody said: "This is my favourite Port. It looks like a

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fairytale village.” And, that is why we have to keep it clean and not dump indiscriminately on our Ports, so that the first image that people see of our country is an environmentally unfriendly one. And, I am sure when we speak about the styrofoam and all of these things, that’s why we are taking measures to protect our health, the health of our people, but also our image within the international arena. People see us, as we market ourselves, Pure Grenada, Isle of Spice. People should be seeing Grenada clean and smelling Spice and enjoying the warmth of our people.

So, this lady says: “People are friendly. We walk through the Historic Tunnel. We climb the top of the hill to see the ruins of the old Church and the steeple....” and so on, and so on, and so on. So, these are some of the things that people value. So, Mr. Speaker, again, I want to compliment Team Grenada for working together, but I also want to exhort that we look at some of our habits that are impacting, negatively, on us, on our people...

(Time Bell Rings)

Hon. Dr. Clarice Modeste-Curwen: ...our Country and that we work together to harmonize. Mr. Speaker, I thank you. **(Applause)**

Mr. Speaker: Thank you Honourable Minister for Tourism and Culture. Just before I recognize you, Honourable Parliamentary Representative, I want to say, welcome to Mr. Andrew Augustine, who is sitting up front this morning. And, he fitted in so well that I forgot it was his first time. **(Laughter/Chuckles)** I don’t know if it is the wig. So, I want to welcome Mr. Andrew Augustine, who is the Clerk Assistant, and to say to you, we wish you a very enjoyable time, at the Parliament. **(Applause)** Honourable Representative for St. Andrew South-East.

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Hon. Emmalin Pierre: Thank you, Mr. Speaker. Mr. Speaker, I will, probably, start by saying that our loss is your gain, and so I want to join you by welcoming Mr. Augustine, who is coming from the Ministry of Education, so I want to join you on that.

Mr. Speaker, this morning I just want to quickly add on two subjects that I would have spoken to publicly, in recent times, and that is to give a quick update, as it relates to the Schoolbooks Programme, where we are. Of course, we know that all parents and students would be interested in knowing, and I want to use the opportunity, this morning, first of all to say, Mr. Speaker, that the goal was to have our books here during the August Vacation, so that they would be ready for the start of the School Year. We have been able to accomplish that, to a large extent. As a matter of fact, we have one (1) container of books that arrived late, and arrived over the last weekend, and is being distributed now.

Mr. Speaker, we would want to perfect that, we would want to improve that, even further, to probably try, with the support of the Ministry of Finance, next time around, to probably have the schoolbooks even before school closes. So, we are working on getting to that point.

But, just to say that we have been able to distribute to all schools, thus far, of course, the first quota of books. There are some Social Studies books that would be delivered over the weekend and into early next week, that's for the Primary Schools, and for the Secondary Schools, we do have some remaining books for delivery to Secondary Schools.

Mr. Speaker, I want to also add here the investment that this Government has made, this year, in our schoolbooks, some \$2.6 m. And, of course, we know that the focus of this programme has been for public schools, on Island, for students, who are in need of those books.

Mr. Speaker, we want to continue to stress that this is a revolving Books Programme, which means that at the end of the school year, before a child collects the new books, they are supposed to be returning the books that they would have used in

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the previous School Year. If that does not happen, it would be impossible for the Programme to run smoothly and effectively, so we want to appeal to all concerned.

While I say this, Mr. Speaker, I want to admit publicly, as I have said before, we do not have the best system in place for the management of the Programme, we don't, not at the Ministry level, in terms of the support system and not at the school level. And, so, what we are doing, very soon we are going to be going to Cabinet with a revised proposal, as to how this Programme would be managed in this School Year. That would be taking into consideration what exist at the school level and what exist at the Ministry.

While I say this, Mr. Speaker, I want to also highlight that there are some best practices. So, there are some schools where what they are doing, even needs to be promoted, because they are doing an excellent job at the Programme. So, it is not a case where every school has the same problem. So, we want to correct the deficiencies within the Programme.

Mr. Speaker, I want to clarify here, and I don't think we have done this before, what is being said out there by, probably, persons, who want to mislead the general public, as it relates to the process through which the Supplier was selected, and we are talking about the Supplier being Standard Bookshop. Mr. Speaker, there were times in the past, where the Ministry took a decision that we would share this thing equally, among the different Suppliers, the different Bookstores on the Island. But, of course, Mr. Speaker, times changed, Laws changed, requirements changed, and so the new Procurement Law mandates the Ministry to do things in a particular way. And, let me say I am happy to report, Mr. Speaker, that the Ministry did follow the Law, as it relates to procurement of books for this School Year.

Standard Bookshop was selected on three (3) conditions: one, that they had the lowest bid. Secondly, they were able to deliver books in the shortest, or they were able to commit to delivering books in the shortest time, and thirdly, they had the best condition for payment. We were not in a position to pay up front, for purchase of the books, and so those were the three guiding factors in selecting Standard Bookshop, and

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I want to make this very clear because there were other who are saying otherwise. I want to commend the staff at the Ministry of Education for the process and following the process to the 't'.

Mr. Speaker, I want to quickly make mention, too, that we've had a generally good day last Monday, as it relates to the opening of schools. School opened and teachers are back, Principals are back and we want to express our best wishes to them. However, you may have heard in the media of one case in one school where students turned up in two different uniforms. Mr. Speaker, to me, that is a representation of disorder. It represents, to me, chaos and the Ministry of Education has no choice, but to deal with this situation.

Mr. Speaker, I want to make very clear and sometimes when things happen it also gives an opportunity to remind that the Education Act is the only document that we are being guided by, as it relates to the change of uniform in a school and the Act is very clear. In Section 51 (1), it gives the right to the Principal to consult on change in uniform attire, as it says, for changing rules, things that the school may want to change, it gives the Principal the right to consult on those things. But, later down in that Section, Section (2) of 51 (b) says, it is okay to consult, but the change cannot happen unless the Principal has, in writing, permission from the Ministry of Education, the Chief Education Officer.

Mr. Speaker, in the case of that school, the Ministry would have indicated, verbally, and in writing that it was not granting permission for change in uniform. We expect that the Principal of that school would take the leadership that is expected and we expect that she would do, as any other Principal will do, or is expected to do if a student shows up in the wrong uniform. So, where we are now, Mr. Speaker, I am concerned that this matter has gone past change in uniform, and it has gone past change in uniform to, unfortunately, it is in boundary with things that concern us greatly, like the implication this has for the management of the Education System. **(Applause)** Implications, Mr. Speaker, for students respect for authority and, Mr. Speaker, this matter cannot be treated lightly. I have received calls from parents, who said to me, I

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chose to send my children in this new uniform because (a), I did not want my child to be, or my children to be victimized, or I did not want my children to look odd and parents are calling the Ministry, calling the Minister to ask for direction.

As far as we are aware the leadership of the school is supposed to provide direction in this matter. Mr. Speaker, you served as a Principal for many years, and I am sure you have not forgotten what happens when a child shows up in the wrong uniform. And, so it's very sad, Mr. Speaker, because I believe the parents of Carriacou and Petite Martinique, it is not that they want to break any rule, it is not that they want to defy the authority of the Ministry of Education. I boil this down to poor leadership and poor management and this will be dealt with, Mr. Speaker.

But, I also want to make the point too, Mr. Speaker, that if we allow this to go without being noticed, without taking the necessary action for correction of this situation, it means that other things... so it means that the Principal can just decide to change the curriculum, could just decide to do anything that he or she feels and where does that leave us? What is going to happen to a system that so many persons would have invested in building? We cannot afford to go this direction.

About a month, two months ago we visited Carriacou and Petite Martinique, the team went to Carriacou. Mr. Speaker, we met with parents, we met with students, we met with principals, we met with teachers, broad consultation and engagement. We've heard the concerns; we've heard the challenges re: education in Carriacou, and we pledged to all concerned that we are going to work together to address some of those issues and concerns. I remember when we met with teachers, one of the major issues they raised was that August vacation is coming up, and in Grenada you would normally have all of those training exercises for teachers and we are sometimes left out because of course sometimes the concern is the travel costs, the boarding costs and so on, and we said to them we are going to make a difference this year, we are going to find a way and through funding from the CDB, we were able to accommodate teachers from Carriacou and they were extremely happy that they were involved in the process.

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Mr. Speaker, this, to us, was in keeping with our commitment that in all that we do, we are going to give serious consideration for Carriacou and Petite Martinique. Bishop's College, a major concern, with regards to the delay in that project of rebuilding a wing at that school; CDB funded project. We again pledged that we are...

(Time Bell rings)

Hon. Emmalin Pierre: ...going to do everything possible to swiftly move forward and we have been reaching out in every way to work with Carriacou and Petite Martinique and I want to thank all of those who have been cooperating, Mr. Speaker. This is a major exception to the rule, and I don't believe it's a representation of the people of Carriacou and Petite Martinique and what they want.

Mr. Speaker, I end here by saying, that if we have to achieve we have to work together, and the Ministry of Education remains committed to working with the people of Carriacou and Petite Martinique to resolve this matter. **(Applause)**

Mr. Speaker: Thank you, Honourable Minister for Education. Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker I wish to draw to the attention of this Honourable House and to the Nation, that which has been publicized by the Prime Minister of Trinidad and Tobago, the closure of Petro-Trin and that the Region would no longer be receiving products, Petro-Chemical products, gasoline, diesel etcetera from the refinery in Trinidad and Tobago.

Mr. Speaker, from the first of October 2018 the Region would have to look elsewhere. I have obtained permission from the Prime Minister whom I represented at the Prime Ministerial Steering Sub-Committee, which met on the 5th in Barbados and this was given its due attention, Mr. Speaker. For the Region, Petro-Trin supplies over 70% of the products to the Region and some who do have storage, for example, in

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Antigua you have storage facilities etcetera, but people could only boast about storage for able six (6) weeks, Mr. Speaker, two months at the maximum. What happens then, the implication for Grenada, Mr. Speaker, and most countries in the rest of the Region is that we have to look for an alternative source of supply. Where do we turn to? Some of the local suppliers like SOL, they are looking to import extra territory, import from the USA. Immediately, Mr. Speaker, we see the increase in prices, longer shipping periods, more handling, bunking at the bunking, etcetera. They have written to us asking for the removal of the Common External Tariff, that's when we purchase goods from outside the Region, collectively, the produce will attract the Common External Tariff. The Prime Ministerial Sub-Committee has agreed, Trinidad and Tobago was present that we could remove the Common External Tariff, all we'd have to do is the paperwork, write to CARICOM, etcetera (**applause**) and although this was only a Sub-Committee, the work will be done quickly, all the Heads will be written to immediately, so that this will get... it will be recommended to them, and with Trinidad already not objecting, because they cannot supply, we know that this will be done. However, there is the expectation that wherever we get it from...

But, we are looking regionally, we are looking extra-regionally and we're looking at, not only one of the local suppliers, but both of them and any other supplier that would be accessible. But one thing, Mr. Speaker, CARICOM has decided to go together, because with unity and with buying in bulk, we can reduce whatever extra costs there is. So, immediately, Mr. Speaker, the Department of Energy is working together with those who already supply in Grenada and looking at new sources of supply, Mr. Speaker. So, although we're not comfortable we believe, collectively, CARICOM will be able to solve it and we are in a state, Mr. Speaker, where we cannot look towards Venezuela who do supply Petro Caribè. As a matter of fact, Petro Caribè lost the contract for supplying diesel to GRENLEC on a competitive bid, because of the high cost of transporting the diesel fuel from Guyana to Grenada. So, at least our electrical Plant is out of that particular problem. However, they're purchasing from SOL, and SOL now will have to look extra, the Region. So, we see the implication Mr.

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Speaker, not only in Grenada and not only for the price to the local consumer to transportation but also the price to the Energy Company, which brings us to the point, Mr. Speaker, of how we must manage.

In situations like this, Mr. Speaker, where all the costs will be passed on to the consumer, we need to come to an arrangement where everyone would take part of the costs and bear the burden, Mr. Speaker. So, I wish to advise this Honourable House that CARICOM has this fully in their sights and although we cannot say from where, whether RUBIS or SHELL, or another party, the fuel will come and for how long we will remain in this boat, but the Region is looking and taking care of it, Mr. Speaker. I thank you. **(Applause)**

Mr. Speaker: Thank you, Honourable Minister.

Clerk Assistant: Item 13 - Personal Explanations.
Item 14 - Motions.

Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, I beg to move the Motion standing in my name, Motion 14 (a), which reads:

WHEREAS debate on the Gracious Address delivered by the Governor-General on the occasion of the Ceremonial State Opening of the First Session of the Tenth Parliament on Friday, 27th April, 2018 was deferred to a date to be named;

BE IT RESOLVED that the said address be further deferred to a date to be named.

Question put and agreed to.

Motion further deferred to a date to be named.

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Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, I beg to move the second Motion, Motion 14 (b), standing in my name, which reads:

WHEREAS it is provided by Section 3 (2) of the Non-biodegradable Waste Control Act, No. 9 of 2018 (hereinafter referred to as "the Act"), that the Minister may by Order designate non-biodegradable products for the purpose of the Act;

WHEREAS it is provided under Section 3 (2) of the Act that before such Order comes into effect it shall have been approved by the House of Representatives;

AND WHEREAS it is now expedient for the Non-biodegradable Waste Control (Expanded Polystyrene) Order 2018 attached hereto as a Schedule be approved by the House of Representatives;

NOW THEREFORE BE IT RESOLVED that pursuant to the provision of Section 3 (2) of the Act that the Non-biodegradable Waste Control (Expanded Polystyrene) Order 2018 be now approved by the House of Representatives.

Question proposed.

Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, this Honourable House and the Nation may recall that we debated and passed and, indeed, it was passed in the 'Other Place' and it is now an Act of Parliament, that we will reduce the use of non-biodegradable items in our daily lives, whether it's shopping at the Supermarket, or removal of the plastic bags, or whether it's the styrofoam box that we purchase goods and food in and we took the decision, Mr. Speaker, to ban these things, going in stages, Mr. Speaker and the Non-biodegradable Waste Control (Expanded Polystyrene) Order 2018 has been signed by the Minister with responsibility for the Environment on the 30th day of August 2018, Mr. Speaker. And, as such because the

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Act provides that before it takes effect it must be approved by the House of Representatives and this Order was formed as subsidiary legislation. In other words, it was done pursuant to the Act, prepared by the Ministry of Legal Affairs, signed by the Minister, but now it must be made public, the entire Nation, the Parliament must know about it and it must be debated in this House, in this 'Place' and passed for it to take effect, Mr. Speaker.

I would leave the details to my colleagues, Mr. Speaker, some of whom are extremely passionate on the removal of plastic from our society, in total, and all non-biodegradable items. And, so, Mr. Speaker, I commend this Motion to the Honourable House.

Mr. Speaker: Honourable Representative for St. George South.

Hon. Nickolas Steele: Mr. Speaker, I stand in full support of this Motion. Mr. Speaker, to be honest, I think we are, as I have said previously, way overdue on this. But, what I would like to say apart from supporting this Motion is that to the public, through you, Mr. Speaker, that this Motion and subsequent Motion that will follow deals with the type of what we as a people are determining to be, offensive litter, but that we still need to deal with litter, in general. Because we are now banning certain items that are non-degradable, bio-degradable that will remain in our society for hundreds of years we still need to address the issue of that which remains in our society for a year, paper products etcetera, and we will deal with that. But, the start, first of all, is to make sure that, as a people that the lasting impression we leave on this beautiful country is not styrofoam that remains for hundreds of years. But, the lasting impression that we will leave on this beautiful country will be a positive one, not non-biodegradable substances, that will remain way beyond us.

In fact, Mr. Speaker, probably way beyond this House, some of these products still remain in our society way beyond, and what the message that needs to be brought across to the public, at large, is that the simple, innocent act of throwing one item out

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remains for hundreds of years. So, Mr. Speaker, I stand in full support of this Motion and look forward to not just its subsequent passing but its complete enforcement. Thank you, Mr. Speaker.

Mr. Speaker: Thank you, Honourable Representative for St. George South. Honourable Representative for St. Mark.

Hon. Dr. Clarice Modeste-Curwen: Thank you, Mr. Speaker. I, too, rise in support of the Motion, as presented by the Member for St. George South-East. Quite a lot has been said, a lot of statistics were given in the previous Session, when this Bill was presented and, therefore, I would not say much on that except to say that this is a topic that we need to keep in the forefront of our conversations in the Tri-island State of Grenada, Carriacou and Petite Martinique. There is a lot more to be done, but a giant step. I would say a quantum leap has been taken in the decision, first of all, by our Government to ban styrofoam in the support that this decision has been received by the Business Sector and by other people in the community and also passing this Bill here.

Mr. Speaker, but I think that a lot of our people... I want to take this moment to compliment Grenadians again for taking the lead in that. In that while we're putting a list together and we're putting timeframes together, quite a number of people, businesses, have already moved, so, you know, I want to compliment Grenadians on that.

(Applause)

Yesterday, we had an activity at the airport and I was given a bit of refreshment and it was in a bio-degradable box and their glasses were biodegradable, and so many times we... I mean... the person in the highest position in the country, our Governor-General, the other day she sent me a document and it was in a paperbag instead of a plastic bag. So, you know, our people are moving in the right direction and I have no fear that in short order, these things would change.

For those few who have not really thought about it, or who have concerns about it, we are aware that change is difficult, but I just want to say to them, that once the

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change is made, years from now we will be wondering why did we use styrofoam, why didn't we change before? Because we will see the impact on the volumes of garbage that we have, and also the positive impact it would have on our Pure Grenada, Spice of the Caribbean. I thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. Mark. Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. I thank my colleagues for their support and they have been in the forefront, pushing it, and we know that the Minister for Tourism is behind and with the Hotel Sector in getting this done, Mr. Speaker. And, just to add that the first move, the banning and importation, is the 1st September, 2018, that is the wholesalers and persons that are banded. There must be no importation of this, Mr. Speaker. They will continue to sell, though. But, from the first day of March, 2019, they should not be selling to vendors anymore; so no more importation, no more selling to the retailers, etcetera, but the retailers will continue for a while, or those people who bought from the retailers they will have it in their stocks; so we will give them a further month, Mr. Speaker, the food places selling things etcetera, but they must cease in totality from the first day of April, 2019. So, this is the order that we are putting in place, Mr. Speaker, approving by the House of Representatives; and we should know that by 1st April, 2019, we should not have polystyrene products anywhere. In other words, if the wholesalers did not sell all of it, or if the retailers did not sell all to the Food Restaurants and so forth, it goes. You will work with the Ministry of the Environment, and if you have any in stock remaining on how we dispose of it, but you should not walk into a restaurant and you should not walk out with polystyrene products covering anything whatsoever, Mr. Speaker. I therefore, recommend this Motion to this Honourable House.

Question put and agreed to.

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Motion approved.

Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, I beg to move the third Motion standing in my name. But, before I do so, Mr. Speaker, I think we are aware that the said Motion, although circulated later by the Parliament, did not find its way on the Supplementary Order Paper. I, therefore, crave your indulgence, Mr. Speaker, for your permission for it to be officially so included. It has been circulated, all Members have it, Mr. Speaker. So I await your concurrence and permission, Mr. Speaker.

Mr. Speaker: Alright, Leader of Government's Business, you may proceed.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, the Motion reads:

WHEREAS it is provided by Section 3 (2) of the Non-biodegradable Waste Control Act No. 9 of 2018 (hereinafter referred to as "the Act") that the Minister may, by Order, designate non-biodegradable products for the purpose of the Act;

AND WHEREAS it was provided in Section 3 (2) of the Act that before any such Order comes into effect, it shall have been approved by the House of Representatives;

AND WHEREAS it is now expedient that a Non-biodegradable Waste Control (Plastic Bags) Order, 2018 attached hereto, as a Schedule be approved by the House of Representatives;

NOW THEREFORE BE IT RESOLVED that pursuant to the provisions of Section 3 (2) of the Act that the Non-biodegradable Waste Control (Plastic Bags) Order 2018 be now approved by the House of Representatives.

Question proposed.

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Mr. Speaker: Honourable Representative for St. Mark, did I see your light blinking there? I saw green.

Hon. Dr. Clarice Modeste-Curwen: Thank you very much, Mr. Speaker. I thought there was another step before I was requested to speak, but maybe I was in error in that regard.

Mr. Speaker, like the previous Resolution that was presented, I rise in order to support it, very strongly, with all my heart, because I believe that it is the right way for us to go.

Mr. Speaker, I must compliment the persons, the Drafters, the Ministry of Legal Affairs and others, the Ministers, who all collaborated to ensure that we got to this point. My only concern, Mr. Speaker, is the oversight, the supervision and the; how shall I say it; the insistence that whatever has been passed here be executed in quick order and on the dates as specified by the Resolution, because sometimes we have a way of extending things and lengthening things, even when we know we are doing that to our detriment. So, I just appeal, through you, Mr. Speaker, that the zeal with which we pursued the presentation of this Bill, in Cabinet, and we pursued this next step, that we employ equal zeal, or even more zeal to ensure that what has been passed is enforced in its entirety and effectively and efficiently.

Mr. Speaker, I just want to tag on to that, that quite a while ago, we passed the Anti-Litter Act, and up to now the indiscriminate dumping, the wanton 'do what you want' situation still persist in our State. Only this morning, going into the Complex, before I came here, right across from here, there is a little Playground, just opposite TAMCC, where they have the Produce Chemist Lab, and this place was littered with styrofoam boxes and other things. So, even going further than the Legislation, is a change in the mindset, a change in custom, a change in the lack of caring for our environment and our people. And, maybe put in another positive way, the Minister and his Ministry, with responsibility for the Environment, I want to think that we need a lot of re-education on this issue, about the importance and the benefits of following some simple basic rules to

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preserve our country and the detriment that would fall to our people and our generations to come, and sometimes we only look at today. We see what is happening at Perseverance, we see what is happening at other places, but we are pretty healthy. In years to come, these same items that we throw so carelessly, without any second thought, could have an impact on the health of us, on our health, but also on our children's health. And, whatever we do in this Tri-Island State, we should always think of the long lasting impact on our generations to come. And, I believe that if our Nation gives serious considerations, then the problems we have of littering, in the first instance would be abated, and even more so the problems we have of utilizing materials that are harmful to our health and that are harmful to our environment, certainly, would be dealt with, effectively. I thank you, Mr. Speaker.

Mr. Speaker: Thank you, Honourable Representative for St. Mark. Honourable Representative for St. George South.

Hon. Nickolas Steele: Mr. Speaker, the timelines set are very lax, they should be tighter. Mr. Speaker, in my opinion, the majority of suppliers out there are ready and able to transition sooner. But, Mr. Speaker, we are not just here to represent the majority, we are also here to represent the minority, the smaller suppliers, who will need some more time. So, while I have a certain level of discomfort in the amount of time that is given, I do recognize that while it is the majority opinion that put us here, the majority vote, once here, we must make sure that we look after all, including the minority, and, as such we must give a certain timeline.

And, I stand and also would like to agree with my colleague from St. Mark, that while we have given this timeline, we must also give ourselves the mandate to ensure, because the timeline is so long, that the enforcement must also be so strong, because we have given everyone, everyone enough time to comply, and this is our environment that we are talking about, this is the same conversation of Vector Control, as the Minister for Health, I stand and say Vector Control, the mosquitoes are breathing in the

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plastic bags that are thrown out and the styrofoam containers. So, before the public cry and demand for fogging in neighbourhoods where there are mosquitoes, there must be the public cry and demand to make sure that we, as a people do not litter. So, I agree, again, and support my colleague from St. Mark in requesting that we further enforce the Litter Act that we passed, as well. We are now going to control the type of substances that can be used or littered, but we must still control the littering, Mr. Speaker. So, I stand in support of this Motion, and look forward, with my colleagues to reexamining the way that we, one, collect waste, two, control litter and three, as a people, work together to make sure that we self-regulate. Thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative. Honourable Representative for David.

Hon. Oliver Joseph: Mr. Speaker, thank you very much. Just one observation, Mr. Speaker. Because the Law says we are dealing with non-biodegradable, we must never give the impression that it is alright for biodegradable things to be thrown out. **(Applause)** Mr. Speaker, we could easily assume that, you know, because you will be punished for non-biodegradable, so the paperbag that is biodegradable, it is okay to throw it away. We have to cultivate this behaviour people, of cleanliness for the environment, that is the substance of what this thing is addressing, not only the food container, because it has certain chemicals that are dangerous, or that it would take one hundred (100) years, what about the entire environment that we have to be conscious of, as a people, because once we look at what is taking place and the amount of money that we have to be spending, cleaning up the environment... These taxpayers money could have been used to pay for more students to go to University, more tuition fees, but, we have to use taxpayers money to hire Environmental Wardens, to bring on board to clean. If our people could only control the way that they dispose of garbage, we could use the money in an alternative way. **(Applause)** So, I don't want the general public to get the impression that because we are talking about non-biodegradable it is okay for

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biodegradable products to be thrown anywhere. We have to deal with this matter of the way that we dispose of waste. I thank you. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. David. Honourable Representative for St. George North-West.

Dr. the Rt. Hon. Keith Mitchell: Yes, Mr. Speaker. In standing in full support of this initiative here, I just want to make the point, to add to what the Member for St. David just pointed out, the issue is not just about health, it is also about environment and our own behavioural patterns that can, in fact, create serious problems for our country and the future generations of our country.

A case, in point, Mr. Speaker, is that the Bus Terminus has become, literally, a dumping ground for lots of people including busmen and other citizens in the country. It appears that any time one has something to throw in St. George's, he or she ends up at the Bus Terminus and dump it at the back there. This is the centre of the Cruise Ship Terminal.

We have heard the Minister for Tourism articulated this morning the enormous positive that comes from the Tourism Industry and the accolades that are coming from visitors. We have to keep this and we don't want for a person visiting our country, walking at that section there and the first thing they see is almost a Dump, not just plastic, all forms of things that are being dumped. And, not only that, sometimes the place is being used as a Bathroom Facility. This is unacceptable, whether it's Bus Drivers, or persons looking for transport to different parts of the country, whichever it is, Mr. Speaker, we have to be concerned and we have a responsibility in our country, not just to deal with issues that may sound popular to us, but sometimes to say the things that are, maybe, not even popular with some people, because we have a responsibility to the future generations of our country. So, I just want to point out, Mr. Speaker, that because of the loud cry that we are getting and the information that has reached us, I convened a meeting only last week with the Police Commissioner, the Chairman of the

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Port Authority and the Minister responsible for the environment, who are now going to be putting a plan in place for serious implementation to ensure that we clean up that place and we protect it and ensure that those who break the Laws of the Land will, in fact, be punished, appropriately. **(Applause)**

So, the Port Authority will have to invest some of its resources to increase the facilities there, more bathroom facilities must be necessary, because we cannot say we want something done and we have one bathroom facility for hundreds of persons. They have been instructed to do so, and as the Minister responsible for the Port, I sought to indicate this.

The Police has a small Police Station, that Station must be equipped, and, of course, enough personnel provided to be able to provide that necessary security, and, at the same time, oversight, to ensure that the Laws of the Land are, in fact, protected. And at the same time, it would control some behaviour patterns, not just environmental, other behavioural patterns, which are inconsistent with the sort of environment that we want to create at our Bus Terminus, with young schoolchildren, who have to go on a regular basis, during the day, going to and from school. So, the Police would be involved in providing more manpower and support services to the area, and, of course, the Solid Waste Division, under the Minister responsible for the Environment would also be involved. So, we are dotting the i's and crossing the t's.

So, what we are doing today, Mr. Speaker, is, in fact, essential, but I wanted to use this opportunity to underscore a very important thing about how we control our environment and our behavioural patterns, which are not necessarily good for future generations of this country. Thank you. **(Applause)**

Mr. Speaker: Thank you. Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. I thank my colleagues for their meaningful and important contributions. I concur by saying, Mr. Speaker, that this

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Motion is very similar to the first, that's the one we have just done before, with respect, it's the same Non-biodegradable Waste Control Act, No. 9 of 2018.

Mr. Speaker, we mentioned the dates. These have different dates, Mr. Speaker, but I want to remind us, or advise that the Minister with responsibility for the Environment has the authority to add and to remove the items that we deem biodegradable from the list. Of course, every item so removed must come back to the House of Representatives for approval, or any such item added.

Mr. Speaker, we know that there are certain groups like the fishermen, who export, who have made representation, certain persons, other sectors of the Economy have made representation, and so we expect that this would be dynamic.

However, Mr. Speaker, not because the Minister and this House have the authority to change that we should expect that if you make a request that it would be changed, because we would be defeating the purpose of moving forward with this Act and the Orders in any case. If you allow one Sector to go forward, then there will be the litter problem, unless we change our attitude, Mr. Speaker. And, it is not good for us, all the time, to look at external enforcement. We must use our internal suasion to enforce ourselves not to do certain things, because we know that it is good and proper and right for the Economy, right for our health, right for our future generation to do so, Mr. Speaker.

So, with respect to the plastic bags, remember the dates, September, March and April for the polystyrene products. Now, for the plastic bags, the dates, Mr. Speaker, they are given a longer time. First, the importers should not do so by the first day of February, 2019; the wholesalers should not bring in plastic bags after that period. Then, of course, they will be selling for a period, and they should cease the sale to the Retailers/Outlets by the 1st day of December, 2019. So, the Outlets, the Supermarkets and the others will have, in their stock, plastic bags that they can use. But, come the 1st day of February, 2020, they should not be giving you the goods and the produce and your groceries in non-biodegradable plastic bags. By that time, I am sure, that the Minister for the Environment and the Ministry will list a certain set of products to advise

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persons on what is biodegradable. So, when you go into the Supermarket, when you go into any store, when you go into the Market in Town, you should get a biodegradable bag, which you put your produce; so when you come in and you dispose of these, I believe, you know, within three or four months, it will disintegrate, harmlessly, into the environment. And, so the Ministry of the Environmental will be helping us to do that, Mr. Speaker.

But, I want to encourage persons, not to keep a source of plastic bags in their homes, so that they go to the Supermarket with their own plastic bags, etcetera, and they go to the market with their own non-biodegradable plastic bags, and you still perpetuate the problem of littering, Mr. Speaker. By 2020, when all this is out, just as the Wholesalers and the Retailers would be working with the Ministry of the Environment to say, well, we have a stock here that was not sold, how do we get rid of it. So, too, we in our homes should be working with the Ministry of the Environment, to say, I had some that were piling up here, you know, to really use; and some people go and they put their plastic bags together and they use it for other means. But, by that time, too, even before that time, the homes should be working with the Environment to say, here it is, we are looking at getting rid of it in an environment, in a safe manner, and so after 2020, Mr. Speaker, that is the 1st day of February, 2020, Grenada would be free of all plastics, Mr. Speaker. **(Applause)** I, therefore, commend this Motion to this Honourable House.

Question put and agreed to.

Motion approved.

Clerk Assistant: Item 15 - Bills.

Mr. Speaker: Leader of Government's Business.

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Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, I beg your permission to rearrange the order of the Bills, Mr. Speaker, and to take those in the Supplementary Order Paper for first reading and remaining stages, first, Mr. Speaker, and to leave the Constitutional (Amendment) Bill for the last, Mr. Speaker. I think it would generate a lot of interest and most Members would want to speak on that particular Bill, Mr. Speaker. So, if you will permit us, Mr. Speaker, we will go to the Extradition (Government of Grenada and the Government of the People's Republic of China) Act, 2018; Conveying of Property (Amendment) Act, 2018; and the Mutual Legal Assistance in Criminal Matters Treaty (Government of Grenada and the Government of the Republic of China) Bill, 2018 first, and then we will take the Constitutional Bill, which is down for its second reading. I ask your permission, Mr. Speaker.

Mr. Speaker: Honourable Members, you heard the request. That is how it appears on my Order Paper. So, we can proceed with the changing and presentation. Honourable Representative for the Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move for leave to introduce, for the first reading, a Bill for an Act shortly entitled, Extradition (Government of Grenada and the Government of the People's Republic of China) Act, 2018.

Clerk: A Bill for an Act to incorporate into the Domestic Law of Grenada a Treaty between the Government of Grenada and the Government of the People's Republic of China on extradition, shortly entitled, Extradition (Government of Grenada and the Government of the People's Republic of China) Bill, 2018.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

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Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg that the relevant Standing Order of the House be suspended to enable the Bill to be taken through all its stages at this particular Sitting.

Question put and agreed to.

Relevant Standing Order suspended.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move the second reading of this Bill.

Question proposed.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Thank you, Mr. Speaker. Mr. Speaker, this Bill seeks to introduce into our Domestic Law, the Extradition Treaty, signed between the Government of Grenada and the Government of the People's Republic of China. Mr. Speaker, this Treaty between the Parties was signed on the 24th of March, 2016, and this was in an effort to improve the cooperation, of course, at all levels, between the Government of Grenada and the Government of the People's Republic of China.

Mr. Speaker, it is well known, of course, in International Law, that a State does not have any obligation to surrender an alleged criminal to a foreign State. Mr. Speaker, this is because of the principle of serenity, which states, Mr. Speaker, that every State has a legal authority over the people within its borders.

Mr. Speaker, as a result of the absence of international obligations, and, of course, the desire for the right to demand criminals and other persons from countries, countries have evolved and have come up with a web of Extradition Treaties.

Mr. Speaker, the present Treaty between the Government of Grenada and the Government of the People's Republic of China is a Treaty, which embodies mutual

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arrangements, made between Grenada and China for the sole purpose of extraditing persons from Grenada to China. However, Mr. Speaker, the signing of the Treaty alone is only a preliminary endorsement of the obligations and arrangements therein. It does not create that binding, legal obligation on behalf of the parties. As a result, Mr. Speaker, Grenada is now required to take legislative action to make the said Treaty legally enforceable and binding in our Domestic Laws.

Mr. Speaker, legal effect will be given to this Treaty by the enactment of the Extradition Treaty (Government of Grenada and the Government of the People's Republic of China) Bill, 2018. Mr. Speaker, by virtue of Section 3, the said Treaty will have the force of Law, and to provide that legal authority for extraditing persons from Grenada to China, pursuant to its obligations assumed by the Government of Grenada, under the said Treaty, when it was signed on the 24th day of March, 2016. Mr. Speaker, this Treaty is also to be passed in the Domestic Law of China, to ensure that both countries can extradite persons, as the case demands.

Mr. Speaker, in addition to this Treaty, as you know both countries have been enjoying wonderful and great relationship, and, of course, this Treaty will also add to that cooperation and friendship existing between both countries. I thank you, Mr. Speaker. **(Applause)**

Mr. President: Thank you, Honourable Representative for Carriacou and Petite Martinique. Honourable Representative for the Town of St. George.

Hon. Peter David: Thank you, Mr. Speaker. Mr. Speaker, I want to commend the Minister for Legal Affairs and her Ministry for work well done in ensuring that this Legislation is put in place.

I want to say, Mr. Speaker, that we, in the Ministry of Foreign Affairs, are also very pleased with it. Mr. Speaker, the issue of corruption and dealing with corruption is one that has been extremely important to our Prime Minister, Prime Minister Mitchell. It has been important to the Government of Grenada, but it has also been a hallmark

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issue, in China, with President Xi. President Xi Jinping has also made that one of his primary objectives, so this legislation is not only being passed in Grenada, with respect to extradition to China, but it is also in the process of the Chinese Government, doing the same thing in a week or so, in China, to have that reciprocal arrangement. And, that is because both countries agree, as other countries do, that fighting the scourge of corruption is something that is extremely important.

Mr. President, we have confronted many problems in our economy because of this issue, the issue of corresponding banking, regulations in all of the International Financial Regulations, in all of the Corporation, in all of the matters where we have to transact with banks or with Governments, this issue is extremely important. In other words, these Institutions and these countries want to ensure that we are doing everything in our power, not only to deal with it at a local level, but to cooperate with other countries and as we cooperate with China, we cooperate with many other countries in dealing with this issue.

So, it is not only a matter of cooperation with China, which is important, it is a matter of ensuring that we put in place, in our legislation, everything thing that indicates to the international community, particularly, the International Financial Community that we are prepared to deal with these problems.

Mr. Speaker, these issues arise sometimes with our CBI Programme; you know, there is a lot of talk about CBI and persons who are not aboveboard. This Legislation here is an indication that we are prepared to do everything to ensure that persons who come into Grenada, persons who transact business in Grenada, persons who become citizens of Grenada, possibly, under the CBI Programme, if it is found that they have done something that is against the Law of another country, in this case, China, we are prepared to deal with it.

Only last year, Mr. President, Grenada cooperated with other Caribbean countries in order to extradite persons, not from Grenada, from other countries to China. **(Applause)** And, the Chinese Government, I must say, Mr. President, the Chinese Government was extremely pleased, Mr. Speaker, sorry, Mr. Speaker, I'm sorry. Mr.

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President, was sitting here a minute ago, I left his House; well, I was demoted to this House, because his House is the Upper House. **(Laughter)** I do apologize, Mr. Speaker.

But, the Chinese Government, because of that cooperation with the Chinese Government a year ago with removing persons from the Caribbean, other Caribbean countries, we, in Grenada used our facilities to assist in that regard. The Chinese Government was so pleased with that, Mr. Speaker, and coming out of that, Mr. Speaker, that next week, Monday, we will be hosting the first ever China CARICOM Anti-Corruption Law Enforcement Cooperation Conference. **(Applause)** That Conference will have, in Grenada, Ministers from all of the CARICOM countries, including some who do not have relations with the People's Republic of China. We will have persons from the Ministry of National Security, persons from the Financial Intelligence Unit, persons from the Police Force, Ministers of Home Affairs. And, this is the first ever Conference in the Caribbean between CARICOM and China, to set up a mechanism for cooperation with respect to persons who enter the Caribbean, a business done in the Caribbean, business done in China. The fact is, Mr. Speaker, that CARICOM and China are becoming much closer, and in that regard, mechanisms for cooperation at the security level have become necessary. And, that is why we are pleased to announce that this Conference is taking place in Grenada first ever. It is such an important Conference that some of the Islands have been asking, why Grenada? Why Grenada, Mr. Speaker, because in Grenada, stable economy, doing well, **(applause)** good cooperation, the People's Republic of China has agreed to have it in Grenada, and our Prime Minister will be opening the Conference on Monday morning.

So, I want to say, Mr. Speaker, that this development, this legislation as with other pieces of legislation that would be brought before this House, is extremely important, not only for the People's Republic of China to extradite persons who come here, who have committed crimes in China. The person I spoke about last year stole one hundred million dollars (\$100 m) in China and they were returned to China. It is not

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only important for China, but it is an important piece of legislation for Grenada, both in practical terms, anybody who does something in China, who came from Grenada, can be extradited back. But, also it sends a strong signal that our country, led by Dr. Mitchell, will do everything to ensure that the scourge of corruption, to ensure that persons who come into our shores, persons who acquire citizenship, persons who do business in Grenada will not flee from where they have committed crimes to come to us. And, we will do everything to ensure that as we develop, as we attract tons of investment, we want clean, proper investors in this country, so that we can develop Grenada, Carriacou and Petite Martinique. I thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for the Town of St. George. Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, I too rise in support of the Bill as presented by the Minister for Legal Affairs and Representative for Carriacou and Petite Martinique.

Mr. Speaker, we have passed, in this Honourable House, many Treaties, giving effect to the Treaty signed by the Government officials, Mr. Speaker. But, I want to make one particular point with respect to this Treaty, Mr. Speaker. It has all the contents of the International Treaty, that is, if you will be extradited for political reason, or if it's a pure military offence then the requested State can refuse, that is, if the People's Republic of China request us to expedite it or to extradite a person for these reasons, we can simply say, no and the vice versa, Mr. Speaker.

The hallmark, Mr. Speaker, is that whereas other Treaties may try to impose upon you things that the other party will want see, we see this Treaty Mr. Speaker, as far as is permissible by your local laws. So, in other words, the requested country, that is Grenada is given room to say this is not legal in our system, it may be legal in yours, but we will not respond to you, and the other party has accepted this, Mr. Speaker. So,

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I see here reciprocity, not only in the passage of the Bill, Mr. Speaker, but in how they treat you no matter how small you are. You are a sovereign Nation.

Article 16, Mr. Speaker, mentioned about property and the Member for the Town St. George alluded to it. If, for example, you're asked to extradite a certain person for corruption or maybe that person may have significant sums, it's asked that you put these sums, as the items in whatever form it would be, as evidence and you will have to send it to the requesting party, but in so far as your local law allows. So, if we have a fund under a specific law which says that all proceeds of crime, and we do have such a Bill, Mr. Speaker, the Proceeds of Crime Act, and if the Proceeds of Crime Act dictates that certain sums or certain items should go into a something between the registry of the Court then they will no longer say that you should put these things out to me. And, the Proceeds of Crime Act says that, you can use, the State can use the proceeds under circumstances, so, it would not be a situation where a certain sum will have to go back for evidence and you will be depriving your fund of certain things, Mr. Speaker.

I want to give support to this Agreement in general because of its context and its change. Very simple, Mr. Speaker, and it respects the operating law of the State. I recalled, in certain circumstances, where you have request for extradition, you do encounter problems later, because certain things are not in harmony with respect to your Law and with respect to the requesting parties request to the State. And, you're sometimes pushed into making certain amendments to facilitate certain things. I see no such thing in thing in this Agreement, Mr. Speaker. And, this is one of the reasons why I wish to give total support and to commend this Bill for its second reading. **(Applause)**

Mr. Speaker: Honourable Representative for St. George North-West.

Dr. the Rt. Hon. Keith Mitchell: Yes, Mr. Speaker. In standing in full support, of course, of this second reading of this important Extradition Bill, which of course is put forward by the distinguished Representative of Carriacou and Petite Martinique Affairs and the Minister of Legal Affairs, I just need to add to some of the things my other

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colleagues mentioned already and to underscore the point, the seriousness with which Grenada treats the issue of corruption and general criminal activities that anyone or everyone should know clearly that if they commit a crime in most countries that we have relationships with and treaty with of this nature, that Grenada would not be the best place to come, find another hiding place. **(Applause)** We would not, would not be, would not be the right place to come, you wouldn't be smart at all. And, I just want to add this because this is not about today only, Mr. Speaker, historically, we have been a country that has taken this position.

I recalled way back in the 1990s, as Prime Minister, discussion took place at the regional level when the countries were being asked to give permission for support from the larger countries for searching our waters and helping us to deal with some of the drug activities, knowing that the boats and the equipment that we have, the guys were literally laughing at us when they found boats attempting to do criminal drug activities in our waters. And, I remember there was a strong reservation among Regional Heads about giving permission. So, I remember asking my colleagues, the Drug Lords have no limitation on how they cooperate. We are putting all sorts of rules in place, this is our sovereign rights and this one sovereign rights, and they're laughing at us. We don't have the equipment, we don't have the resources. Somebody is offering us to help us to interdict these people, and we are refusing, almost having strong reservations. And, we led that, Mr. Speaker, and the Regional Leaders, after further deliberations, agreed, and it has worked. In the end, we have got more support from countries like Canada and others, who were giving us equipment and providing training for us. All we indicated, that we must have personnel from our countries with them, to ensure that they are not going against our fundamental rules. But, in other words, Grenada is known to be very firm where these issues are concerned. And, Mr. Speaker, it is not no coincidence, as the Minister for Foreign Affairs alluded to a while ago about our position on these issues. Do not underestimate Grenada's strong position on issues of criminal nature and extradition of persons committing crimes and getting to here, our jurisdiction. Do not underestimate the fact that the recent announcement of renewal of US Visas for

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Grenadian citizens for Visas already given... in this day and age, when the issue of border security, so prominently displayed around the world, particularly from the United States end, that we have been given, our citizens are being provided with a better and faster opportunity to be able to travel to the United States. **(Applause)** And, if we search the record, we would have thought that that was given to almost every country in the Region. Mr. Speaker, it was given to Grenada. I ask no further questions. **(Applause)**

So, clearly, Mr. Speaker, the image of this country is really something that all of us should be about. It's not about just the present Government, it's about all the people of this country. We are benefitting. So, all the things that are happening to us, the state of the economy, how we are being promoted around the Globe as the poster child for taking steps for fiscal responsibility and calling on every Sector of our society to ensure that we're all on the same page in this. No other country has a Fiscal Responsibility Act, limiting ourselves to what we can do and then putting an independent body and say, an Oversight Committee, coming to Parliament, Mr. Speaker. **(Applause)** Which Government and which Politicians, around, generally speaking, over the years and even now are prepared to do this? It is only this Government, this country that has gone that far and we are proud to do it.

So, I am convinced that it has a lot to do with the recent announcement. And, therefore, when the Minister for Foreign Affairs announced we would use, what has happened to go to other country, and say if America and Trump could do that, well, we expect you to follow similarly. So, Mr. Speaker, I am proud, I am proud, therefore, to support the second reading of this important Extradition Treaty by our distinguished Representative for Carriacou and Petite Martinique. Thank you. **(Applause)**

Mr. Speaker: Thank you, Honourable Prime Minister. Honourable Representative for Carriacou and Petite Martinique Affairs.

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Hon. Kindra Maturine-Stewart: Mr. Speaker, I want to thank all the Members of the House, who have contributed to the Bill and I commend the Bill for its second reading.

Question put and agreed to.

Bill read a second time.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the House resolves itself into a Committee of the Whole House to consider the Bill, Clause by Clause.

Question put and agreed to.

House in Committee.

House resumes.

Mr. Speaker: I have to report that the Bill was considered by a Committee of the Whole House and passed without amendments. Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the Chairman's Report be adopted.

Question put.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

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Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move the third reading of the Bill.

Mr. Speaker: Honourable Members, the question is that the bill be read a third time. I am sorry, we missed one, the adoption of the Report, that the Chairman's Report be adopted.

Hon. Kindra Maturine-Stewart: Yes, Mr. Speaker. I beg to move that the Chairman's Report be adopted.

Question put and agreed to.

Chairman's Report adopted.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move the third reading of the Bill and passage.

Question put and agreed to.

Bill read a third time and passed.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move for leave to introduce for first reading, a Bill for an Act shortly entitled, Mutual Legal Assistance in Criminal Matters Treaty (Government of Grenada and the Government of the People's Republic of China) Bill, 2018.

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Clerk: A Bill for an Act to incorporate into the Domestic Law of Grenada, a Treaty between the Government of Grenada and the Government of the People's Republic of China on Mutual Legal Assistance in Criminal Matters, shortly entitled, Mutual Legal Assistance in Criminal Matters Treaty (Government of Grenada and Government of the People's Republic of China) Bill, 2018.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg that the Relevant Standing Order of this House be suspended to enable the Bill to be taken through all its stages at this Sitting.

Question put and agreed to.

Relevant Standing Order suspended.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move the second reading of the Bill.

Question proposed.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Thank you, Mr. Speaker. Mr. Speaker, the Mutual Legal Assistance Treaty in Criminal Matters between the Government of Grenada and the Government of the People's Republic of China, that Treaty, again, Mr. Speaker, was also signed on the 24th day of March, 2016, with a view, Mr. Speaker, to improve the effective cooperation between the two (2) countries in respect of offering

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mutual legal assistance in criminal matters, of course, on the basis of sovereignty, equality and mutual benefit.

Mr. Speaker, in accordance with the provisions of the Treaty, the parties are to provide the widest possible legal assistance in criminal investigations, prosecutions and judicial proceedings in criminal matters.

Mr. Speaker, such assistance to include serving of documents of criminal proceedings, taking testimonies, or statements from persons, providing documents, records and articles of evidence, obtaining and providing expert evaluations, locating and identifying persons, conducting inspections or examinations, making persons available for giving evidence, or assisting in investigations, transferring persons in custody for giving evidence or assisting in investigations, conducting enquiries, searches, freezing and seizures, assistance relating to proceeds from criminal activities and instruments of crime, and, of course, notifying the result of criminal proceedings and supplying criminal records.

Mr. Speaker, global groups, individuals, as we know, have wasted no time in capitalizing on today's globalized economy, and, of course, the sophisticated technologies that goes with it. With cooperation like this between Grenada and China, Mr. Speaker, I believe that there could be a real impact on the ability of international criminals to operate, successfully, and to help citizens everywhere in their often bitter struggle to safety and dignity in their own homes and communities.

Mr. Speaker, as indicated before, the signing of the Treaty that was done on the 24th of March is only a preliminary endorsement of the obligations and arrangements between the two (2) countries. It does not, in any way, Mr. Speaker, create any binding legal relations and hence the reason why, Mr. Speaker, that we are here. Grenada is now required to take legislative action to make this said Treaty legally binding between the two (2) parties. So, of course, Grenada can offer that assistance to China and China, in return, can offer same assistance, providing that the need arise.

Mr. Speaker, the legal effect, of course, will be given to this Treaty by the enactment of the Mutual Legal Assistance in Criminal Matters Treaty (Government of

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Grenada and the Government of the People's Republic of China) Bill, 2018. Mr. Speaker, by virtue of Section 3, the said Treaty will have the force of Law and that, Mr. Speaker, will provide the legal authority for giving legal assistance, as indicated before in criminal matters pursuant to the obligations assumed by Government of Grenada under the said Treaty. Mr. Speaker, I thank you. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for Carriacou and Petite Martinique and Attorney General. Honourable Representative for Carriacou; sorry, for Town of St. George. I am transferring you.

Hon. Peter David: I do, Mr. Speaker, have some Carriacou heritage, so you wouldn't be entirely wrong. I just don't represent the people there, at this time. Mr. Speaker, again, I just want to stand to support this Bill and to reiterate something that was said earlier by the Member for South-East, St. George, with respect to sovereignty, because sometimes people would hear, you know, that we are extraditing people to China. It also says China will extradite people to Grenada, if we need them for some criminal activity in Grenada. But, mostly, the Member said that it in no way binds us to do anything that would violate our own Laws, or something that we believe is not in the interest of Grenada. So, one of the pillars of our relationship in all countries is respect to our sovereignty, because despite our size, we are a sovereign Nation, as independent as every other Nation; as we would see, when we come on to discuss the CCJ, it is one of the things that we insist that we are an independent, sovereign country, and one of the pillars, particularly in the relationship with the People's Republic of China, one of the pillars we have, is that we both respect, both sovereignty and our internal political system. **(Applause)** Nothing done here, nothing done here will affect our political arrangements, in our country, and China will respect ours, we will respect theirs. So, I just wanted to reiterate that point. I thought it was a very important point raised by the Member for South-East.

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With respect to the point made for the Member for Carriacou, which is, again, important in this regard; the fact that we are having investors coming to Grenada from China, both individual investors and major corporate investors, as China have, it means that they would want to know that there is a certain level of certainty in the Judicial System. One of the pillars of any economy is a proper Judicial System, particularly, where there may be lawsuits, there may be criminal activity. So, I think what this does, Mr. Speaker, is to, in addition, to the other areas of cooperation with the People's Republic of China, this brings a certain level of certainty, a certain level of predictability in the relationship with the investors coming into the country, Chinese coming into our country, what they would face, when they get to Grenada. So, I am just saying, Mr. Speaker, I rise to support it, and to commend the Minister for Legal Affairs, the Member for Carriacou and Petite Martinique, for the work done in this regard. I thank you.

(Applause)

Mr. Speaker: Thank you, Honourable Representative for the Town of St. George and Minister for Foreign Affairs. Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I want to thank the Member of the House for his contribution, and, of course, for supporting the Bill and I commend the Bill for its second reading.

Question put and agreed to.

Bill read a second time.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

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Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the House resolve itself into a Committee of the Whole House, to consider the Bill Clause by Clause.

Question put and agreed to.

House in Committee.

House resumes.

Mr. Speaker: Honourable Members, I have to report that the Bill was considered by a Committee of the Whole House and passed without amendment. Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the Chairman's Report be adopted.

Question put and agreed to.

Chairman's Report adopted.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move the third reading of the Bill and its passage.

Question put and agreed to.

Bill read a third time and passed.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

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Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to introduce for the first reading the Bill for an Act shortly entitled, Conveyancing and Law of Property (Amendment) Bill, 2018.

Clerk: A Bill for an Act to amend the Conveyancing and Law of Property Act Cap. 64 shortly entitled, Conveyancing and Law of Property (Amendment) Bill, 2018.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the relevant Standing Order of the House be suspended to enable the Bill to be taken through all its stages at this Sitting.

Question put and agreed to.

Relevant Standing Order suspended.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move the second reading of the Bill.

Question proposed.

Mr. Speaker: Honourable Representative.

Hon. Kindra Maturine-Stewart: Thank you, Mr. Speaker. Mr. Speaker, in accordance with the provisions of the Conveyancing and Law of Property Act, Grenada adopts an unregistered system of conveyancing to establish title, title to land. Now,

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under this system, Mr. Speaker, one proves ownership to property by their Title Document, the Title Deeds.

Mr. Speaker, in transactions relating to sale of land, for instance, under the unregistered system of conveyancing, a Vendor now has to show a good root of title, or an unbroken chain of title of at least sixty (60) years. This means, Mr. Speaker, that one has to commence his or her search as far back as sixty (60) years. So, for instance, Mr. Speaker, let us say that a Vendor has a Title Deed that is dated 2018, that search now has to be commenced and has to go all the way back to the year 1958 to present, and that period, Mr. Speaker, has to be searched to show an unbroken chain of title by the Title Deeds.

This period, Mr. Speaker, is not in accordance with the principal Act, but rather staying in accordance with common law practices. Our Deeds and Land Registry here in Grenada, Mr. Speaker, contains copies of various Deeds registered, time and time again, from which, Mr. Speaker, these searches are conducted. Mr. Speaker, as a consequence of the tremendous searches to be done and the amount of searches that take place at our Lands and Deeds Registry, most of the Index Books containing that information, as it relates to Deeds that were registered, some sixty (60) years back, have become dilapidated. There are numerous complaints, Mr. Speaker, as it relates to index and pages that are missing, and it is, at times, Mr. Speaker, inconclusive.

Mr. Speaker, other countries, other CARICOM countries, such as Dominica and Trinidad have enacted Legislation such as this, stipulating a shorter period for conducting searches and to determine that good root of title, rather than relying on the common law principle, or the common law period of sixty (60) years. For instance, Mr. Speaker, in the case of Trinidad and Tobago, the period is twenty (20) years. In the case of Dominica, the period is thirty (30) years.

Mr. Speaker, several attempts have been made in the past to rectifying some of the situations that exist at our Deeds and Lands Registry. For instance, Mr. Speaker, many of the indexes we had to rewrite them. We have inserted new transactions into computer systems. However, Mr. Speaker, these efforts have proven to be inadequate

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with the mounting challenges that we now have with some of the records at the Deeds and Lands Registry.

Mr. Speaker, it is contemplated that by reducing the number of years, from sixty (60) to thirty (30), that we would be able to enhance the present situation at the Deeds and Lands Registry and, at the same time, Mr. Speaker, maintain the integrity of the System.

Mr. Speaker, it must be noted that from since 20th August, 1999, we have a current duplicate recording system, and that system is now in place, which system, Mr. Speaker, has produced and continues to produce improvement in the records available for searches. Accordingly, Mr. Speaker, the Conveyancing and Law Property (Amendment) Bill, 2018 seeks only to insert a new Section to the principal Act, Section 39 to stipulate the period of thirty (30) years, as the period of search needed in order to determine the good root of title instead, Mr. Speaker, of the sixty (60) year period, as required by the common law practices. I thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for Carriacou and Petite Martinique. Honourable Representative for St. David.

Hon. Oliver Joseph: Mr. Speaker, I stand here to give my full support to this amendment. But, Mr. Speaker, there are certain realities that we need to deal with. If you go to the Registry of Lands to search, I don't know how we are getting any record there, you know. If you seen the state of the books and so on. To go and do the search, of course, the title is important, but, the Law says there must be an unbroken chain. The link of title must go back to sixty (60) years. Remember, we have suffered a major hurricane, Ivan, in 2004, which caused damages to it. So, I think what we have to move in this day and age of technology, we really have to change that system, and make it modernized, so that we can easily conduct the searches. So, I still think this amendment, while I appreciate, cuts the time we have, but it doesn't address the real problem. It does not address the real problem. We need to computerize our system,

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put it in modern forms, because Title, of course; you go to the Bank and you want to ensure that you really have proper title for the thing, in order to give you a mortgage, so you have to go back, way, way back, searching, because unless you have proper title, the Financial Institution would not honour the document.

I see, we followed Dominica who is thirty (30), and I just wondering if we shouldn't set the bar a little higher and say twenty (20), because I find that is a lot of years to give over our thing. I am serious, Mr. Speaker. One has forty (40), the other one is thirty (30), and in Grenada we are known for taking bold measures to correct all situations, you know. Over the last five (5) years, we saw the turnaround in the Economy was because of bold measures we took, you know, Mr. Speaker, so we are known for that. So, we could even improve on this thirty years. But, it is a good start. It is a good way to start, we computerize the system, we go to the thirty (30).

But, we also need, Mr. Speaker, what we call the Possessory Title Act, after twelve (12) years; it's twelve (12) years, right; that if you lived on the property and nobody claimed, after twelve (12) years, you could make application to get it. That is all in the effort of dealing with this important matter of giving Title to landholders, because if you have Title, and you bring in your Deed, you go to a Financial Institution and they honour it, that is what would empower you. If you are just living on the land and you have no Title and you cannot get a Financial Institution to honour it, then you are still in the same position. But, if you can get Title and use it, that would help improve your lifestyle, because you can get loans and so on. So, these two pieces of Bills, the Possessory Title, which allows you to make a Statutory Declaration and go to a Court and so on, and this amendment here to reduce it to thirty (30) years, is really welcomed, and I think, for the ordinary citizens, they would welcome this amendment to the Law, and, therefore, I give my full support to this amendment, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. David. Leader of Government's Business.

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Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, I rise to give my full support to the Bill, as presented by the Member for Carriacou and Petite Martinique. Mr. Speaker, when I first saw the proposal to reduce the Bill from sixty (60) years to thirty (30) years, I did ask my colleague whether we are sure. It came back, Mr. Speaker, from while studying in Canada. I listened a case between the native Indians of Canada, and the Canadian Government, Mr. Speaker, with respect to the lands and the privileges that they have, and I heard and saw on the TV where they went to the records in the 1700s and pulled the first Deed, signed by Her Majesty, then, and looked at Titles from way back. And, even in those times I realized what Colonialism was all about. Some lands were given to the Indians, some were given to Her Majesty's Representative in the area. So, that triggered, Mr. Speaker, my whole mind, as to what Land Titles really referred to, right down the line, Mr. Speaker. So, then, when we said we were moving from sixty (60) to thirty (30), I said, wow, suppose something went wrong there. And, the Indians were able to claim their lands, because even if certain other persons came back, their Title was not good, because if Her Majesty gave it to them, they must buy it legally, etcetera; so you can't just go on it, as some of the incomers to the Canadian country and to the country of Canada did, at that point in time.

But, looking at the reality, Mr. Speaker, and looking at what is there, as the Member for St. David said, you could go to look for after year thirty-five or forty, you are just searching, you'll be charging the people for the search, but there is nothing to see, and that is what, Mr. Speaker, tipped my balance over; yes, we must move and make this a reality. So, whether or not something is wrong with the Title, whether or not somebody got the land, improperly, could be forty (40) years ago, we would not know.

So, with keeping the integrity, while twenty (20) years would be okay, an increase in the Ease of Doing Business, because some persons come to Grenada and they want their Land Title quickly, and you could just goes to twenty (20) years, and you see it, so you could move and put down a big building, etcetera, and then you may find; the question I asked, what happens, when you go back to thirty-five (35) years, and you

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found if somebody went back to thirty-five (35) years, even with the Law in place; yes, it would be legal, but, then you will start to have questions. But, you know what, Speaker? Going back thirty-five (35) years is nothing, going back thirty-six (36) years, you might see a page that you can't read, and as you raise it up, it shatters in your hand like a windscreen, nothing there. So, then I said, yes, we must do better. While we will computerize and we have started the process, and we will move with the unregistered and the registered system starting now, we must start somewhere, I am convinced, Mr. Speaker, that we need to take out what could be termed a waste; anytime we go back up to thirty-five (35) years and so forth.

So, then, Mr. Speaker, I was moved to the inclination to say that we have to do something. And, in that context, Mr. Speaker, we have been, yes, improving the rate of doing business, but, at the same time, we will be ensuring that the property does not end up in a wrong hand, because; well, it ended up in a correct hand, because such a person will be paying, but he would be buying from somebody, who did not have proper title. But, I believe that thirty-five (35) years, we cannot solve that, we would not be any wiser, if we go back past the thirty (30) years, because there is nothing there to see. I think a lot of us, Mr. Speaker, should go to the Registry and see what is going on there. The Paralegal Searchers, every day they bombard you. They complain, mainly, to the Lawyers and to the Minister for Legal Affairs and to the Ministry of Legal Affairs, but they also complain to other representatives, that they search; they are paid to search, but what are they searching for? Things that they cannot touch. So, Mr. Speaker, I fully support the Bill that is proposed. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. George South-East. Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I want to thank the Members of the House, who have contributed and supported this Bill, and I commend the Bill for its second reading.

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Question put and agreed to.

Bill read a second time.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the House resolves itself into a Committee of the Whole House to consider the Bill, Clause by Clause.

Question put and agreed to.

House in Committee.

House resumes.

Mr. Speaker: Honourable Members, I have to report that the Bill was considered by a Committee of the Whole House and passed without amendment. Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the Chairman's Report be adopted.

Question put and agreed to.

Chairman's Report adopted.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move that the Chairman's Report be adopted.

Question put and agreed to.

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Chairman's Report adopted.

Mr. Speaker: Honourable Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Mr. Speaker, I beg to move the third reading of the Bill and passage.

Question put and agreed to.

Bill read a third time and passed.

Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, the first reading of the Bill, Constitution of Grenada (Caribbean Court of Justice and Renaming of Supreme Court) (Amendment) Act, 2018, was done in this Honourable House, Mr. Speaker, some ninety something days ago. This is in accordance with the Constitution, Mr. Speaker, that at least ninety (90) days must elapse between the first reading of the Bill in the House of Representatives and its second reading. This is to give the general public, because we are now trying to amend the Constitution, the Supreme Law of the Land, enough time to look at the Bill, to bring their representation in, so that Members would have a clear idea of the feeling of the Bill, and for such an important exercise to be taken after a lot of input would have been had, Mr. Speaker.

This Bill, Mr. Speaker, could be termed the CCJ Bill, as is commonly known. Mr. Speaker, the final Court of Appeal of Grenada and other Territories from our Colonies of the United Kingdom, is the Privy Council, and we are now advocating, Mr. Speaker, that we should change from the Privy Council to the Caribbean Court of Justice (CCJ). And, the Caribbean Court of Justice (CCJ), Mr. Speaker, has been established, by Agreement by the Treaty of CARICOM, and we are already using this Court, in its first jurisdiction; that is how to interrupt the Treaty of Chaguaramas.

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Only a couple days ago, Mr. Speaker, at the Prime Ministerial Sub-Committee, on the CSME, a lot of Members vented there, Mr. Speaker, because certain things were not being done at the level of Trade, the Common Market. Certain Member countries did not want to import the other stuff. These are things that the Caribbean Court of Justice will determine and make a resolution on, make a judgement, a ruling on. But, this same Court, Mr. Speaker that is already in practice, this is the Court that we want to subscribe to as our final Court to replace the Privy Council.

Mr. Speaker, over the many years, we have been advocating for such a Court. Its benefits have been articulated time and time again, Mr. Speaker, and I am sure members will refer to the benefits of acceding to the Caribbean Court of Justice, Mr. Speaker. But, we here, Mr. Speaker, must pass this Bill with a two-thirds majority, that is ten (10) Members must vote, 'yes', if we must advance to the next stage of the Constitutional Amendment, which is to go to a Referendum. We have announced the date, jointly, with Antigua and Barbuda, as the 6th of November. But, if only nine Members say 'yes' now, Mr. Speaker, then we cannot reach to that stage and there will be no Referendum.

This is the importance of the Bill, Mr. Speaker, justice for our citizens, the breaking of all ties, becoming more and more independent. There are some who say that no country is independent in this global world, but some are more independent than others. At least, we will be climbing the ladder, Mr. Speaker, and we will be working in an environment, with a Caribbean culture, where justice will be accepted and seen to be done in a manner and where people will have more access to the Caribbean Court, Mr. Speaker.

There are many Clauses here, Mr. Speaker, that I am sure Members will go into separately. But, I simply want to commend this Bill for its second reading now, Mr. Speaker, and hope and believe that we will get the two-thirds majority, Mr. Speaker. This is the Parliament, Mr. Speaker, not because all of us may come from the same backdrop, but this transcends political affiliation, Mr. Speaker, and so all of us will be talking, representing our various Constituencies, as the Constitution and the Law

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requires us to do. So, all of us will make our contribution, and I am sure, Mr. Speaker, we would hear tremendous benefits that this thing can bring us. A lot of it is already on the radio, a lot of it already in the Papers. We had a great forum, Mr. Speaker, some Wednesdays back and so the public is well aware. Mr. Speaker, I wish, therefore, to commend this Bill for its second reading and to exhort our Members to give their frank opinion and, hopefully, at the end their total support for its second reading. I thank you Mr. Speaker. **(Applause)**

Question proposed.

Mr. Speaker: Honourable Representative for St. Mark.

Hon. Dr. Clarice Modeste-Curwen: Thank you very much, Mr. Speaker. I rise in full support of the Bill, as presented by the Member for St. George South-East. Mr. Speaker, as said by the Member, this Bill was presented before, but it is a Bill that has to be voted on in the next few weeks ahead, and I expect a lot of debates will be held in local villages and so on. But, I think it behooves us to make our contribution in this Honourable House, which is the highest institution in this Land.

Mr. Speaker, since I expect many of us will be speaking, I will limit my contribution on one or two specific issues. I have been informed by the Committee, who is dealing with the CCJ that this was the Bill most voted on in the Referendum, whether it was 'yea' or 'nay', it was most voted on, which means that it is a Bill of significance to our country. I firmly believe that not enough education and information were done, because, perhaps, I believe if it was, that might have been the only Bill that would have succeeded to get the 66 and 2/3%. And, I believe that this is the optimal time for us to right that shortcoming, in terms of bringing information to our people, explaining to them what the issues are and listening to their disquiet.

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Mr. Speaker, I believe that if the facts are known to the people that they would have no hesitation in voting, maybe, 100%, or 90%, not just the 66 and 2/3%, but a big percentage, unanimously for this Bill, and I will give my reasons why.

Mr. Speaker, in speaking to people about the Privy Council versus the CCJ, one of the first things that I raise and what comes to my mind is, how much of a choice do we have with the Privy Council? How long is it going to be there supporting us? British Government paying their monies for an Institution that they do not use; how long are they going to support it, financially, and otherwise to support us? **(Applause)** We have seen that many things have been taken away from us. Coming here you look at the Governor-General's building; in St. George, we have an eyesore, the Parliament building, those were destroyed by Hurricane Ivan. We never got support to replace them, up to today, by the Government, where the Privy Council is, the Government of which we were a Colony for the longer period of time, although we were in the hands of the French and so on for a little while, but we were there and they have not. And, that should send a strong message to us, that the Governor-General is the direct servant of the Queen.

The Parliament building, we pay homage to the Queen, and yet when those buildings were destroyed and several requests were made, I know that for a fact, they never bothered with us. Are they really interested in us? Do they really care that much about us? This is a question we have to ask ourselves. And, if the answer is, that they do not, then we ought to know, that at some point in time, they will relinquish that hold, that support, that string that ties us still to the Colonialism, and as the Member for St. George South-East said, we are never fully independent, but we are on a pathway, and, therefore, as we move forward in that pathway, we have to look at the things that are not in our favour that do not benefit us and move forward to eradicate them and to look at what is better for us and move forward to implement them. So, that is my first question, how much interest do they have in this thing for us?

And then I asked... I have been in a couple meetings and I asked people, how many of you know about the Privy Council, put your hand up? I did not see one hand

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go up. The ordinary man on the street doesn't know about the Privy Council, and why? Because, it has not been accessible to us, we have not been able to use it, it is not an avenue for us, so why should we bother? So, they don't know about it, and that is very, very telling. If we were to just ask people how much do you know about the CCJ? And, you know, if we could get the 66 and 2/3%; if by doing that we could have resolved the matter, we would have resolved the matter, very easily, because we do not know about them, because we do not use them and we'd have no avenues to go to them, very, very few. And, I say no, and, perhaps, I say it in that strong way, and we do know a few cases have gone, few and far between, with a lot a difficulties and sometimes the verdicts that are given make one wonder, and I am not a legal person, by any measure, but sometimes the Judgements may not necessarily be to reflect an understanding of our people.

So, that brings us to the next question. Do they know us? Do they understand us, our language, our culture, our way of dealing with things? Do these things factoring in into their decision-making, when it concerns our people? And, I think the answer is no. So, Mr. Speaker, these are some of the things that we have to consider.

And, the other thing with the CCJ, the Caribbean, the CARICOM, we are one space, one people, one sea and pretty much one destiny, because what affects one Caribbean Region, one CARICOM country affects all of us, and over the years, history has shown that some of the things we have done, either as a sub-region as the Eastern Caribbean, there have been several successes, and as a Region, I mean, we couldn't talk about West Indies Cricket without a Caribbean Community. I don't know if Grenada could have put up a Cricket Team that would have gone to play with England and play Australia and India and so on, I doubt very much. And, while we have done excellently in some areas where individual input is required, when it requires numbers and the economies of scale, we depend heavily on our CARICOM partnership, or CARICOM relationship, and a number of good things have happened. So, even as a sub-region, as a Physician and as a former Minister for Health, at one time, we had a lot to do within the OECS, looking at how we could have access to medication for our people, how we

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could cut costs, and we did it best by coming together, some thirteen (13) countries or so to deal with that. So, there is safety in numbers in the Region.

And, Mr. Speaker, the last contribution I want to make, because I know others will make their contribution. The last contribution I want to make is that we have very skilled people, people who have reached at the highest level. I remember going to Canada and one of the most renowned Judges, at the time, in Canada, that was quite a few years ago, was a Grenadian. And, we were told a few days ago, in presentations that were done in the launch of the CCJ, our Caribbean Lawyers have reached to the highest level, even in the same Privy Council. So, sometimes we feel that what we have is not good enough, and I just want to leave one old statement. I am winding down, Mr. Speaker. I am winding down now.

There is an old saying and the younger ones around this Table, who do not know it, I'll have to give them a little homework to do, and it is: **"Swal de swal"**; **"Swal de swal"** and our people must learn their Patois. But, the only thing is, I am sorry I have to say what it means, because it wouldn't give impact to how I am going to end. **"Swal de swal"** and they will have to pay me later on for that edifying. It says **"yours is yours"**; **"yours is yours"**, and we must not underestimate those sayings our people had, **"yours is yours."** Privy Council is not ours. No matter what we do, what we say, no matter what ties we had to England, this is the time to keep divesting ourselves of those strings that tie us unnecessarily. That doesn't mean, we'll break all ties. As independent countries, we still have relationship with the England, we'll still welcome then Queen and so when they come to Grenada. I hope they will welcome me, when I go to England, but they never have. But, the point is, there are some ties that are not beneficial to us, as a country and a people. They do not create the avenues. They do not give the exposure to our people, as they need our support. And, therefore, we have to look at what is more meaningful. I am sure they are listening to this debate, somewhere; somebody is listening and say "kudos". It's time for Grenada to move forward, just as other countries are moving. So, they are happy over there, because it's

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better for them and they know it is better for us. So, Mr. Speaker, I rest my case, because I know others want to speak. I thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative, and a good lesson in Patois would be helpful to us. **“Swal de swal”, “Swal la brau swal”.** **(Laughter)** I would come in there to help. Honourable Representative for St. George South.

Hon. Nickolas Steele: Thank you, Mr. Speaker. Mr. Speaker, I rise to give my full support to this Bill. But, Mr. Speaker, in doing so I want to beg your indulgence to read from the website, the homepage of the Privy Council, how it describes itself to the world. And, I quote: **“The Judicial Committee of the Privy Council is the Court of final appeal for the UK Overseas Territories and Crown Dependencies and for those Commonwealth countries that have retained appeal to Her Majesty in Council”.** By its own description, on its own website, Mr. Speaker, the Privy Council describes itself as a vestige of Colonial times.

I quote: **“for those Commonwealth Countries that have retained appeal...”** Therefore, there is a choice and with that choice there is an expectation that you could and would move further, that you could still be Commonwealth, very much Commonwealth and have not retained the appeal to Her Majesty. Her Majesty is still the Head of State, but we have her Majesty's Prison, but it is our people that are looking after it. We have Her Majesty's Customs, but it is our people that are running it. We have Her Majesty's Police, it is our people. We have this fine House, it is our people, and it is time, with respect to judicial matters, that the Court of Final Appeal should be our people, the Caribbean Court of Final Appeal (CCFA).

Mr. Speaker, I am one of the few Grenadians, who have gone to the Privy Council, and I can tell you it is extremely expensive. And, on one occasion, that contemplation, that expense came into consideration and you contemplated not going to appeal even though you know you were correct and justice was not served. Not because of what was right or wrong, but because of how much it would cost, and once

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you contemplate that, then it is not correct. You cannot have a system where an individual, to prove their innocence or their right, the cost to do so comes into consideration and would prevent them from proving what is right or ensuring what is their right.

Mr. Speaker, I'll give a point in case right now, and my Learned Brother from the Town of St. George would probably be aware of this too. The UK, the United Kingdom is where the Privy Council sits. The United Kingdom has Laws, its own Domestic Laws, which states that individuals, who have been convicted of drug offences will not be allowed entry into the United Kingdom, and that is their right. But, what this means, with respect to what we are discussing here today, is that an individual... Guyanese need a Visa to go to the UK. Tomorrow morning the UK could decide, on their own, that Grenadians too. But, if an individual, who has been convicted of a drug offence in Grenada, or in any Caribbean Island, would like to appeal that conviction, because they believe they have been wrongly convicted, they cannot go to the Court of Final Appeal, because the country in which that Court of Final Appeal resides says, you can't come; that if that country for a different reason, if the UK for a different reason decides that a certain Lawyer, no matter how learned and qualified, who is representing a Grenadian, they don't want him in the UK, then that Lawyer, no matter how learned and qualified, cannot go to defend a Grenadian, or to appeal a judgement in the United Kingdom, because that's where this Court of Final Appeal resides right now. It does not, like our first Court of Appeal, travel throughout the Islands, to accommodate those who cannot get there, so that costs would not be a significant factor. It does not. It stays there and says, "you come to me." But, however, in order to get there, you've got to meet the conditions of an independent Nation, the United Kingdom.

So, Mr. Speaker, we have to contemplate the world we're living in today, where we are seeing change in Immigration Laws, while we are working hard as a Government and making sure wherever possible, as was announced earlier today that those changes are positive for us wherever possible. It is not a far stretch of the imagination, with BREXIT, that the UK could change its Immigration Policy, with respect

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to the former Colonies and it would be harder for Grenadians, Grenadian Lawyers, all Grenadians, who needed to appeal a case to get to that Court.

And, Mr. Speaker, finally, I want to make a comment. I have heard others, who have certain reservations on what we are contemplating, speak to the current state, physical state of some of our Courts here in Grenada, and that being a concern of theirs as to having the CCJ. But, that should not be a concern for two reasons, one the CCJ has its funds, guaranteed already, in its set up. Money was put aside for the CCJ operations, so that it would be independent of the Governments, so that it would function properly. And, basically the annual cost of the CCJ is the interest on that fund that has been put aside, so it's not just diminishing amounts. CCJ has its money put aside and it will be well looked after to serve the people with or without the progress of this Government, or any of the other Governments that sign on. So, it's not a valid reason for that; in fact, it's a justification to move to a system that already has its resources guaranteed, Mr. Speaker.

So, Mr. Speaker, I believe it is quite appropriate, quite timely, for us to be considering this, for us to be considering what is in the best interest of our people, and to make sure that those who need to appeal a judgment, that it is more appropriate, it is more local, it is more accessible, it is more understanding, it is more Grenadian, it is more Caribbean. Thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative. Honourable Representative for St. Patrick West.

Hon. Anthony Boatswain: Thank you, Mr. Speaker. Mr. Speaker, I rise to make my contribution to the debate on what we can refer to as the CCJ Bill. Mr. Speaker, not long from now on the 6th of November we, as citizens of this country, would be called upon to vote in a Referendum to determine whether Grenada should accede to the CCJ in its appellate jurisdiction, knowing fully well, Mr. Speaker, that we are part of the CCJ, a Member of the CCJ in its original jurisdiction, being the Court that

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will interpret the Treaty of Chaguaramas and all the various agreements and to determine whether there are violations to such Revised Treaty of Chaguaramas. So, the CCJ, Mr. Speaker, should not be seen as something that is new to us. We are only looking at it in its appellate jurisdiction.

Mr. Speaker, not long ago, about two days ago, I was part of a team holding discussions in a village of Hermitage where the issue of the CCJ was raised. And, Mr. Speaker, I want to make this point, and the Member for St. George South-East said, we should be frank in our presentation and I would be frank.

Mr. Speaker, if what transpired there could be seen as a microcosm of the entire country, I must, indeed, say that we have a lot of work to do between now and the 6th of November to convince our people to vote in this Referendum. Because, Mr. Speaker, I harbour a guess that close to 90% of our people do not know much about the CCJ, because that same 90% do not see themselves, as making use of the CCJ in their lifetime and, therefore, Mr. Speaker, they will want to know, how the CCJ will benefit them, that's their number one concern. Yes, you ask me to be part of the CCJ, you want me to vote for it, how the CCJ will benefit me? For the Rasta Man who is sitting on the block and he is feeling aggrieved because he was arrested, criminalized for a little thing, he will want to know why am I voting for the CCJ? For that vendor whose son has been languishing in prison on remand and cannot have his case called or heard, you're asking him, why should I vote. You ask me to vote for the CCJ, why? Where is the justice or for that young man, Mr. Speaker, who was injured in an accident, not his fault and for years, Mr. Speaker, he has been waiting for his matter to be heard so he can get just compensation and he is not getting it. You're asking me, why am I voting for the CCJ? Mr. Speaker, the issue is that we have to convince our people, we have to reach out there, Mr. Speaker, and yes, we're in this Parliament, it's good, we could speak, we could talk about the CCJ, but we have to go out there, Mr. Speaker, in the trenches, it's like a one on one combat, to convince the people as to why they should vote for the CCJ.

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Mr. Speaker, man is a creature of habit, we know that. They have been hearing about the Privy Council, sometime they don't even know what is the Privy Council, but they hear about it and we know that our people are resistant to change, they resist change for obvious reason, maybe out of ignorance, they do not know so they prefer to stay on the "safe side" quote, unquote. Or some again might resist because of political expediency, not that they may not know but for political reasons they might want to oppose and, therefore Mr. Speaker, we have a task as educators, as those who are proposing that we move from the Privy Council to the CCJ, we have, as they would say a humongous task on our hands to convince our people to move in that direction.

But, Mr. Speaker, what is significant, the same people, ordinary people, who are saying that they do not know about the CCJ, they are indifferent as to whether it is the CCJ, or the Privy Council, these are the same people, Mr. Speaker, who are crying out for lack of justice in our Judicial System. At the level of the Magistrate Court, which is the High Court, and even to the OECS Court of Appeal; that is where, Mr. Speaker, the issue lies. That is where, Mr. Speaker, they feel the injustice, not at the Privy Council, they don't know about Privy Council, or maybe why the CCJ would replace it. And, therefore, Mr. Speaker, unless we can convince those people that with the CCJ, maybe justice could come at that level, still, we are not going to get them to change their minds. They must see the CCJ, Mr. Speaker, as being able to influence justice at that level. There must be what you call that trickle down effect of the CCJ. And, in our process of educating the people, Mr. Speaker, that is what we have to show them, and I will raise some other points. But, to me, that is the most critical issue, that the CCJ must be seen to them, as being some kind of hope, that there will be justice, ultimately, for the ordinary people, Mr. Speaker. And, if we can't do that, we will not be able to convince them to vote, because they do not see the CCJ as being of any assistance to them because they don't know what it is.

Mr. Speaker, I might be a bit controversial in my presentation, but so be it. But, I think as the speaker said, as the Member said, we have to be frank, and we will be frank. Mr. Speaker, several reasons have been advanced, and justifiably so, by

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Members of the Committee, as to why we should accede to the CCJ in its appellate jurisdiction, and these are all valid reasons, Mr. Speaker. I don't think anyone could fault some of the reasons advanced. But, we cannot see all of these reasons, as being full proof, as being tight, as being not debatable, and we have to be open. We have to be frank with the people, Mr. Speaker, that although there might be strong reasons for moving in a certain direction, they must know the limitations, as well, and the weaknesses that exist, so they could make up their minds, because our role is to educate them. They must be educated. They must know the pros and the cons and let them make a determination, although we may have a duty, even a long one, based on our own conviction, as to how we feel they should move.

Mr. Speaker, it bothers me, as a Region, that only four (4) countries, so far, have signed up to the CCJ in its Appellate Jurisdiction; Dominica, Barbados, Guyana and Belize, four (4) countries. And, after seventeen (17) years, Mr. Speaker, we have to answer to why? What are the reasons the other countries have not yet acceded to the CCJ? There are advantages, but we should know; the people should know.

The CCJ is Headquartered in Trinidad and Tobago, that's where the Headquarters is located. The first Chief Justice of the CCJ is a Trinidadian, Justice de la Bastide, but yet, Trinidad and Tobago is not a member of the CCJ in its Appellate Jurisdiction. Questions should be asked, why Trinidad and Tobago; you have the CCJ located here, and you're not a Member. There might be valid reasons, Mr. Speaker, but the people should know, and too, other countries.

A strong case was made, when it was said that CCJ would move swiftly, because of its advanced technology, quite true, and the talk about the Ventours case in the Election in Barbados, and it was able to get swift results. But, someone could say "hey"... There was an issue facing St. Kitts and Nevis, and they went to the Privy Council and they got quick results, as well, and that changed the course of history in St. Kitts. Could that be the reason why that country is not moving to the CCJ, because of the swift response to a matter, that would have seen a different result to the Election in that country? Could it be that reason? So, there might be individual reasons, countries

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might present different reasons why they are not moving in the direction of the CCJ, when we all know that, for us, Mr. Speaker, which direction we should go, so let us know.

Mr. Speaker, one of the greatest fears of our people, with regard to the CCJ, is that of the possibility of political interference. And, I must commend the architects of the CCJ, for putting in place adequate mechanisms to ensure that political interference would be minimal, or don't exist at all. But, you cannot say, and I will not support anyone saying that the Privy Council, well, let's put it that way, let's go to the CCJ, because the possibilities of political interference, will be lower than that of the Privy Council; no, it can't, it just can't.

The fact is that, Mr. Speaker, the CCJ has adequate mechanisms to ensure that political interference, which our people are concerned about. And, again, that concern is not grounded in reality you know, but it is just that perception, that we are a small community, everybody knows each other, so the politicians will interfere. But, we know as a fact, Mr. Speaker, that because of the way that the CCJ will be funded, and the way that Judges will be appointed, it almost entirely removes the politicians, in terms of interference. And, unlike appointing Judges now, like the legal commission, where you would require unanimous agreement among all of the leaders to appoint the President, it is not so with the CCJ. So it is an improved model, much improved, but yet that perception exists. How do we get our people to abolish that perception of non-interference? It is a task that we have to educate, but I am saying, Mr. Speaker, this is something we should not take lightly.

Mr. Speaker, another point that was raised in support of the CCJ, which I fully agree to, is that, the whole issue of our culture. CCJ is a Caribbean thing, so, okay, it will be more *au fait* with cultural norms and practices of our people, quite correct, because I have heard it said that, listen, we've got CCJ... Now with the Privy Council, there are certain practices that we may regard as 'taboo', or unacceptable to our Region, that if you go to the Privy Council, someone decided to take a mother to the Privy Council... let us take for example, Same Sex Marriage, someone decides, hey,

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that is something that is like alien to us, and generally we would not support it, that is my basic principle. But, someone might say, “Hey, I will test it, you refuse me and I will take it all the way to the Privy Council, and the Privy Council would say, based on its liberal nature, we say hi, yes, you have to; you have to and you have to; it is a ruling that we have to accept. And, that, for me, that could be dangerous.

But, it is not only the Privy Council, you know, Mr. Speaker, that could do that. Some of the Treaties, the Agreements, the Conventions that we do sign now, as Governments, there might be certain Clauses in them, that say: “Hey, if you want my aid, you have to pass Legislations that will support the same thing that you don’t want us to do.” Are we going to refuse it? Do we have the moral strength? Do we have that economic independence to say, “Hey, we will refuse your aid, because we will not be part of what you want us to do?” That’s the practice, Mr. Speaker. There are some things we have to be careful about. So, it is not just the Privy Council that might to do it, but because we cannot resist that temptation, we might sign certain Treaties, certain Conventions, but there are Clauses that bind us to that, Mr. Speaker, and we have to be very careful with that, too.

Mr. Speaker, as I said, most of the reasons given for us joining the CCJ, I fully support, knowing some of the weaknesses that exist in that, which we should know. But, Mr. Speaker, there are three (3) fundamental reasons why I give my full support to the CCJ, and they are not, I should say, totally receptive of those that I have advanced already. The first, and the Member for St. Mark alluded to it, **‘en passant’ (in passing)**.

Mr. Speaker, the CCJ, is our thing. She used the words, **“swal de swal.”** It is ours, Mr. Speaker. And, when something is yours, Mr. Speaker, you have to adopt it. It’s yours. What else? You created it and you want to throw it away? There will be limitations, there will be weaknesses, but, it is the creature of our own creation. It is a Caribbean institution, Mr. Speaker, that we are creating. And, the Caribbean Region, Mr. Speaker, is known for creating very powerful institutions in the past, and I want to make reference to two (2). Again, the Member for St. Mark made reference to one, West Indian Cricket, something that glued our Region together, Mr. Speaker. There

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were times when West Indies ruled the Cricketing World. We were at the pinnacle. We defeated every other country. And, you know the English had a saying at one time, “they prefer to lose a battleship, than to lose a Test Match at Lords.” Well, I don’t know how many battleships they lost, because we beat them at Lords so many times.

The fact is that, Mr. Speaker, although we are not as strong, can we say we will abandon West Indies Cricket? No. It is a creature of the Region, and some of the Cricketing Greats, like Sobers, Kanhai, Hall, Griffith, Gibbs; they were not seen as Bajans or Guyanese or Andy Roberts and them in Antigua, they were not seen as members of different Territories, but they were seen as West Indies Cricketers. We supported them as West Indian Cricketers, my friends, not as Islanders. It was only when insularity stepped in, that we declined in our Cricket, and then we lost, because we could not keep up with the technology that was introduced. But, it is ours, it is something that we have to cherish.

The second one, Mr. Speaker, is the University of the West Indies. When it was proposed that we should set up our own University, a lot of people said, you’ve got to be crazy, who would recognize a Degree from the University of the West Indies? That was the thinking. Today, the University of the West Indies has produced Graduates that are serving in every part of the world, in the highest level, Mr. Speaker. **(Applause)** And, when we look in the Legal field, they have served in international Courts. Some have even advised the same Privy Council. So, are we saying that we are not capable of giving an institution like the CCJ to serve as our highest Court of Appeal? Mr. Speaker, I say, no, we could, and CCJ could do it, Mr. Speaker, and that is why I support the CCJ, because I believe that we can compete on equal or even better terms than many other countries in the world.

Mr. Speaker, the second reason, and again it was alluded to, by the Member for the South. The CCJ, Mr. Speaker, will create an avenue that will provide hope for some of our Legal Luminaries, who, in their lifetime, may not be able to sit on a Court, like the Privy Council. Gone are the days, Mr. Speaker, when, to study Law, you had to be rich, or you had to be famous. That same vendor I spoke about, her son studied Law, do

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well, and ultimately could end up as a Judge on the CCJ, or even the President of the CCJ; Justice Byron, St. Kitts; Saunders of St. Vincent and the Grenadines. And, who said that Grenada cannot produce Legal Luminaries to sit on the CCJ, or to be President of the CCJ. It gives hope, Mr. Speaker, for the hope that they too, one day, can sit on the Court of the CCJ, the highest in our Region. So, let us not take away that hope from our people. Let us build on it, Mr. Speaker.

And, the third and final point that I want to make, Mr. Speaker, is what I mentioned earlier. I believe that the CCJ provides the best hope for judicial reform at the lower level. There are some people, who say, and I have been hearing it, before we can talk about joining the CCJ, let us fix our Court System, and I am not talking about the physical thing, now, because the figure is rotten. Justice is not being delivered properly. Let us fix the Lower Court. The question, Mr. Speaker, who is going to fix it. When you say, let us fix it, who would fix it?

The Privy Council has demonstrated, over and over, it is not interested in what takes place in our Region; that is not their relate. They are concerned about hearing Appeals, yes, that's their relate, so they can't fix it. You cannot ask the Government to fix it, because we believe in separation of powers; so you want to ask the Government to go and fix the Judicial System? I can't see that. I can't see Government saying, okay, I am going to change that Judge, I am going to appoint him; you can't do that. The question is, who will do it? For years, nothing has been happening, the same thing has been going on.

I believe, Mr. Speaker, that with the CCJ, we would see changes at that level, and we have seen it already, because the CCJ is already signaling to those Judges to get their act together. These long delays in delivering judgements, they are saying you cannot do that anymore. Justice delayed is justice denied, and, therefore, I strongly believe that if we are to see improvement in our Judicial System, the CCJ must be a reality, because the CCJ will be, in my opinion, that Institution to impose those kinds of conditions on our Judges to get them to act and to behave in a manner that would see the delivery of justice that our people, the ordinary people are saying is deluding them at

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this point in time. So, it is not, let us fix it first and then go to the CCJ. I am saying, let us go to the CCJ and let us use the CCJ to fix what we consider to be wrong at the lower level. I thank you very much, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. Patrick West. Honourable Members, just before we proceed, one of our Parliamentary Representatives, Honourable Representative for St. George South, has to leave, on an urgent matter. But, he has already spoken, and may not be back in time to indicate his vote. I would ask you now, Sir, when the question is put, a little later, two responses would be required, the “ayes” and the “noes”. If you are not here on time, how would you like your vote to be counted?

Hon. Nickolas Steele: Mr. Speaker, loudly and resoundingly, “aye”.

Mr. Speaker: I would ask the Clerk to take note of this, please. Thank you, Honourable Representative. Honourable Representative for St. John.

Hon. Alvin Da Breo: Thank you, Mr. Speaker. I rise to make my contribution to the debate on the Caribbean Court of Justice. Mr. Speaker, as human beings, even in families, most times, we never see things, eye-to-eye, or we would never agree on the same things 100% of the time. So there will be disputes, or misinterpretation of things, sometimes, even it is in black and white. So, therefore, that is where the Courts come in, so that they could resolve the disputes that we have.

We have seen other societies, I know, like the Tribesmen in Aghanistan, and even those of us, who watch the African movies, we see how the Leaders in the Tribe come and they would listen to both sides, and make a judgment, because they know the lifestyle, they say the same heritage and values, so it is more fitting for them to make that judgment.

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Likewise, we in the Caribbean, Mr. Speaker, we are very similar in our lifestyles and values, much different than somebody, say, in Wales; so, just the same way that the people in Wales wouldn't want to come to the Caribbean to get their disputes resolved, our Caribbean people shouldn't have to go to London to get our disputes resolved.

I know even like the Member for St. Patrick West spoke about the problems that we have in the lower Courts; well, Mr. Speaker, the Court is not a word that people like, because we were brought up to be scared of the Courts. Many people say they don't like Courthouse, they want nothing to do with the Court. But, in reality we do have to go to a Court, sometimes, in our lives, because sometimes it may not be through our own doing, but we are summoned to go there, and we go there for justice. So, we know that a lot of us have experienced, on the local system, where sometimes justice takes five (5) years longer, and the saying is that "justice delayed is justice denied." So, although we have these problems, locally, we cannot really pin this on the CCJ, because from the examples we have seen from the CCJ, I see that in some cases, in less than two (2) days, they give a judgment, and that is admirable for a Court. And, this is why, Mr. Speaker, one of the reasons why I would like to support them.

I would just be short, Mr. Speaker, just to summarize. What we need is a Court that would come to us and not one that we have to go to; and, in short, Mr. Speaker, it is the right thing to do. So, I pledge my support. I would also hope that Members of the Constituency that I represent would give it a 'yes' vote in the Referendum, and like my colleague, Mr. Speaker, I am travelling today, so just in case I am not here for the vote, I want to categorically say that I support the Bill for the CCJ. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. John. So, then, I am hearing you say, Honourable Representative, that if you are not here when the question is put, could you tell us how would you vote?

Hon. Alvin Da Breo: I would be a resounding "yes", Mr. Speaker.

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Mr. Speaker: I would ask the Clerk to please take note of this. And, this is because of the urgency with which you have to leave. Thank you, Honourable Representative.

Hon. Alvin Da Breo: Thank you, Mr. Speaker.

Mr. Speaker: Honourable Representative for St. Andrew North-West.

(The Parliamentary Representatives for St. Andrew North-West and North-East rose together)

(Inaudible comments)

Mr. Speaker: Honourable Representative for St. Andrew North-East.

Hon. Kate Lewis: Thank you, Mr. Speaker. Mr. Speaker, I stand to join my other colleagues in giving my full support to this Bill, the CCJ Bill, 2018. Mr. Speaker, I would be very brief and short, but I would ensure my point is well driven home.

Mr. Speaker, I am giving my full support to this Bill, because I firmly believe in my Grenadian and Caribbean brothers and sisters. I believe that they have the ability to deal with our own judicial matters, and I believe that they can dispense judgments in a timely manner, and doing so without fear or any bias.

Mr. Speaker, I believe that the issue of making the CCJ our final Appellate Court touches and concerns our Grenadian sovereignty. Mr. Speaker, I am a citizen of Grenada and Grenada is a Member of CARICOM, therefore, I believe my final Court of Appeal should be based right here in the Caribbean Region. **(Applause)** And, it should consist of Judges, who have a knowledge and understanding of our culture, our history, our traditions, our language and our dialects and the slangs that we use, Mr. Speaker. And, therefore, I believe the CCJ should be our final Appellate Court. **(Applause)**

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Furthermore, Mr. Speaker, our people should be given the opportunity to take matters further if they are not satisfied with the judgments handed down by the Eastern Caribbean Supreme Court and not be discouraged, because of the exorbitant costs that currently exist in taking matters to the Privy Council.

Mr. Speaker, the time has come. It is time for us to take the bold step to make the CCJ our final Court of Appeal. And, just as Prime Minister of Barbados, Mia Mottley would have said it, we have full control of our Government, we have full control of our Parliament, it is time that we take full control of our Judiciary. **(Applause)**

Mr. Speaker, let us begin to break the remaining chains of Colonialism and the CCJ is a good place to start. That is why I say, yes, to the Caribbean Court of Justice; our People, our Region, our Court. I thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. Andrew North-East. Honourable Representative for St. Andrew North-West.

Hon. Delma Thomas: Thank you, Mr. Speaker. Mr. Speaker, I stand to give my unweaving support to the Caribbean Court of Justice, Mr. Speaker. The time has long past, when we should rid ourselves from our Colonial past and deal with the issue that affects us, which is homegrown, Mr. Speaker, and it should be regionally owned, as it relates to dealing with the Caribbean Court of Justice.

Mr. Speaker, the former Prime Minister of Jamaica, PJ Patterson, said, and I want to quote: "Can our sovereignty be complete when the final word on the Law as an essential ingredient in the functioning of the State is still the subject of external decision making an interpretation by a foreign Court that is not locally owned?"

Mr. Speaker, the continuation of the Privy Council as the final Appellate Court is inconsistent with national sovereignty. There is a clear need to have a legal, permanent, regional institution to authoritatively and definitely interrupt and pronounce on Laws in the Region. The Caribbean Court of Justice must be such an authoritative institution. It is critical to the success of CARICOM and the regional integration.

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Mr. Speaker, many people will say that they have issues, that politicians would intervene, as it relates to the Caribbean Court of Justice. But, in May of this year, Mr. Speaker, when Barbados held its Elections and the issue came up where the Court had to act and act quickly, Mr. Speaker, it showed that politicians cannot interfere with that system. And, that is why, Mr. Speaker, in forty-eight (48) hours... so it speaks to time, whereas we have to go to London and it would take us months and very expensive, with the CCJ, we saw that in forty-eight (48) hours, justice became relevant, Mr. Speaker. The Caribbean Court of Justice became relevant, as the people were made to vote in the Election in Barbados. This speaks volume and it shows that the politicians cannot intervene.

Mr. Speaker, you know, sometimes when the things are local or regional we tend to question its validity. The same thing happened when CXC came on stream, you know, because we knew about GCE, which was from London. So, we said that GCE is better. And, therefore, right now CXC has proven its validity and its value and the quality of CXC, Mr. Speaker. And, that is why it is good, Mr. Speaker, for us to look at our own Court of Justice, our own System, Mr. Speaker. It is time. It is a real good step, Mr. Speaker, in getting rid of Colonialism, Mr. Speaker. I know it's a really a small step because just looking around in this Parliament, Mr. Speaker, tells us that we have a lot more in terms of getting rid of Colonialism, Mr. Speaker. But, Mr. Speaker, it's the right step, Mr. Speaker, in going forward, in dealing with the issues that affect us.

So, Mr. Speaker, if we are ready to be independent, if we really want to complete the cycle of independence, this is the correct step to go, Mr. Speaker, and then we look at the other issues within. Princess Alice Hospital, Mr. Speaker, we have people like Dr. Gibbs, who did well, Mr. Speaker, and it's time to change those names, hospitals and those permanent places because we can ask what is London or the British doing for us at this point? So, let us recognize our local people, let us recognize the intellectual ability of our Lawyers and let us assent to the CCJ, as our final Court of Appeal. I thank you. **(Applause)**

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Mr. Speaker: Thank you, Honourable Representative for St. Andrew North-West. Honourable Representative for St. Andrew South-East.

Hon. Emmalin Pierre: Mr. Speaker, as you would realize, St. Andrew is going in one voice. Mr. Speaker, the question really is what does this means for the ordinary guy in Mt. Horne, Mt. Fann, Mt. Parnassus, whatever the Mounts we can use as the example. Mr. Speaker, the opportunity we have is one that we need to grab. And, through you, Mr. Speaker, I want to appeal to our citizens to take advantage of this opportunity that we have, because so many times opportunities come by, we allow them to pass, and then we regret after.

So, some months ago the initiative was led, we had a Referendum, two (2) of the Bills, one as it relates to Terms for Prime Minister, one as it relates to having an Opposition, those came forward in the Referendum. Some persons said vote “No” to everything, don’t support this. But, I was amazed, Mr. Speaker, that some of the very same persons, who hired trucks, hired persons to go around the Island, saying “no” to this were the same persons, who came back after the last General Election and say, we should an Opposition Leader, we should set term limits. In other words, we had a golden opportunity for change. We had a golden opportunity to do what we wanted to do, but we allowed whatever it was to prevent us from accessing that opportunity that we had. So, I am going to appeal, Mr. Speaker, through you, to our people, to do the right thing, to take advantage of this opportunity.

Mr. Speaker, looking at the situation that we have before us, the exorbitant cost of going to the Privy Council. I am just thinking of the ordinary man in this scenario. How many persons in rural communities, in St. Andrew, and I am speaking specific to St. Andrew, even the Town of Grenville, Mt. Horne, Paraclete, Crochu, name them, Paradise, Union, how many persons in those rural communities wanting justice, dying to have justice can afford to go to England?

Mr. Speaker, the option we have is Trinidad. If you ask how many persons from Símon, how many persons from Marquis and Soubise have been to Trinidad, you would

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get real numbers, because there are those who may be able to afford the plane and there are those who are going to jump the boat in Grenville and get to Trinidad, if they have to and there are some who go to Trinidad every week. Mr. Speaker, the point is, accessing justice will be far easier for the ordinary man in Trinidad, as opposed to England.

But, even better, Mr. Speaker, we have another option, because there might be somebody in Post Royal, for example, who just can't afford the two hundred dollars (\$200.00) that probably Cye boat is going to charge them to go down to Trinidad. The added option is that technology can be used. So, that person does not have to board the plane at all, does not have to go on the boat, that that justice can be accessed from staying right here in Grenada. And, we've heard of cases where this was done, related to this morning. And, Mr. Speaker, what we want is more of our people to be comfortable that justice is accessible. And, so, what we are trying to do is to provide an opportunity for all of our citizens to feel comfortable, that if they feel that they have the need to go beyond our Court of Appeal here, that they do have the freedom to do so. But, not just the freedom, because having the freedom to do it and being able to do it, we're talking about two (2) different things. So, Mr. Speaker, I am appealing to our people, do not let this opportunity pass us by. I am appealing to us.

The final thing, because I still recognize we have persons who have not spoken. The final thing I want to make note of, is that persons may have doubts as to whether or not this is going to cost us something. So, do we have to give up roads? Do we have to give up bridges? Do we have to give up roadwork to be able to benefit from this? And, the answer is resoundingly, no. We have already paid the price. We have already contributed financially, so if an ordinary person, maybe in Grand Bacolet is wondering, would I get less benefits, because Government is going into this? The answer is no. Government would have already have made its contribution and there will be no added costs for us going that route. And, so, Mr. Speaker, I can't think of any reason why any Grenadian would want to say "no" to going the route of joining the CCJ. Let us make full use of the opportunity that is presented before us. **(Applause)**

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Mr. Speaker: Thank you, Honourable Representative for St. Andrew South-East. Honourable Representative for St. George North-East. Did I catch your light for the next speaker?

Hon. Tobias Clement: Thank you, Mr. Speaker. Mr. Speaker, I won't be very long on this one. But, I too, rise to give my support, as we move to a more independent country.

Mr. Speaker, as I look towards our history, as an independent country, forty-four (44) years, we have been given our Constitution, as is. When you look at the wider world and other countries, yes, they are Founding Fathers and they too have their Constitution, and as the years go by and we develop as a people, we find that in these countries they have amendments to their Constitutions, and as we have become now, we cannot call ourselves young anymore, we're forty-four (44) years. And, if this move, Mr. Speaker, make us a more independent country, then I am for it, and I believe this move will make us a more independent country.

I have heard the Member for St. Andrew North-West, and I think she hits the nail on the head. After all, we are a Grenadian people, we are a Caribbean people and what is relevant to us may not be even relevant to those over in the United Kingdom. As a matter of fact, they have started the process since the 1970s to get rid of us, and we continue to hang on and to clutch on to them. Mr. Speaker, I am and I will ask all our people to support us, as a more independent country. Thank you, Mr. Speaker.

(Applause)

Mr. Speaker: Thank you very much, Honourable Representative for St. George North-East. Honourable Representative for St. David.

Hon. Oliver Joseph: Thank you very much, Mr. Speaker. I am extremely proud to stand here today to support the CCJ Bill, as it is termed. I would not repeat what was said. I want to look at it from a different angle.

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Mr. Speaker, the biggest project undertaken by CARICOM countries is the establishment of the CARICOM Single Market and Economy, the biggest undertaking. It's still work in progress, but we have achieved quite a lot. As part of the Revised Treaty of Chaguaramas, there is a dispute settlement mechanism that we must use.

The CCJ was established in its two (2) functions, in its original and appellate jurisdiction. In its original jurisdiction you can hear matters pertaining to the interpretation of the Treaty with regards to the CSME, and all Member States are part of the CCJ in its original jurisdiction including Grenada. So, we are part of the Court, we have paid already and where we are today is to join the CCJ, as the final Court of Appeal in keeping with this project, the CSME Project that we have undertaken. And, therefore, I find it strange that the people who say they support regional integration and they support independence, are against this joining of the CCJ as the final Court. Sometimes I wonder what is the real motive.

You recall, Mr. Speaker, when the idea of going towards Independence came up, there were groups that was saying, well, Independence is good, and we should get Independence, but not under the current Government. That was said, you know. We want Independence, but not under Sir Eric Mathew Gairy. It could be something else. And, sometimes you feel that this sort of feeling still somehow, maybe playing a part in saying, well, we want the CCJ, as the final Court of Appeal, but, perhaps, not under the NNP. We have to get rid of this kind of thinking, Mr. Speaker. It's for the country, not for NNP. This is not NNP or NDC. **(Applause)** We happen to be in power, as the Party that's pushing it, but we are saying, that as an independent Nation, and we're going to celebrate forty-five (45) years next year, as an independent country. Why is it that we want to hold on to this Privy Council that is based in London, still, after forty-five (45) years where London has to still be serving us as an independent country?

So, Mr. Speaker, coming back to the Single Market Arrangement. And, a point I think that is missed, the Court hearing matters, in its original jurisdiction, like the case in Barbados and the case in Trinidad and so on, and people are applauding the judgement, saying, yes, look how swift the Court move and they are satisfied with the

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ruling of the Judges. Mr. Speaker, it's the same Judges that are sitting in the Appellate Jurisdiction, you know; it's not different Judges. I get the impression that some people think different set of Judges sit, when it sits in the Original Jurisdiction and a next set of Judges sit, when they sit in the Appellate Jurisdiction. The same Judges of the CCJ are the same Judges listening the case, be it in the Original or the Appellant Jurisdiction. So, if they're so good in the Original Jurisdiction, when they give their judgement and it's well received, internationally, what would be wrong when they listen to it in the Appellate Jurisdiction.

We have to give credence where it is due. We have excellent Judges sitting there, listening to the cases and ensuring that justice is done, because what's the point in saying that you can appeal to the Privy Council, but how many people could do that, the access to justice. If you have a system in place and you cannot access it, well it's of no benefit to you. You want a system; and the Court while the Headquarters is in Barbados for the Court, it moves around to various Member States. So, the Court will come to Grenada to hear cases. They hear cases by using technology, video conferencing, everything is done to make it easily accessible. And, therefore, I do not understand the noise against it at all. Really, as a people, as we enter, I would like to see on the 6th of November, that the CCJ succeeds, so that when we're celebrating our 45th Anniversary of Independence, in 2019, we can claim that we have made some strides in all that we have done and made further strides in having this Caribbean Court of Justice as our final Court of Appeal. **(Applause)**

(Inaudible comment by Mr. Speaker)

Hon. Oliver Joseph: If you have cross border dispute who will listen to it? So, we have a dispute between Trinidad and Guyana and Barbados and the other Member States, that's one of the purpose, to listen cross border trade dispute. The producers of honey have said to me, if we do not get the matter resolved this year, they're taking the matter to the CCJ. They don't have to wait until we get into the Appeal, it's the Original

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Jurisdiction, they will hear it. But, they are expressing confidence, because they said if they lose there and they take it to the Appellate Jurisdiction in the CCJ, they think they will get justice, and so they are really behind it. They're saying, it's time that we use it, use the CCJ, because they know that we paying, you know. They know that it is costing us just to use it, so they want an opportunity and they want to go there, because they are very confident. And, we need to get all other Sectors, not just the Business Sector, the honey producers, but all our citizens to understand the real advantage of how much it means to the ordinary people; and I'll just finally wrap by using the example.

There is a Policeman in my Constituency who lost his case, locally, and appealed to the Privy Council. He was charged. When the bill came, you know, Mr. Speaker, he had to drop the case. He couldn't find more money, again, to pay. He paid the Lawyers in England, and he just couldn't afford it. He just could not afford to go to the Privy Council, when they gave him the cost. And, I think, perhaps he is one of the persons that we should probably engage. Let him explain his experience in trying to get justice in the Privy Council, so that we can have a good understanding of what we are talking about. It's not easy to access justice at the high costs of going there, as mentioned by other speakers. And, so, Mr. Speaker, I appeal to the entire voting population in Grenada, that on the 6th of November, let us go out and ensure that we join the CCJ as the final Court of Appeal. I thank you. **(Applause)**

Mr. Speaker: Thank you, Honourable Representative for St. David. I am accused of not breaking away from Colonialism, and I intend to ensure that I feed you. So, we would adjourn, have Lunch and return at 2:15, at 2:15. It's now 1:15, so we return at 2:15.

House adjourns for Lunch at 1:15.

House resumes at 2:15.

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Mr. Speaker: Honourable Members, this Honourable House resumes. Honourable Parliamentary Representative for Carriacou and Petite Martinique.

Hon. Kindra Maturine-Stewart: Thank you, Mr. Speaker. Mr. Speaker, I rise in full support of the Bill before this House. Mr. Speaker, permit me to quote the Vision and Mission Statement of the CCJ as provided on the Website of the CCJ. Mr. Speaker, the Mission of the CCJ is: ***'To protect and promote the rule of Law, as a Court of final Appeal and as guardian of the Revised Treaty of Chaguaramas by guaranteeing accessibility, fairness, efficiency and transparency, delivering clear and just decisions in a timely manner.'*** Mr. Speaker, I wish to ponder on a few of these words: ***'guaranteeing accessibility.'***

Mr. Speaker, the CCJ has demonstrated, time and time, again, that it is a Court that is fully accessible to every citizen, everyone, not just, Mr. Speaker, those that have deep pockets, but also, Mr. Speaker, those that have no pockets at all.

Mr. Speaker, the issue of fairness, efficiency and transparency, these hallmarks, Mr. Speaker, came to light in innumerable decisions emanating from the CCJ. And, from all indications, Mr. Speaker, the CCJ is living up to its Mission Statement.

The Vision, Mr. Speaker, of the CCJ is: ***'To be a leader in providing high quality justice, responsive to the challenges of our diverse communities, innovative, fostering jurisprudence that is reflective of our own history, values and traditions and consistent, of course, with international legal norms, inspirational and, of course, worthy of the trust and confidence of the people of the Region.'***

Mr. Speaker, I wish to ponder upon the fact that one of the Visions of the CCJ is to ensure and to be responsive to the challenges of our diverse communities. Mr. Speaker, there are many issues that the Constitution of Grenada does not provide for, or does not address. When those issues arise, Mr. Speaker, it will mean one thing, that the Court adjudicating on some of these issues, would either, one, use its inherent jurisdiction and, of course, its discretion.

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Mr. Speaker, here we have the CCJ as its Mission, saying to us that one of its Mission or its Vision is to ensure and to take into consideration challenges of diverse communities, and, of course, **“fostering a jurisprudence that is reflective of our own history, values and traditions”**. May I add here, Mr. Speaker, the same cannot be said for the Privy Council.

Mr. Speaker, judgements emanating from the Caribbean Court of Justice, the scales of fees and the rules of Court with provisions for poor persons to access the CCJ without fees and security for costs have provided accessibility to timely justice. Mr. Speaker, in looking at and examining some of the judgements emanating from the CCJ, it is fair to say that fairness is at the heart of its judgments.

The Original Jurisdiction of the Court, the CCJ, Mr. Speaker, has put flesh on the bones of the Revised Treaty of Chaguaramas. Individuals or Companies and even State can use the Treaty to make their own State, as well as other CARICOM States comply with the Treaty.

Mr. Speaker, it was on 14th February, 2001, most Heads of CARICOM including Grenada signed an Agreement establishing the CCJ. As a consequence, Mr. Speaker, Grenada has a legal obligation to the Region, to honour this Agreement.

Mr. Speaker, if countries were allowed to attend this Heads of Government meeting and signed on to Agreements and nothing more, then, Mr. Speaker, the Region would not be a strong and cohesive Entity we all want it to be. By acceding, Mr. Speaker, to the CCJ, in its Appellate Jurisdiction, Grenada would essentially, be honouring its obligation and, thereby, contributing to building a stronger regional Entity.

Mr. Speaker, I have heard many concerns being expressed about the Court, the CCJ, and one of the concerns, Mr. Speaker, expressed is that Judges of the Court would be paid by Governments, which, of course, can exert decisive, informal pressure on them, to deliver judgments favourable to that Government. Mr. Speaker, the CCJ preempted this issue, and in order... Mr. Speaker, the Caribbean Court of Justice is funded in perpetuity. A Trust Fund, Mr. Speaker, of one hundred million dollars (\$100 m) has been established, so as to enable the expenditure of the Court to be financed by

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income from that Fund. In this way, Mr. Speaker, the expenditure of the Court including remuneration of Judges, is not dependent on the disposition of Governments.

As a consequence, Mr. Speaker, the CCJ is the only integration Court of its kind that is financially independent of Government and free from administrative control. The Caribbean Court of Justice Fund is administrated by a Board of Trustees drawn from Regional Entities.

Mr. Speaker, the fact is, Grenada has already paid for use of the CCJ. We are paying for something, which we are not fully utilizing. In other words, Grenada does not have to spend one black cent, Mr. Speaker, to utilize the Appellate Jurisdiction of the CCJ, because we have already contributed, Mr. Speaker, to this Fund. Mr. Speaker, this is good news. It is good news, Mr. Speaker, for our local Court System. And, Mr. Speaker, speaking about our local Court System, let me be the first to admit, as the Minister for Legal Affairs, that our System is fraught with challenges, dire challenges. It is no secret, Mr. Speaker, that our Court needs attention, not just in respect of the Physical Plant, but also the due administration of justice.

Mr. Speaker, we are having delays in hearing matters, delays in delivering judgments. Hundreds of cases are lodged at the Registry, just waiting to be heard. Mr. Speaker, these are serious concerns, and as we have all heard before: ***'Justice delayed is justice denied.'***

Mr. Speaker, as a Government, we are quite cognizant of the challenges that we are faced with. However, Mr. Speaker, I say, in the same breadth, that the challenges that we have been facing and are facing, with respect to our local System, is not a justifiable reason, Mr. Speaker, to say to the Government of Grenada, that we should not, at this time, accede to the Appellate Jurisdiction of the Court.

Mr. Speaker, as we all recall, Hurricane Ivan destroyed our Court Facility, in 2004. As a matter of fact, Mr. Speaker, today, I believe, makes it fifteen (15) years? Fourteen (14) years since Hurricane Ivan would have struck. Our Physical Plant, Mr. Speaker, was destroyed beyond repair. The Court then, Mr. Speaker, was moved to the old LIME building on the Carenage. And, very recently, Mr. Speaker, the Court had

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to be relocated to many different areas, of course, because of the quality of the air in the building, Mr. Speaker, and the alleged issue of radiation.

Mr. Speaker, being the type of Government that we are and being cognizant of the fact that staff, Lawyers, Judges and everyone, who use that facility got sick, Government took the decision to clear and to move out persons from that building. As a result, Mr. Speaker, Court was held in various locations, including the Trade Centre and the CAIPO building. Presently, Mr. Speaker, the original Court No. 1 is under renovation and repairs, which, Mr. Speaker, will be available for use for the opening of the new Law Term in two (2) weeks time.

Mr. Speaker, we are also, presently, in negotiations with CLICO, for the CLICO building on Young Street, Mr. Speaker, to have that building be used as a medium term solution to house the Court facility and the Registry. Mr. Speaker, of course, the ideal thing will be to have our own Court, our own Halls of Justice, and, Mr. Speaker, I am very confident that not too long from now, that we will see the commencement of work on this new facility.

Mr. Speaker, the CCJ has demonstrated to us how matters are to be dealt with and how matters should be dealt with. We have seen its swift nature. We have seen how it administers justice, Mr. Speaker, and we signing on to the CCJ, would only be able to take a page, and to learn from how they conduct their business at that higher end.

Mr. Speaker, as a true Caribbean woman, as a native of Grenada, Carriacou and Petite Martinique, I am indeed, honoured to be able to contribute and to be a part of this Bill, which, Mr. Speaker, seeks to break the chain of Colonialism.

I know, Mr. Speaker, that this would not be the end and that we have many more strides to make. But, Mr. Speaker, as others have said before me, I believe that this is the right time, and we all, as conscientious, patriotic, men and women of Grenada, Carriacou and Petite Martinique, should, unreservedly, support and, of course, vote, overwhelmingly, on the 6th November, to ensure that Section 1 of our Constitution is

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actually amended to include, Mr. Speaker, the CCJ, as the final Appellate Court instead of Her Majesty's Privy Council. I thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you Honourable Representative for Carriacou and Petite Martinique. Honourable Representative for the Town of St. George.

Hon. Peter David: Thank you, Mr. Speaker. Let me, first, commend, again, the Government, for bringing this Bill before this House, a Bill that I believe is as important as any other that we have brought here.

I want to start by saying, Mr. Speaker, that some things rise above politics. There are some things in our society, some things that we do that must rise above partisan, tribal politics. This Bill is one such thing. This Bill rises above any partisan arguments, any partisan and tribal rumblings in our society. It is a Bill that will benefit everyone regardless of political positions.

Mr. Speaker, I want to begin by commending those in the Opposition Party, who have come forward to indicate support for this Bill. **(Applause)** I want to commend the bravery that it takes, and I want to commend the fact that they have looked at it and decided that despite their opposition to the Government, they will do what we have always said is the right thing, but support Grenada. And, I want to say to them that when the history is written, when generations to come write about this portion of our history, it will become clear that they would have stood on the right side of the people of Grenada, Carriacou and Petite Martinique. **(Applause)**

Mr. Speaker, I have no doubt, in my mind, that all of Grenada will be looking at this Bill to see where it benefits them. And, I agree with the speakers, who before said that the average man in this country must determine why it is he or she should support this Bill. First of all, and I just want to reiterate a couple of things; I won't be long, Mr. Speaker, the accessibility. I think we have heard a lot about accessibility, and that is the most important element in our Justice System, because while we talk and some people speak about we must keep the Privy Council, none among them can say to me

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they have ever accessed the Privy Council. It is a right that they want, that they cannot exercise. On the other hand, the CCJ is immediately accessible, and I don't need to go into all the reasons such as the fact that it is close, the fact that there are itinerant, they move around, the fact that its video facilities are available, I do not need to go back into all of that. But, just to say that to that Rastaman that my friend from St. Patrick West spoke about, or to the Police Officer, who had this case, I say to them a good reason, as the Member for South-East, St. Andrew said, the good reason is first of all accessibility to the highest levels of Justice in our country.

The fact is also, Mr. Speaker, that there are those who talk about competence, whether or not, and you know it reflects our view of ourselves, sometimes, that sometimes a part of our Colonial legacy is a lack of confidence in ourselves, our ideas, our ideas of beauty, our ideas of all kinds of things are shaped and formed by our Colonial Masters. So, when we start questioning ourselves and say: "Boy, I don't believe we can do this," what we are doing is saying that we are lesser mortals than our Colonial Masters. And, the truth is, in order to enslave our people on the African Continent, the first thing that the Europeans had to do was to make them believe that they are lesser mortals than their Colonial Masters. So, to those, who would say, we are not as competent, I say to them, look in the mirror, you are as competent as anyone else.

But, I want to refer to a statement made by our Chief Justice, Byron, the former President of the Caribbean Court of Justice (CJJ). He studied at Cambridge, in England, among all of the persons, who went on to the Privy Council and other higher Courts. He said: "I knew..." and he is speaking now about his presence at Cambridge. "I knew there was no issue of competence. "After all, I was at Cambridge University with elite of the British student population of that generation and competed with them, favourably, academically, on the Sports fields, in the debating and social skills. So, it is a matter of great distress," Sir Byron is saying: "It is a matter of great distress that in these times...", more than half a century after he studied at Cambridge with the best of British Society, that he says that he has to persuade Caribbean people that they should abolish appeals to the Privy Council and adopt the CCJ, as the final Court of Appeal.

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He is saying, in other words, that he was at Cambridge with all of the other persons, who became Judges of the Privy Council, etcetera, and he is distressed, because half a century after going to Cambridge and being with those students, he has now to convince people of the adequacy of our Judges to be in charge of the highest Courts in our Land. So, the issue of competence that some people refer to, in my view, does not reflect the reality on the ground. It is simply a reflection of their own view of themselves.

The other thing, Mr. Speaker, is this issue of which Court will better suit the Caribbean. Now, my friend from St. Patrick West also made this point. The CCJ will be a Caribbean Court, reflective of Caribbean culture, Caribbean values and everything Caribbean. I ask this question, which Court do you think will adequately reflect the views of Caribbean people to those who worry? Will it be the Privy Council, persons in Britain; persons who have never lived in the Caribbean; persons who don't share our values; persons who don't understand what we stand for and what values we uphold? Or, would it be our people, who have grown among us, who live among us, who attend the Churches we attend, who attend the Schools we attend, who are members of the Soccer Teams that we are members of? Who best do you think will reflect us? **(Applause)** No doubt, no doubt in my mind that the CCJ will be the Court that will take into account, when it rules on matters facing it, all of the values that we have, because the CCJ Judges attend the same schools, churches and institutions that we attend. So, I say to those, again, who would prefer to rely on the Privy Council, beware what you rely on. It is best to rely on people who share the values, **(applause)** share the culture, share everything that we have.

I think, Mr. Speaker, that is why the Rastaman, my friend from St. Patrick West, that is why the young man, who was in the accident, will, no doubt benefit from judgment from people who understand his culture. Who understands the Rastafarian Movement more than Caribbean Judges? So, my friend from St. Patrick West, when the Rastaman raises that question, say to him, he will get better justice from people who understand him, and that is why the CCJ is where we should go.

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With respect to why other Caribbean countries haven't done it, well, you know, Antigua is going to have their Referendum on November the 4th, so they are moving in that direction. St. Vincent tried it in a Referendum some years ago; the Referendum failed, for other reasons, other than people's views on the CCJ. Why Trinidad hasn't gone, well, I am not sure why Trinidad hasn't gone, but not everything Trinidad does we do, and not everything we do, they do, so I don't know why Trinidad hasn't done it; that is a matter for them. But, what I would say is this, that we have a legal obligation also. I think it was raised by the Minister for Legal Affairs. We signed the Revised Treaty of Chaguaramas. We agreed in February 2001 that we are going to join the CCJ, and I believe we have to also fulfill that obligation.

The fact is, Mr. Speaker that we have to ensure, we have to ensure that our Judicial System works properly, and I want to quote Sir Justice Byron, again, when he says: **“The Judicial System is one of the key factors considered in foreign direct investment. Investors want the assurance fostered by the existence of an independent and efficient Judiciary, that is promptly accessible to even those not too wealthy litigants to settle commercial disputes.”**

The point he is making here is this, and I have always argued, Mr. Speaker, that we have to treat the Judicial System, as importantly as we treat other pillars of our Economy, because for there to be confidence for the Businessman and the Investor, either large, small or in between, they must be assured that we have a Judicial System that is accessible, readily to them, even if they don't have the enormous amounts of money that it cost to go to the Privy Council.

The point I am making here is this, that apart from accessibility for the average Grenadian, apart from the fact of our cultural similarities and the fact that the CCJ would reflect who we are, as a people, the issue of development; that in order to have development, we must have a properly organized Judicial System. My friend, the Minister for Legal Affairs, the Member for Carriacou and Petite Martinique indicated earlier that much is being done by the Government, to ensure that there is a faster process of access and delivery of justice, that we are working hard to develop a Halls of

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Justice, sometime in the future, but at this time we are trying to prepare the Court System, the Registry, so that we have a better organized Court System. Everybody knows that we have inordinate amount of delays, not only a problem in Grenada, in some other Islands throughout the world. I have practiced Law in New York, you have these issues all the time, but we are trying to correct it in Grenada. But, what we also have to do to have our Investors confident that they can access justice, is to have speed. We saw the case in Barbados, where justice was delivered and the Court sat, even on a Sunday, in order for justice to be delivered.

I disagree with my friend from St. Patrick West, who spoke about quick justice in St. Kitts; that case did not go quickly. In fact, they were delaying a lot of the elections and all, because it took time. The Privy Council takes time. The Privy Council, in some cases, takes years before you get there. In the case of the CCJ, I have no doubt, it will be faster.

So, in the nutshell, Mr. Speaker, I want to say I have spoken enough. I think everybody here has spoken sufficiently about that. I want to say that I believe that all of Grenada will come to understand the benefits of the CCJ. I believe, from the Rastaman in the North, to the Fisherman in the South, that they would understand that the CCJ represents them. I believe that Eric Matthew Gairy will roll in his grave, if we do not get this, because it will be the fulfillment of the dream of Independence to finally get the CCJ. You cannot claim to be an independent country, if your justice is not delivered by your people; if your Caribbean people are not the ones delivering justice.

So, Mr. Speaker, I support this. I believe Grenada supports this, and again I want to end by commending those, who may not support this Government, who may not support the Party that supports this Government, but who understand that CCJ is about Grenada, who understand that there are times, when we have to set aside the tribal political instincts and move as one people; that Grenadians will find it much more responsible, sometimes, when you look at the national good rather than the individual tribal good. And, for that I want to commend, from my heart, really commend those who

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have decided to come on board to promote CCJ, so we can ultimately deliver the best justice we can for the people of this country. Thank you, Mr. Speaker. **(Applause)**

Mr. Speaker: Thank you, Honourable Parliamentary Representative for the Town of St. George. Honourable Representative for St. George North-East.

Dr. the Rt. Hon. Keith Mitchell: No, no, North-West.

Mr. Speaker: North-West, sorry. Why do I keep mixing up the two, North-West and Prime Minister.

Dr. the Rt. Hon. Keith Mitchell: Mr. Speaker, I think we have had a long morning and part of the day already, so I won't keep you long except to make a few points, and, of course, to go on record, formally at the Parliament Session, this very Special Session, in giving my full support to the country moving towards accepting the CCJ, as its final Appellate Court.

Mr. Speaker, I also want to go on record to say this. I am not a person, who have just come on board to support an institution. A long time ago, I stood in support at every Forum I had to chance to support this important initiative. And, to say this, I think most Caribbean people and Leaders want to support this and have in fact, in most occasions came out in support.

Unfortunately for us, our politics have become so partisan in the Region, in general, not just in Grenada, that a Party in Government today says it's in full support of the CCJ. It is voted out of Office and then the same Party comes out saying that it's opposed to the CCJ. I don't know how you could be supporting an important issue like this on one side of the Parliament area and then as soon as you move to the other section of the Parliament, in Opposition, then you become to oppose. That is what is happening in Trinidad today. The Trinidad Government at the time, was fully in support, and that's why, when we gave our endorsement to Trinidad being the Headquarters of

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the CCJ, the Trinidad Government then, was in full support. But, they went into Opposition and then they decided to oppose the CCJ and that has been the case, consistently, in many parts of the Region. And that's the reason, to Member for St. Patrick West, that's one of the reasons that you don't have more countries in support of the CCJ. It is partisan, political activities responsible for this. But, our Party in Government has been supporting this before, in Opposition we have been supporting this before, and for when we're in Government, again, we will support it. To me, this is beyond partisan, political interest, and that's why I believe the record must show that this Body, in Government, stands on principle on fundamental issues. And, I have no doubt, in my mind, that if anyone thinks of the country first and thinks of the future of this country and the children and our future generations, one would not place the political interest.

I could, at least have understood the last time when this issue went to Referendum, because it was so close to a General Election. Some persons went into opposition to this for partisan, political interest, while it was not the right thing to do. But, there is no impending General Elections now; in fact, we just had General Elections. And, therefore, I would have expected our present official Opposition, or the major political Party in Opposition, would come out in strong support.

But, I just want to say that I received the copy of a letter, written by what is termed to be the interim Leader of the National Democratic Congress, sent to the Chairman of the Advisory Committee, yesterday, and I was appalled by it. I couldn't understand it, in effect saying, we don't have a problem supporting, but we need several changes to the Electoral Laws of the country and several things, which to me should not be, even if it was the right thing to do, it should not interfere with the decision to support the CCJ. But, it seems that what is being said is that for us to support, all these electoral changes must be made; people must not be allowed to come to vote without an ID in Grenada, and it does not make any sense.

I hope and pray that better sense will prevail among the major members of the Opposition Party, and I hope this is just an initial position taken, and I think it's important

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for our Advisory Committee and those who are interested to counsel our brothers and sisters in the Opposition that they should come forward and take a very serious interest in this exercise, because I am convinced, Mr. Speaker, individual Members of us, we may do what we wish, but I am convinced that the majority of people will come out and support this important initiative.

I have been to a couple public sessions already, and I was surprised at the level of interest, especially after that presentation some Wednesdays ago, by many persons who addressed the gathering at the Trade Centre. There appear to be, in the public view, a good feeling of support for this initiative. And, I think it's incumbent upon those of us who believe it to spread the message and to take that principled position, and I believe if we do this, the void of the partisan politics do not get into attacking Members of the Opposition, or Members of the Government, but take a position on the basic fundamental principles facing us, because this is what this is all about, Mr. Speaker.

(Applause)

The record will show, years from now, some of us will not be around, even in Parliament, and maybe not be around, on this earth. But, the record will show that we took a strong positive stand for what is right for the people. There is nothing in this Bill for any partisan, political Party; nothing. There is only one thing in this, it's for the people of Grenada, Carriacou and Petite Martinique and for the Caribbean Region, as a whole. **(Applause)**

Mr. Speaker, it must concern me also that in the case of the Privy Council, the Privy Council Members are all appointed by the political organization in England, so no independent body chooses the Privy Council in England. They are chosen by the political establishment in England. There is no such thing in the Caribbean.

I have been Prime Minister for many many years I've never been asked one question about a Judge. Nobody has asked me. Nobody even reported who has been. The only time I've had to have anything to do with CCJ is when it is said that the Independent Commission is recommending a certain individual to be the new President of the CCJ; that's the only time I've been told, because every country has to give a vote.

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And by the time we get there, it's already been decided, and the only thing you could be, you could be obstructionist in saying no, which would be, of course, extremely foolish and backward.

So, we have no say; and I am happy with this, and I like to always quote Prime Minister Barrow, Dean Barrow from Belize, when the new CCJ President was being installed in Jamaica, recently. He said, his Country has had several cases that have gone before the CCJ. They have lost several of those cases. He said: **"I didn't agree with the CCJ, but that is no reason for me to oppose the CCJ, because I cannot expect that I could only support the CCJ, because I get result in my favour. The CCJ is about justice. It is not about justice for those in power and, therefore, the Government has to accept the results of the decision of the Court."** And, Dean Barrow is the Prime Minister responsible for justice in the Region, and yet the CCJ was ruling against his Government, on many occasions, to his own disagreement, but accepting of that responsibility, that the CCJ must make its own decision. That, to me, is a man of principle, unlike what we saw in Barbados recently; didn't get a result in your favour, I am going to withdraw from the CCJ. How can we move forward on that basis? The CCJ is not supposed to give decision to a Government. It is supposed to give decision to the people, and based on what is right and just. And, I am, Mr. Speaker, I am convinced, I am very convinced this Bill will pass, if all of us do what we have to do as Leaders and take the position that I have heard many of us have done here today. I believe it will certainly pass.

And, I want to compliment the many presentations that I have heard today, by several Members of this House, and, in particular the presentation of the Member for St. Patrick West. Not everything he said that I agree with, but certainly I believe that he made a very strong presentation and ended up with a very strong note on the rational for the support of the CCJ. Therefore, I give my full support and I expect us to do all that we can, on the ground, in our various Constituencies, among our families and friends in the country, urging them, because I believe the people who go out to vote will

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not go out, generally, and say I going and vote 'no'. I believe they will vote 'yes.' I look forward to that, Mr. Speaker. Thank you. **(Applause)**

Mr. Speaker: Thank you, Honourable Parliamentary Representative for St. George North-West. Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. Mr. Speaker, as I stand to wind up the debate on this very important Bill, I wish to commend all those who have supported it, and I don't want to preempt your count, Mr. Speaker. But, it is extremely clear, from the presentations, that the benefits emanating from the passage of this Bill and later, by the passage of the Referendum, would be significant for our people.

Mr. Speaker, in presenting the Bill, I stayed away, because I know that many speakers would speak after me, from the goods, and they have definitely brought out the benefits of this. But, they have also indicated, Mr. Speaker, in their contributions, that education is critical and the key. And, so we must look to where certain persons in our society may still have difficulty in saying, "well, I don't understand." I remember the last occasions, many Bills, each Bill having hundred plus Clauses.

I wish to indicate Mr. Speaker, that the Bill before us today has only thirty-one 31 Clauses. And, of those 31 Clauses, Mr. Speaker, Clauses 17 to 31 deal with nomenclature in the existing Court that we have now. Like we know, the Eastern Caribbean Supreme Court and the West Indies Associated Court, it's all there now, so what these, 17 to 31 will be doing, is really to cleaning it and say it means the same thing, as it does now, the OECS Appeals Court, as we refer to it. So, we see it, the West Indies Associated Court, that's when we had the same dollar with Barbados, West Indies Associated System, when all of us were Colonies, but as we move forward, Mr. Speaker, we have changed.

But, with respect to the Court, the Court System has not changed up to the Associated Supreme Court now, or what we refer to our Court of Appeal. So, Clauses 17 to 31 deal with these things. The substantive amendment to the Constitution is dealt

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with from Clauses 1 to 13. Those Clauses we say, or we propose, that the Caribbean Court of Justice will be the final Court of Appeal. So, the Magistrate Court, the High Court, the OECS Court of Appeal, that remain the same, they haven't been touched. It is what we are moving across here, the Privy Council, to the CCJ, that's what Clauses 1 to 13 deal with, the substantive Motion.

So, those in between, Mr. Speaker, 14, 15 and 16, what do they deal with, Mr. Speaker? And, they are important. Clause 14 talks to the 'Finality of Matters.' It says: **"Nothing contained in this Act shall be construed, as conferring jurisdiction on the Caribbean Court of Justice to hear and determine matters in relation to any decision of the Court of Appeal, which at the date of commencement of this Act, pursuant to the Constitution, or any other Law was declared to be final."**

There are certain Laws that would indicate that the furthest that you can go is the OECS Appeals Court. So, that is final. You cannot now go to say, well, I want to take this matter, that is already a finality and bring it to the Caribbean Court of Justice. All matters dealt with by Her Majesty's Privy Council, which we refer to, as the Privy Council, it's a finality now. You cannot say: "Oh, I am waiting for the CCJ, so I am going to go and take this matter, already dealt with, by the Privy Council, and put it before the CCJ. No, this is what Clause 14 is dealing with, Mr. Speaker. It is not so much, as substantively changing the Constitution, but it is telling you what you can and cannot do when the CCJ comes into effect.

How would someone feel that you went out and you went to the Privy Council? We know of whatever shortcomings, and they have been well-elaborated here. But, you cannot go to something, which has already reached its final stage, and try to bring it back. So, it is important while it is not dealing with the substantive amendment, Mr. Speaker.

What does 15 say; 15 removes confusion. It says: **"The provision of this Act shall not shall not affect any application that was made to Her Majesty in Council."** So you made an application to Her Majesty in Council, so, what do you want

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to do? Come and just take it out, or kick it out and throw it and bring it to the Privy Council?

It says, Mr. Speaker, **“Any matter that was before Her Majesty’s Council before the date of commencement of this Act.”** So, when this Act commences, obviously, you cannot go anywhere to a Privy Council, you must go to the CCJ, Mr. Speaker. **“And, it shall not affect the execution, or enforcement of any decision given in respect of the application of matters referred to in paragraph (a) of the Section after the commencement of this Act.”**

So, Mr. Speaker, it clarifies the situation. If you have matters before the Privy Council, so let it proceed. And, if you have matters that’s in a final nature, it would be enforced. So, don’t expect, if you run before the CCJ and say they ruled for me to pay ten dollars (\$10.00) there, they are coming before you to take it out, no. All the Court systems, including our highest Court, will work to enforce decisions already in the final stages, Mr. Speaker.

16 is transitional; **“An appeal pending before Her Majesty in Council at the date of commencement of this Act may be transferred to the Caribbean Court of Justice with the consent of all Parties.”** So the Privy Council must say here, from what we are hearing, most likely they would say, quickly, move it. They may keep it, but from what we know and where they’re complaining about their Judges having to be consumed by the Privy Council, because remember their final Court of Appeal is not the Privy Council. So, they will have to say ‘yes,’ the CCJ will have to say, ‘yes,’ the Claimant and the Defendant will have to say, ‘yes’. So, all parties must say ‘yes’ before we remove matters pending, assuming this is past, okay, from the Privy Council before the CCJ. So, you do not have this migration, this mass migration even against the will of the parties. This is of extreme importance, otherwise we could have chaos, Mr. Speaker.

“Proceedings shall be deemed to be pending, when Appeals to Her Majesty in Council, that is the Privy Council, has been instituted before the date of commencement of this Act.” Again, clear. Even though it is inferred, you could only

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bring a matter; if this Act is in effect and passed and the Constitution amended, then you can't go back to the Privy Council.

“Leave to appeal, or special leave to appeal to Her Majesty in Council has been granted or applied for before the commencement of this Act.” So, if you applied and got permission to go to the Privy Council before the commencement of this Act, even though it goes into effect, that means you can proceed to the Privy Council. And, you can use the other Clause, which says, all parties would then come together and say, let's go back to the Caribbean Court of Justice, it is less expensive, etcetera, etcetera.

Although I understand, by a Learned member of the Legal Fraternity that you could have paid certain sums, but, most likely, you would not get it back. So, maybe the decision to remain there may stay, Mr. Speaker. And, it says: **“Any judgment of Her Majesty in Council, which, at the commencement of this Act, has been given, but not satisfied, may be enforced, after the date of commencement of this Act, as if such judgment has been the judgment of the Caribbean Court of Justice.”**

So, whatever was legally done under the Constitution by the Privy Council, Her Majesty in Council, will be upheld by the CCJ, so there will be a continuum, and this is important, Mr. Speaker, for people to know, that they would not be left in limbo. So, some people may say I am not supporting the CCJ, I intend to bring a matter up to the Privy Council, so what will happen to that matter? The Bill makes it abundantly clear; so now you can have peace of mind and say I can support the CCJ, because that is what I want, and there is no reason given to me for not doing so.

So, Mr. Speaker, we must recall, too, why all these things are important. It is just one vote to cross you over the line, and some people may want to, or in their heart, support the CCJ, but because they were not too clear on this particular issue, they withheld that vote, or they voted against it, keeping us against all the benefits that have been so well articulated here today, Mr. Speaker.

So, I only mentioned a few, and I know that the Steering Committee and the Legal Fraternity and the Bar would take on the responsibility of explaining many of

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those Clauses, particularly 1 to 16; 17, you can explain in a block, but 1 to 13 and the Transitional Provisions should be taken up by the Legal Profession and the Steering Committee. Because as we visit and we discuss with people, sometimes confusion lies in not knowing exactly what the Clauses of the Agreement, or the amendments here, Mr. Speaker.

I, therefore, commend this Constitutional Bill for its second reading, Mr. Speaker, and ask the public to vote. It transcends the Members of the Parliament, it transcends the Political Parties. It has all to do with our people, and we hope, Mr. Speaker, that this Bill will see the light of day, and will move to the Referendum stage, where we can call on our people, the different Institutions and so forth, to ensure that this Bill becomes a reality, and our final Court of Justice will be the Caribbean Court of Justice. I thank you.

(Applause)

Mr. Speaker: Thank you, Honourable Parliamentary Representative.

Question put and agreed to.

Mr. Speaker: Honourable Leader of Government's Business.

Hon. Gregory Bowen: Mr. Speaker, it is at this stage, if I am correct, that we call for a Division, not in the fact in the area of any animosity, or anything, but just for the record to show that Members here, how many support the Bill, Mr. Speaker.

Mr. Speaker: Okay. We have thirteen (13) Members present right now.

Hon. Gregory Bowen: We call for a Division, not in any animosity, just for the records to show.

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Mr. Speaker: Alright, Honourable Parliamentary Representatives. Dr. the Rt. Hon. Keith Mitchell, how do you vote?

Dr. the Rt. Hon. Keith Mitchell: Yes.

Mr. Speaker: Honourable Clarence Gregory Bowen, how do you vote?

Hon. Gregory Bowen: Yes.

Mr. Speaker: Honourable Peter David, how do you vote?

Hon. Peter David: Yes

Mr. Speaker: Honourable Clarice Modeste-Curwen, how do you vote?

Hon. Dr. Clarice Modeste-Curwen: Yes.

Mr. Speaker: Honourable Alvin Da Breo, well, he is not here now. Honourable Yolande Bain-Horsford is not here either.

Mr. Speaker: Honourable Oliver Thomas Joseph.

Hon. Oliver Thomas Joseph: Yes.

Mr. Speaker: Honourable Kate Lewis.

Hon. Kate Lewis: Yes.

Mr. Speaker: Honourable Pamela Moses.

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Hon. Pamela Moses: Yes.

Mr. Speaker: Honourable Emmalin Pierre.

Hon. Emmalin Pierre: Yes.

Mr. Speaker: Honourable Kindra Maturine-Stewart.

Hon. Kindra Maturine-Stewart: Yes.

Mr. Speaker: Honourable Nickolas Steele.

Hon. Nickolas Steele: Yes.

Mr. Speaker: Honourable Delma Thomas.

Hon. Delma Thomas: Yes.

Mr. Speaker: Honourable Tobias Clement.

Hon. Tobias Clement: Yes.

Mr. Speaker: Honourable Anthony Boatswain.

Hon. Anthony Boatswain: Yes.

Mr. Speaker: All thirteen (13) Members, present, voted 'yes'; zero, 'no.'
Honourable Members...

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(Clerk converses with the Speaker in private)

Mr. Speaker: Honourable Members, we have now completed the second reading of the Bill.

(Clerk converses with the Speaker in private)

Mr. Speaker: Honourable Parliamentary Representative for St. George South-East. Did you read out for the second reading? Honourable Parliamentary Representative for St. George South-East.

Hon. Gregory Bowen: Thank you, Mr. Speaker. I beg to move that the House resolve itself into a Committee of the Whole House to consider the Bill Part by Part.

Question put and agreed to.

House in Committee.

House resumes.

Mr. Speaker: Honourable Members, I have to report that the Bill was considered by a Committee of the Whole House and passed with one (1) minor correction. Leader of Government's Business.

Hon. Gregory Bowen: Thank you, Mr. Speaker. I beg to move that the Chairman's Report be adopted.

Question put and agreed to.

Chairman's Report adopted.

Mr. Speaker: Leader of Government's Business.

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Hon. Gregory Bowen: Mr. Speaker, I beg to move the third reading of the bill.

Question proposed.

Question put and agreed to.

Mr. Speaker: Honourable Members, we had thirteen (13) people, thirteen (13) present, two (2) absent, no 'noes.'

Bill read a third time and passed.

Ag. Clerk Assistant: Item 16 - Request for leave to move the Adjournment of the House on Matters of Urgent Public Importance.

Mr. Speaker: Leader of Government's Business.

Hon. Gregory Bowen: Mr. Speaker, I beg to move the adjournment of this House *sine die*.

Question proposed.

Mr. Speaker: Honourable Members, I looked over to see if there were any Member, who would wish to speak at the Adjournment, but there seemed to be no Members. This said to me that you were satisfied with a hard day's work and you have accomplished much. And, I want to commend all of the Parliamentary Representatives for their contribution, at this beginning of a historic making, because the passage of that Bill, at this stage, we pray that it will go through at all other stages and become our final Appellate Court.

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But, I must commend the Parliamentary Representative for Carriacou and Petite Martinique **(applause)** I had to look to make sure that... she was perfect in her delivery. So, we want to commend you and we want to say to you **(applause)** that I hope the Leader of Government's Business might use you and work you a little harder, that's what happens. They say it's no rest for the willing. People say no rest for the willing. Well, let me thank you all for, what I consider a very pleasant day, a very good day.

Question put and agreed.

House adjourned sine die at 3:35 p.m.

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