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BELIZE

No. HR 19/1/4

HOUSE OF REPRESENTATIVES

Friday, 13 November 1981

10:00 a.m.

Members present:

- The Speaker, the Honourable Mr C.B. Hyde, M.B.E.
- The Honourable Mr G. Price (Freetown), Prime Minister
- The Honourable Mr V.H. Courtenay (Collet), Minister of State
- The Honourable Mr D.L. McKoy (Stann Creek Rural), Minister of Labour, Social Services and Community Development
- The Honourable Mr F.H. Hunter (Belize Rural North), Minister of Works
- The Honourable Mr. F.J. Marin (Corozal South), Minister of Natural Resources
- The Honourable Mr G. Pech (Orange Walk South), Minister of Trade and Industry
- The Honourable Mr Louis Sylvestre (Belize Rural South), Minister of Energy and Communications
- The Honourable Mr A. Shoman (Cayo North), Minister of Health, Housing and Co-operatives
- The Honourable Mr S. Musa (Fort George), Attorney General and Minister of Education and Sports
- The Honourable Mr. E. Briceño (Orange Walk North), Minister of Local Government and Social Security
- The Honourable Mr S.O. Waight (Cayo South), Parliamentary Secretary, Ministry of Works
- The Honourable Mrs. J. Usher (Pickstock), Parliamentary Secretary, Ministry of Health, Housing & Co-operatives
- The Honourable Mr V. Castillo (Corozal North), Deputy Speaker
- The Honourable Dr. T. Aranda (Dangriga)
- The Honourable Mr P.S.W. Goldson (Albert)
- The Honourable Mr C. Thompson (Mesopotamia)
- The Honourable Mr C. Wagner (Toledo South)
- The Honourable Mr B. Ah (Toledo North)

MR SPEAKER in the Chair.

PRAYERS read by Mr Speaker.

PETITIONS

HON. V. CASTILLO (Corozal North): Mr Speaker, I rise to present the Petition for the Incorporation of the Church of God of Prophecy (Belize), and beg that the Petition be read.

MR SPEAKER: Let the Petition be read.

CLERK: "In the House of Representatives A.D. 1981

FIRST SESSION 1981

Petition for leave to introduce a Bill to provide for the incorporation of the Church of God of Prophecy (Belize)

/To: ...

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To: The Honourable the Members of the House of Representatives of Belize as in Session assembled.

The Humble Petition of the Church of God of Prophecy (Belize)

SHOWETH:

- 1. The object of the Bill is to incorporate the Church of God of Prophecy (Belize) as a body corporate over the activities of the members of the Church of God of Prophecy in Belize.
- 2. Your petitioner has caused the Bill of which a copy is hereunto annexed to be prepared for giving effect to the purposes set forth above and in the preamble of the said Bill.
- 3. The notices of advertisement in the Government Gazette and in the newspaper circulating in the country in accordance with the Standing Orders of your Honourable House have been published.
- 4. The objects of the said Bill cannot be affected without the authority of the National Assembly.

Your Petitioner therefore humbly prays your Honourable House that leave may be given to bring in the said Bill.

And your Petitioner will ever pray, etc. etc. etc.

Dated the 5th day of November 1980.

For and on behalf of the Church of God of Prophecy (Belize)

Sgd. Fernando Fowler,
Vice-President

Sgd. L. Betancourt,
Secretary."

PAPERS

HON. G. PRICE (Prime Minister): May I lay on the Table, Sessional Paper No. 154 - Supplementary Estimates No. 1 of 1981/82; and also Sessional Paper No. 155 - Supplementary Estimates No. 2 of 1981/1982.

MR SPEAKER: Both Papers are referred to the Committee of Supply.

HON. G. PECH (Minister of Trade and Industry): Mr Speaker, I beg to lay on the Table, Sessional Paper No. HR 156 and HR 157.

MR SPEAKER: Those Papers are ordered to lie on the Table.

HON. S. MUSA (Attorney General and Minister of Education and Sports): Mr Speaker, I rise to lay on the Table, Sessional Paper No. HR 158 - Statutes of the Caribbean Council for Science and Technology.

MR SPEAKER: That Paper is ordered to lie on the Table.

PRESENTATION OF REPORTS OF COMMITTEES

HON. V.H. COURTEMAY (Minister of State): Mr. Speaker, I beg to lay on the Table the Report of the Health, Education and Welfare Committee on the National Parks System Bill, 1981, which is Sessional Paper No. HR 159.

Mr Speaker, the Report reads -

In considering the matter to them referred, your Committee held two meetings on 9 and 13 November 1981.

Your Committee have heard evidence given in explanation of the Bill by the Chief Forest Officer, Mr H. Flowers.

Your Committee have therefore gone through the Bill and agreed that it be reported back to the House for Second Reading with the following amendments:-

- (a) by the deletion of Clause 41 and the substitution of a new Clause 14 as follows:-

"Any park officer may, if he suspects that a park offence has been committed, question any person and record any statements he thinks relevant to the investigation of the offence. In any subsequent prosecution, a Magistrate may admit such statement in evidence provided such statement was taken in the presence of the accused. An accused person may at his own expense require the presence of any such witness for cross-examination."

- (b) Deleting Clause 15(2) and substituting new Clause 15(2) as follows:-

"When in any proceedings under this Act a question arises as to whether or not any national or cultural object of value is the property of the Government, such natural or cultural object shall be presumed to be the property of the government until the contrary is proved."

Copies of the "proceeding" of the Meetings held are attached and form part of this Report.

MR SPEAKER: That Report is ordered to lie on the Table.

HON. LOUIS S. SYLVESTRE (Minister of Energy and Communications): Mr Speaker, I beg to lay on the Table, Sessional Paper No. HR 160/1/4 - Report of the Constitution and Foreign

Affairs Committee on the International Financial Organizations Bill, 1981.

In considering the matter to them referred, your Committee held its meeting on 9 November 1981.

Your Committee have gone through the Bill clause by clause and have agreed that it be reported back to the House for Second Reading without amendment.

Copies of the "proceeding" of the Meeting held are attached and form part of this report.

Mr Speaker, I beg to lay on the Table, Sessional Paper No. HR 161/1/4 - Report of the Constitution and Foreign Affairs Committee on the Belizean Nationality Bill, 1981.

In considering the matter to them referred, your Committee held its meeting on 9 November 1981.

Your Committee have gone through the Bill clause by clause and have agreed that it be reported back to the House for Second Reading without amendment.

Copies of the "proceeding" of the Meeting held are attached and form part of this Report.

Mr Speaker, I beg to lay on the Table, Sessional Paper No. HR 162/1/4 - Report of the Internal Affairs and Labour Committee on the Defence (Amendment) Bill, 1981.

In considering the matter to them referred, your Committee held its meeting on the 9 November 1981.

Your Committee have gone through the Bill clause by clause and have agreed that it be reported back to the House for Second Reading without amendment.

Copies of the "proceeding" of the Meeting held are attached and form part of this Report.

MR SPEAKER: Those Report are ordered to lie on the Table.

HON. F.H. HUNTER (Minister of Works): Mr Speaker, I beg to lay on the Table, Sessional Paper No. HR 163/1/4 - Report of the Economic Development Committee on the Wildlife Protection Bill, 1981.

In considering the matter to them referred, your Committee held its meeting on 9 November 1981.

Your Committee have heard evidence given in explanation of the Bill by the Chief Forest Officer, Mr H. Flowers.

Your Committee have therefore gone through the Bill clause by clause and have agreed that it be reported back to the House for Second Reading without amendment.

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MR SPEAKER: That Report is ordered to lie on the Table.

STATEMENTS BY MINISTERS

HON. LOUIS S. SYLVESTRE (Minister of Energy and Communications): Mr Speaker, I would like to report to the Members of this Honourable House of the 27th Commonwealth Parliamentary Association Conference which was held in Suva in the Fiji Islands. It was the first Parliamentary Conference which Belize attended after just recently gaining its independence and becoming a new nation in the United Nations. The Conference went well and since I have a captive audience in the House this morning, Mr. Speaker, I won't be too long; I'll be brief in giving a little summary of the island of Fiji.

Fiji has, Mr Speaker, about 322 islands that makes up the island of Fiji. The size varies from some 10,429 square kilometers to tiny islands of a few metres in circumference as well as over thousands of square kilometres of oceans in the heart of the South Pacific. The total land area of Fiji is 18,333 square kilometres; Suva, the capital, is on the south-eastern corner of Viti Levu, which is the largest island in the chain of the three hundred and odd islands. It has a mixture of people who live in harmony. It is one of the friendliest countries I have visited in the world. The population is 618,000; Suva has a population of 66,000 and also is the largest city.

They have 52 elected members and 22 members of the Senate. The Government is led by the Prime Minister, the Rt. Honourable Ratu Sir Kamisese Mara, K.B.F. The economy is sugar, pine, that is, timber and gold; they have just discovered a gold mine there, not too big, but it helps them. The country is moving, Mr Speaker, I've been told and I have personally seen it passing through Nandi which serves international traffic; the Nandi International Airport in 1965 is much different from what it is today - vast and tremendous progress have been made since Fiji became independent.

The Conference was attended by most of the nations of the Commonwealth countries - I am just looking through this book here, Mr Speaker, because there are many subjects which the Conference agreed on. There was a conference on the Commonwealth and World Security, which was very interesting, that was opened by the Prime Minister. Then there was the conference on Social Consequences of Continuing Inflation and Un-employment. The subjects were very interesting.

The host government was very kind, and like I said, the people were very friendly. The Clerk of the House attended as an observer and on the whole, Mr Speaker, I think the newly independent nation of Belize was very well received by all the nations at that Conference. Jamaica even reiterated the commitment made by their Prime Minister on defence of Belize a commitment which was supported by all the delegation at the Conference. We have been approached and we are giving consideration to the proposal that the Regional, to be held next year, be held in Belize.

(a p p l a u s e)

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(a p p l a u s e)

/The ...

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There are a few obstacles which we hope that the Executive Committee will be able to overcome to help us to have that Regional Conference. The last Regional Conference was held in the Cayman Islands. So we hope that Belize will be able to host the Parliamentary Conference in 1982.

Thank you, Sir.

INTRODUCTION OF BILLS

HON. G. PRICE (Prime Minister: Mr Speaker, I rise to introduce a Bill for an Act to implement the agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Belize concerning overseas Public Officers' Pensions and for purposes connected therewith.

Cabinet's recommendation has been obtained.

As a result of Belize's independence, the Government of the United Kingdom of Great Britain and Northern Ireland reached agreement with the Government of Belize with respect to certain public officers and public officers pensions.

The agreement provides for the Government of the United Kingdom to assume responsibility for the pensions of certain officers currently drawing pension or who will be entitled to pension at some time in the future.

Bill read a First Time and ordered to be printed.

MR SPEAKER: Honourable Members, this Bill is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

MOTIONS RELATING TO THE BUSINESS OR SITTING OF THE HOUSE

HON. G. PRICE (Prime Minister): Mr Speaker, I move that the House at its rising today, adjourns to a date to be fixed by the Speaker.

MR SPEAKER: Honourable Members, the Question is that the House at its rising today, adjourns to a date to be fixed by the Speaker.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

PUBLIC BUSINESS

A. Government Business

II MOTIONS

Ratification of the Statutes of the Caribbean Council for Science and Technology

HON. S. MUSA:(Attorney General and Minister of Education and Sports): Mr Speaker, I move the Ratification of the Statutes of the Caribbean Council for Science and Technology on the following terms:-

/WHEREAS ...

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to the changes made necessary by the Belize Constitution and to provide for matters connected therewith or incidental thereto.

Mr Speaker, when Belize became independent on 21 September 1981 the constitutional responsibilities for defence previously exercised by the Governor fell on the Governor-General and was assigned to a Minister of Government, namely, the Minister of Defence and Home Affairs. It, therefore, has become necessary to alter the Defence Ordinance to give effect to these constitutional realities.

Under the Defence Ordinance, the Governor acted on establishment matters for the Belize Defence Force through a Defence Commission. The Belize Constitution now devolves these responsibilities on the Public Services Commission and, in some cases, on the Governor-General. This Act proposes the amendment of the Defence Ordinance to reflect this situation.

In line with the constitutional responsibility assigned to the Minister for Defence in respect of the Defence Force, certain changes are required to give effect to these. Government has decided that in administration and policy-making matters and the general organization of the Force, the Minister of Defence should be assisted by the Belize Defence Board comprising the Minister of Defence, another Minister of Government, the Permanent Secretary in the Ministry of Defence and the Commandant of the Belize Defence Force. The amending Act which is before the House makes provision for this.

The amending Act also makes provision for other matters which have been found to require amendment; for example, Section 73, to allow the Commandant to delegate power to the Commanding Officer to deal with the more trivial offences of soldiers. Section 117, to allow volunteer officers to re-engage without having to leave and re-enlist. Section 157, to delete reference to the Justice of the Peace in relation to evidence of the outcome of civil trials which is an anomaly.

Apart from these, Mr Speaker, no basic or fundamental change has been made in the Defence arrangements for Belize. Recognition has been given and orderly arrangements have been made for the defence mechanism of the independent Belize.

I beg to move the Second Reading of the Bill.

MR SPEAKER: Honourable Members, the Question is that the Bill for an Act to amend the Defence Ordinance 1977 (No. 8 of 1977) to give effect to the changes made necessary by the Belize Constitution and to provide for matters connected therewith or incidental thereto, be read a Second Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a Second Time and, pursuant to Standing Order, committed to a Committee of the Whole House on Bills.

3. Belizean Nationality Bill, 1981

HON. V.H. COURTENAY (Minister of State):

Mr Speaker, I beg to move the Second Reading of a Bill for an Act to make provision for citizenship of Belize and for matters connected therewith.

Mr Speaker, the Bill before the House divides the status of citizens of Belize into two; firstly, citizen by descent and, secondly, citizens by registration. I would wish to make the first point very clear that this classification is merely descriptive in nature and in no way relates to superiority or inferiority of either class. It does not; I repeat, does not indicate a first class or a second class citizen. Secondly, I would like to make very clear the point that the Belizean Nationality act does not confer rights upon individuals. The rights to citizenship are bestowed by the Belize Constitution. I would like to suggest, Mr Speaker, that in those circumstances since the Constitution is the supreme law of the land and cannot now be challenged, that that means that the question or the issue of the rights of individuals in respect to citizenship is not a matter in issue; and that to begin to open up and discuss matters of that nature would be a fool's adventure for the rights have already been clearly granted by the Constitution.

I would like in explaining the Bill, Mr Speaker, to divide the classes of citizens in a way slightly different from the Bill in order to emphasize what is taking place. And I do so bearing in mind the fact that the Bill merely seeks to amplify the rights of individuals as set out in the Constitution. The divisions which I would like to make, Mr Speaker, take account of the fact that there are differences, material differences, as to what happened on the 21st of September, 1981, Independence Day, and what has happened since and what may happen in the future.

First of all what took place on Independence Day was the grant of automatic citizenship under the Constitution. The Constitution provided that seven classes of persons became citizens of Belize on the 21st of September 1981. They did so without reference to any application or registration, but they did so by operation of the Constitution. Those persons who were born in Belize before the 21st of September 1981 and who were on that day citizens of the United Kingdom and Colonies; (b) persons who became British Subjects by naturalization which took place in Belize before the British Nationality Act 1948 and who by that Act became on the 21st September 1981 citizens of the United Kingdom and Colonies - perhaps this needs a little explanation.

Prior to the British Nationality Act 1948 the status of British Subject was recognized by the British Nationality Act of that era, and persons who by naturalization under the law before 1948 were converted in 1948 to the status of citizens of the United Kingdom and Colonies having been so converted if they retained that citizenship status on 21st September 1981, then those individuals automatically by the Constitution became Belizean citizens.

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The third class of persons are people who became citizens of the United Kingdom and Colonies by registration in Belize under the British Nationality Act 1948 and who remained so up to the 21st of September 1981. Secondly, persons who became citizens of the United Kingdom and Colonies by naturalization in Belize and who so remained up to the 21st September 1981. That describes four classes of persons, Mr Speaker.

And now, I turn to what happens to descendants of those class of persons, whether those persons were alive or dead on the 21st September 1981. And what we find is that the child of any of those four classes of persons who was born outside of Belize, but became a citizen of the United Kingdom and Colonies and was such a citizen on the 21st September 1981, those children became Belizean citizens automatically. And this is irrespective of whether their father or their mother were married to each other; they could claim the right either through their father or their mother.

And then we have the grandchildren of those first four classes of persons who was born outside Belize, but retained the citizenship of the United Kingdom and Colonies up to the 21st September 1981. Such a person whether the grandparent was dead or alive, became a Belizean citizen provided that that individual was not a citizen of any other country.

And then, finally, on the 21st September 1981, every woman who is a citizen of the United Kingdom and Colonies on 21st September and is the wife or widow of any of the first four classes of persons, whether the husband is dead or had renounced, became automatically a citizen of Belize.

So much, Mr Speaker, for what happened on the 21st September 1981, and by the Constitution that took place. The question now arises as to what has happened to those persons who were born on the 21st September and thereafter. And what we find is that in respect of two class of persons, citizenship is not automatic. And the two class of persons where citizenship is automatic, are those persons born in Belize on or after the 21st September 1981, those persons automatically become citizens of Belize. This, however, does not apply to the child of a diplomat or of an enemy alien.

Secondly, persons born outside Belize on or after 21st September 1981 if either his father or his mother was, at birth, a citizen of Belize otherwise than by descent through parent or grandparent born outside Belize - this, perhaps, is a little complicated. To break it down, Mr Speaker, I would refer to the classifications which I earlier made, namely, that people could become citizens of Belize on the 21st September either by being born in this country, by being registered or naturalized in this country. Now, the children of any of those classes of persons, even if their child was born outside Belize, by inheritance becomes citizens of Belize. However, if a person became a citizen of Belize only by the fact that his father or his grandfather were entitled to Belizean citizenship and, in fact, that person

had been born outside Belize, then that person is incapable of passing on the rights of citizenship to his children and they must acquire citizenship in other ways. Those are the two cases where citizenship is automatic.

The third case relating to post-Independence Day affairs relates to citizenship by registration. In the case of the Bill before this Honourable House, I would refer Members to Part II of the Bill. And here, Mr Speaker, the Bill provides for registration by two class of persons. The first is a person who marries a citizen of Belize, whether it be husband or wife, that person may, by registration, become a citizen of Belize. And, secondly, a person who was resident in Belize for five years, continuously, before making an application, such a person may by registration become a citizen of Belize.

I would wish, Mr Speaker, to make the point that the Legislature in the latter two cases, the case of registration, that the Constitution empower the Legislature to refine and to regulate citizenships by registration, and the whole of Part III of the Bill before us deals with qualifications for registration and disabilities for registration. I refer, particularly, to Sections 10 and 11. Then it goes on to deal with Renunciation, Avoidance of Dual Nationality and Loss of Citizenship.

I do not, Mr Speaker, propose to go into those in detail, save to say that the law specifically sets out in which way an individual may qualify for registration and also sets out specific provisions by which he may fail to receive registration. In other words, the test is enshrined in this Bill before the Honourable House.

Mr Speaker, I would wish to repeat what I said earlier, for I think that our discussions on this matter will be greatly assisted if we bear in mind the fact that the rights of the individual are rights which have been set out in the Constitution. And the scope of this Bill before us do not attempt to grant new rights to the individual; but all it has attempted to do is set out and define and refine the machinery which was contemplated by the Constitution.

I beg to move the Second Reading of the Bill.

(a p p l a u s e)

HON. P.S.W. GOLDSON (Albert); Mr Speaker, the Honourable Minister of State says that the Bill before the House does not attempt to set out the rights to citizenship. Perhaps he should have gone down to add that this proposed Act seeks to set out the procedure by which rights established in the Constitution may be exercised. And for that reason it is a matter of great regret to us, Mr Speaker, on this side of the House that this very, very important Bill is being rushed with such indecent haste through this House.

Mr Speaker, this Bill was introduced into this House two weeks ago. Copies became available, at least to Members on this side of the House, during the course of this week. I doubt whether anything more than a tiny minority of

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the public have even seen, much less having an opportunity to study this Bill.

This Bill will not only affect every Belizean in this country today, it will affect thousands of Belizeans who live outside of this country and who have rights pertaining to citizenship of Belize under the Constitution. And, therefore, Mr Speaker, it is our hope that the Government today will agree to a short deferment of the Second Reading of this Bill so that there could be a dialogue between the Government and the Opposition; there could be a public involvement in the consideration of this Bill.

I would just like to give some views, Mr Speaker, on some points which I think would cause some concern to citizens. As the Honourable Minister says there are two categories of citizenship provided for: citizenship by descent, which I understand to mean natural born Belizeans, Belizeans born within the borders of this country or born of Belizean parents outside the country; and citizens by registration. It seems, to me, that this Bill when it becomes law could deprive a natural born Belizean of his citizenship against his will. To give one idea. The Honourable Minister said that on September 21, 1981, Independence Day, certain persons automatically became Belizean citizens. This, in particular, refers to those Belizeans who became Belizean citizens by descent, whether on that date they lived in this country or they lived abroad; they automatically by the Constitution of this country became Belizean citizens. Yet, this Bill, as I interpret certain provisions of it, provides for some of those same Belizeans who became citizens of this country on Independence Day, to be later deprived against his will of that citizenship. There is a provision there, for instance, which says that Belizeans who have other nationality - to give an example, say Belizeans in the United States who have naturalized in the United States in the past; now, if I understand the Minister rightly, he is saying that the Constitution automatically confers citizenship on those persons, they became Belizean citizens on Independence Day because they are Belizean born; and in spite of the fact that they may have another nationality as well. But this same Bill which is before the House provides that after 1983 unless those citizens give up the other nationality, they will lose their Belizean citizenship.

Now, Mr Speaker, this is a very important principle. You are depriving a Belizean citizen, not because he renounced his citizenship, but to depriving him by operation of law of his rights to be a Belizean. Now, maybe, after careful consideration, the Honourable Minister may be able to convince us that this is correct; but what we are saying is that there seems to be a contradiction by saying to a person that you become a Belizean citizen, you are a citizen of this independent nation on September 21, but because of something you did before Independence, not since Independence, you will be deprived of that citizenship in two or three years time. Now that requires very very careful consideration because you are tampering with the rights of citizenship of a natural born Belizean.

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Now, it might be said, and it has been argued, Mr Speaker, that there should be no dual citizenship. Well this can be argued many ways. In my opinion, this country needs its population; it needs its people. We cannot throw away Belizeans. Mr Speaker, from time to time we see reports from foreign papers, from foreign sources, that this Government is inviting thousands of refugees from far and near to come and settle in this country. In other words, this Government unknown to this House, unknown to the people of this country, is inviting thousands of foreigners to come and settle in this country. Not once have they ever reported to this House that they have extended these invitations to these foreigners; but now they are making a virtue out of depriving Belizean born citizens of their citizenship on the theory that we don't want Belizeans to have dual nationality. As I said, we are subject to discussion on this matter. We aren't making any inflexible position at this stage. All we are concerned about is protecting the rights of a Belizean to be a citizen of this country, and not to make it easy for him to be deprived against his will. Now, if a man renounces his citizenship, that's another matter. But if he does not renounce his citizenship then I think we have to be careful how we deprive him of that citizenship ...

HON. V.H. COURTNEY: Mr Speaker, I rise to make an objection. This is exactly what I was talking about. The Honourable Gentleman continues to discuss the Constitutional provisions which are not before the House; and these matters were debated time and time again and these were issues upon which this House came down and took a decision. I would refer him particularly to the provisions on citizenship in the Constitution where the question of double nationality and the loss of citizenship are provided for. He is talking about things which we cannot change.

MR SPEAKER: I think the point is valid. But I was under the impression that the whole purport of your address was intended to support the argument that the motion should be deferred, and that you are, in fact, supporting an amendment.

HON. P.S.W. GOLDSON: Yes.

MR SPEAKER: Well, please go on.

HON. P.S.W. GOLDSON: Now, Mr Speaker, as you said, in support of an amendment which I intend to move to defer the Second Reading of this Bill, I will refer to the portion dealing with citizenship by registration. The Honourable Minister makes a point that there will be no first class and no second class citizenship. Well, reading the Bill makes you doubt that what he says is accurate because in that Bill it is provided that a citizen by registration can be deprived of his citizenship. Now, on the surface you might say, well, o.k. the man is given citizenship and he commits a crime in the course of his citizenship he is sentenced to prison, he can be stripped of his citizenship. But, Mr Speaker, there are serious principles involved here. Under this same Act, under the Constitution, before a person can be granted citizenship by registration, he has to renounce

his previous citizenship. So when you take away his citizenship, you are rendering him stateless. So, we have to ask the question - is not this against the principles of the United Nations that every person in the world is entitled to a nationality? But he can be stripped by the Minister; the Minister in his absolute discretion - and that's another thing in this Bill, Mr Speaker, it gives the Minister absolute powers to grant or refuse citizenship to applicants with no right of appeal. You are not going to tell me that the Constitution provides for that. The Constitution does say that every citizen in this country should have their access to the Courts; this law seeks to deprive him of access to the Courts by saying that the Minister's decision is final.

All these matters, Mr Speaker, even the provision that when a person applies for citizenship, he must first renounce his prior nationality, but the Minister has the right to refuse his application for citizenship. Perhaps you would say quite rightly so; but then what happens after the Minister refuses his application for citizenship? Can he then go back to his prior nationality? Can he revert to his prior nationality? Or is he then rendered stateless? In other words, are we not in danger of violating the Charter of the United Nations by this law? Not necessarily because of the intent of the law. I grant you that the intent of the law is trying to give effect to the provisions of the Constitution relating to citizenship. So we are not complaining about the fact that the Government is trying to regulate this matter. What we are saying is that it is too serious a matter, it is too complicated a matter for the Government to rush and to believe that they and they alone have the wisdom to solve this very difficult and complicated question. We believe that not only both sides of the House, but the public at large and Belizeans overseas may be able to make an input into this matter from which we can all benefit.

And so, Mr Speaker, I am moving that the Bill for the Belizean Nationality Act 1981 be read upon this day two months. We believe that two months is not too long a time to deal with this serious matter. But it gives such time for all interested persons to be able to read it and to make their views known. I know that this Bill was referred to the Constitution and Foreign Affairs Committee; that Committee met; I am a member of that Committee; but I informed the Committee when we met that I was in no position at that time to make a proper contribution to discussion on the Bill, because at that time I had not even read the Bill when the Committee met; and I explained this to the Committee (interruptions) ... I wasn't at any case; I exercised my rights as a Belizean citizen to be outside of Belize City when the Bill was delivered on the week-end, and therefore it was not until the Monday morning when I returned to Belize City that I found the copy of the Bill with a notice that there was going to be a meeting of the Committee on that very day. But, Mr Speaker, lets not quibble over little things. We are anxious to cooperate with the Government in this serious matter. This matter is beyond and above mere party consideration. We want a good Bill which will benefit all Belizeans and at the same time I think perhaps we have not said so, but perhaps, it is a matter of consideration by the Government that the question of security should be a matter of some concern in

dealing with the question of nationality and citizenship. We grant that. We are willing to sit down with the Government and go into those matters so that the proper concerns in those areas can also be met. But we believe that if this Bill is passed as it stands, it will create a lot of implications; it will create injustices; whereas a few weeks of deferment might allow us to provide a Bill which will meet nearly all, if not all, of the implications of such an important matter as nationality.

Finally, I would just like to point out, Mr Speaker, that the British Nationality Act 1981 has just been passed in Parliament in England after years of consideration; after years of argument and debate, both in Parliament and in the public. The Bill itself has been before the House for months. And I have no doubt that in the drafting of that Bill in England, that in consideration of it, some of the top intellects, legal and otherwise, went into the consideration of that Bill. But they felt that they still needed time to do it properly, and that is all we are asking the Government to agree to.

Thank you very much.

HON. C. THOMPSON (Mesopotamia): Mr Speaker, I rise to second the amendment submitted to this House by the Member for the Albert Division.

I have heard the Minister of State earlier this morning addressing the House and explaining that this Bill is a Bill only seeking to clarify the rights of citizens under the Constitution, and the rights of the Constitution is enshrined in this Bill, I assume; and for that reason what we are doing here today, the exercise today, is simply to regularize and to put into action the details of what the Belize Constitution sets out to do.

First of all, Mr Speaker, what I would like to say is this: I would hope that this House considers very seriously the deferment of the Second reading of this Bill and that this Bill would not experience a similar thing that was done in respect to the White Paper in the preparation of the Constitution of Belize. As we know for a fact that in the preparation of the White Paper, it was hurriedly done within a matter of weeks to develop a Constitution of Belize. This Bill, today, is a Bill which deals with every individual Belizean; those who have been born and those to be born in the future. This Bill encompass thousands and thousands and thousands of Belizeans in the future. And for that reason we cannot treat it slightly; for that reason we here in 1981, eighteen of us elected in this House, today, cannot slightly over-rule because of our whims and fancies, because of political reasons, because of expediency, we cannot for one minute think that we alone can decide the future for Belizeans in 2185 or 2181. Mr Speaker, this Bill, to my mind, is so important because it tells you who will be and who will not be Belizeans; who ought to be and who ought not to be Belizeans.

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What we have here, today, is a Bill, as the Minister of State has enumerated, he said that there are seven things that occurred on the 21st of September; seven actions happened and we hope to have reactions. But the reactions I see coming from this Bill is that certain people will be debarred from being Belizeans simply because a Minister, a citizen of Belize, a Minister is a citizen of Belize; so, I would say a citizen of Belize decides that another citizen or citizens ought not to be citizens of Belize; that is very serious; very, very serious and dangerous. With respect to the Minister's authority under the law of this country, we must recognize, Mr Speaker, that man is man and we know what follows; I need not enumerate.

In this Bill, a Minister can debarr a person from being a citizen and he can go further by debarring the children and his spouse and the minors of that particular citizen if he so desires, if these citizens fall not within the category numbering from (a) to (g) under Section 22 of this Ordinance. In other words, a Minister will not debarr a citizen, he may debarr twenty, thirty people on the stroke of a pen if he thinks for one reason or the other this person ought not to be a Belizean.

At the moment, Mr Speaker, we have in the United States of America, the Second Belize, I call it, almost one-quarter of the population of this country residing in America, supporting the people of this country because this country is not producing anything that the people could remain here. There is no inducement, no incentive that Belizeans remain in Belize, We are running away from our country; there is an exodus of people leaving this country, Mr Speaker, because we have to seek a better life in greener pastures. And what we are doing here, today. We are now asking the Minister to control and even stop that person from being a Belizean - my goodness, sake, what do we hope to do next. I would have hoped, Mr Speaker, that this House would have, today, probably passed a legislation to induce Belizeans to come back to Belize; we need them in Belize; there is no incentive; don't tell me any nonsense; there is no incentive to Belizeans right now to come back into this country, Mr Speaker. The country motivates no one; the Government motivates no one; the Government induces no one; the Government victimizes people(interruption).... you know this; there is no / "what"; you have been one of them who has been victimizing people of this country every day. Mr Speaker

MR SPEAKLR: I wish you would withdraw that last remark.

HON. C. THOMPSON: I withdraw it, Mr Speaker.
Point made; point made.

What I am trying to say, Mr Speaker, is this: we have Belizeans running away from Belize and we are legislating, today, that a Minister can say that you are no longer a Belizean, if he look at a law, if he look at the rules and say you ought not to be. And when the Minister says this, he is not saying it to John Jones; he is saying it to John Jones, Mary Jones, Little Jones, Harry Jones, Smith Jones and all the Jones' that follow within that family. That is

the dangerous thing, Mr Speaker; not only one man he is depriving of a citizenship, but a family. And for that reason I would have hoped - and I know for a fact that this Government is quite aware of the exodus of people leaving this country. We are running away from Belize and we are importing into Belize foreigners to replace those who have been running away. We have Salvadoreans, Nicaraguans, and we are having Haitians shortly. We are getting Guatemalans, we are getting Americans, we are getting all sort of people coming to Belize, and Belizeans are leaving because the Government is legislating that the Belizeans are not to remain. That is what is happening, Mr Speaker. The Government is legislating that Belizeans ought not to remain or ought to be considered if they are to be Belizeans. My God! What is this!

A man legally wedded to a Belizean wife, giving birth to a child in Belize(interruption)..... the family, man; I don't know if you are capable of doing that, Freddie; I don't know if you are capable to; but a family giving birth to a child, the child goes away and the mother goes away for a short while to seek greener pastures, and after 1983, the Minister will now decide, are you to remain Belizean, are you not, are you not to. I have the right to decide if you should come back and be a Belizean or not.

But go further, Mr Speaker. If that family who has given birth to the child and gone away, assume another foreign nationality; lets say for example, that family has gone and assume another nationality, but decides to come back to Belize, that person has to renounce that nationality before the Minister considers to give him the Belizean nationality again; and that person remains without a nationality. Is that right? Could a citizen live in the world without a nationality? I have never heard it happened before, Mr Speaker, apart from Pandora and the Dutchman. You are putting your Belizeans to be floating in the world without a nationality until the Minister says that person may be or may not be granted a Belizean nationality. I can't understand that(interruption)..... you know it is that, Harry; you know it is that. The person has to renounce his foreign nationality first, having assumed it, then apply to the Minister to be considered, to be registered, and during that time, the Minister will then consider whether that person ought to be a Belizean or not. What happens during that time? That person - and if the Minister refuses, that person would then have no nationality, would neither be a person of a country or of Belize which is his country. And he has a right to claim Belizean nationality at any time, any time; you and I have been born in this country and we can claim it at any time; we can go away and renounce our nationality and come back and claim it; it is our right, our God-given right and no Government, Mr Speaker, can deny a person or a citizen of that right. What we are doing here I have never heard it before.

I received this piece of legislation on Wednesday when it was delivered to me at my house by the Clerk to the National Assembly. I read it Wednesday night and I was alarmed to find what I found. The first time I read it was on Wednesday night, Wednesday night when I read it; and I was alarmed to find out that the Government of Belize is now considering to alienate Belizeans from their own territory;

deny them of their own rights. But what are we doing, simultaneously? We are granting to foreigners, the Salvadoreans, Nicaraguans, Guatemalans, etcetera, inviting them to come to Belize to reside and debarring our citizens of Belize, May God help us, Mr Speaker. What is heppening? Is it the 21st of September that has changed our moods, has changed our minds, and the people of Belize are to be removed from this country and be substituted by other people of other countries? Are the Belizeans being deprived and shoved out of their land, to be supplanted and be replaced by foreigners? Mr Speaker, I am not happy at all one minute with this picce of legislation. And I ask if this Government of today, the Government which sits before me, the members of the Peoples United Party Government that sits here today, Mr Speaker, I ask sincerely that they consider to reconsider this Bill, to put this Bill, as the Member for the Albert Division has said, to put this Bill to the public to be examined, to be understood, because as I heard the Minister of State said this morning, I wouldn't purport for one minute that I understood what he said; I am too ignorant; Cyril Thompson no have intelligence; I didn't understand what he said; quite clear; I did not understand what he tried to say, because, Mr Speaker, I put it to you, Mr Speaker, you did not understand what he said, because what he read was a matter of academics. The matter which he read should be studied by the ordinary, simple Belizean, must be interpreted and understood before one could say, yes I do understand. What he presented to this House, today, Mr Speaker, was an academic exercise, attempting to fool and to thrill and to excuse himself and to have the Belizeans swayed, as they have all been swayed

MR SPEAKER: You are out of order.

HON. C. THOMPSON: What I am saying - he attempted to, Mr Speaker, to deliver an explanation on the Bill; point taken; I agree he did; but I am saying, Mr Speaker, what the Minister of State presented here, today, with due respect to all Members seated here, all eighteen Members, and tell me no; the exercise he explained could not be understood in ten minutes, honestly. The Prime Minister says he understood it; first time I have heard him said, after reading something for so many times, he understood this one; this one he understands.

MR SPEAKER: I call you to order, again.

HON. C. THOMPSON: But I am saying, Mr Speaker, the ordinary Belizean, with due respect to the Prime Minister - I regard him as a man of intelligence - the ordinary Belizean does not and cannot understand what he said today, which we must exercise our duty on, today. That's the point I am making.

I am asking this Honourable House that we put this matter to the ordinary Belizean, explain this matter and what they are involved in; what is their future and their children's future and their children's children future; this is the point I am making, Mr Speaker. Point taken. If this is done, Mr Speaker, I would be rest assured, I will be happy to know that I have done my duty to the ordinary Belizean, that they have been given the chance to understand their future in this

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country and the future of the future generations of this country; that being done, I would have done my duty. But I implore, I beg, I ask the Members on the other side of the House, please do not rush this Bill through the passage of the House today, for it is a Bill that seeks farther, much farther, deep down into the roots of Belizeans.

Thank you very much, Mr Speaker.

HON. S. MUSA (Attorney General and Minister of Education and Sports): Mr Speaker, after that very emotional harrangue, I think we should really try and get back to what this Bill seeks to do; to try to get back to the facts of the case, of the issue before the House today.

And the first statement I would like to make, Mr Speaker, so that, perhaps, Mr Thompson can understand this...

MR SPEAKER: Please withdraw.

HON. S. MUSA: The Member for Mesopotamia can understand - same difference is that any natural born Belizean, anybody born in Belize, who wants to remain a Belizean cannot be deprived of his Belizean citizenship ... (interruption)..... do you understand that? A natural born Belizean who wants to remain a Belizean, who wants to continue to swear oath of allegiance to his country, his flag, cannot be deprived of his citizenship, by the Constitution or by this proposed legislation. It is not even contemplated; that is his guaranteed right as a natural born Belizean. So please let us understand that. Mr Speaker, let us get that point very clear! It is there in the Bill, and I invite the Members on the other side to read the Bill, to try and understand the Bill, because that point is made very clear in the Bill.

The second point I would like to make, Mr Speaker, is this. That the matter of acquiring or having citizenship is, indeed, a very, very serious matter. It is not something we play with lightly and say you can have 10, 15 citizenships like when you have 10, 15 stores. We must understand that the country of Belize has attained its independence and its future in very difficult circumstances. We must understand that. We have borders, two borders, three borders, if you like, landmass, and if we were to examine the Constitutions and the citizenship legislations of the Commonwealth Countries, we will find that there are similar provisions dealing with the acquisition and the deprivation of citizenship by persons who acquire citizenship by registration. It runs common to all the Commonwealth Constitutions. I am making this point because of the issue raised by the Member for the Albert Division that we might be creating stateless persons. I invite the Member to read the Convention relating to stateless persons. It does not prevent any Government or country of the United Nations, any State, from depriving persons of their citizenship in certain specified circumstances, such as where a serious felony is committed, serious breach of the law, such as where his citizenship is acquired by fraud or misrepresentation. And our law has been drafted with the Stateless Convention clearly in mind, because we would not seek to bring forward legislation to this House which would be in violation

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of that Convention relating to stateless persons. What the Convention says, in effect, is that you cannot, arbitrarily, make a man stateless unless he has committed the specified offences as listed in that Convention. That's what it says. And we have drafted our legislation to comply with that Convention. That's the second point I wanted to make, Mr Speaker.

The third point I would like to make, Mr Speaker, is - when referring to Belizeans living abroad as in the United States of America, I think we have to draw a clear distinction with persons who seek for one reason or another to make a home in the United States and acquire permanent residence in the United States - and nobody tries to stop anybody from acquiring permanent residence in any part of the world; and this law will in no way affect those persons who have acquired permanent residence in the United States or anywhere in the world, for that matter. What we are saying, Mr Speaker, is that when you go to the extent of swearing allegiance; when you go to the extent of swearing allegiance to a foreign power, to a foreign flag, or to another flag and another country, when you make that voluntary act of your own volition to do this thank you, Mr Speaker.

MR SPEAKER: I think the Member for the Mesopotamia Division is going a bit beyond, making remarks, incisive remarks or comments by his continuous challenging of the speaker. I'll ask him to desist.

HON. S. MUSA: Thank you, Mr Speaker.

The point I was making is that when a person of his own volition takes it upon himself to swear allegiance to another country and another flag, then he is not being deprived of his citizenship against his will. He runs the risk of being deprived of his prior citizenship by his own act, by his own voluntary act and volition.

Now, dealing with cases of persons who acquired a second citizenship prior to independence, Mr Speaker. In fairness, we could not have passed a law saying they shall be deprived of their Belizean citizenship; that would not be fair to them. What the law seeks to do is to give them a choice and a choice which does not take place in a month, six months, but goes until December, 1983, two clear years. And we are saying we feel within that time any Belizean who has acquired a foreign nationality should be able to make up his mind - do you want to keep your Belizean citizenship, or do you feel that well, perhaps, in a case, you are married to a foreigner, you have made your home abroad, you want to stay there, that's the choice, a free choice to be made, and you have two clear years in which to make it. And I don't believe, Mr Speaker, this in any way is discriminating against any Belizean. In fact, we are inviting them to make that choice in favour of Belize and to retain their Belizean citizenship.

(a p p l a u s e)

The final point I would make, Mr Speaker, is this - that we cannot compare this Belizean Nationality Bill with the recent British Nationality Act. There is absolutely no comparison. First of all, it may have taken them 5, 10 years to pass that Act, but we must ask the reason why; why it took them so long. It took them so long - and I don't want to go into the merits or demerits of that Act, except to say that it is the clear established fact that the Act creates different categories of citizens - first class, second class and all different classes of citizens of the United Kingdom. This is why that Act took so long and why it was a controversial Bill throughout the Commonwealth; and the Commonwealth has made many statements, Members of the different countries of the Commonwealth, about that piece of legislation. Our law in no way create any classes of citizens. We create categories as rightly pointed out by the Member for the Albert Division; category, but you have the right to be a citizen by descent or you can acquire citizenship by registration. And in any case, Mr Speaker, the British Parliament could have afforded to wait so long to pass that law because they had an existing legislation by which their citizens know what their rights were as to whether they should be citizens or not. In Belize, we do not have a citizen legislation as of now, at this moment in time. It is of vital importance that we should have that fundamental piece of legislation on stream, in place in our law; it is of vital importance; and the sooner the better so that citizens rights which are provided for in the Constitution are clearly provided for in the legislation by way of procedure, the mechanism. And as rightly pointed out by the Minister of State - the Member for Collet - as rightly pointed out by him, the Constitution, Sections 23 to 29, clearly set out the law, the supreme law relating to citizenship. This Bill, today, in no way violates or derogates from that law. We simply seek to create the mechanism to put that supreme law into effect.

Thank you.

(a p p l a u s e)

HON. F.H. HUNTLER (Minister of Works): Mr Speaker, I rise to support the second reading of this Bill.

The speaker from the Albert Division used as an excuse for his proposed amendment that we are rushing this Bill through. This Bill, Mr Speaker, was gazetted on October 31; therefore, the public has had from October 31 to discuss it.

As I see it, this Bill, Mr Speaker, enables Belizeans to become citizens of Belize who have taken up American nationality or some nationality of another nation, a citizenship. It allows them to make a choice and become a Belizean citizen as of when this law is passed. It does not prevent any Belizean from becoming a citizen. It will not allow a citizen to serve two masters. The Bible tells us that a person cannot serve two masters; he hate one and he will love one. And, of course, he cannot be a citizen of two countries at the same time because he will hate one and he will love one. And this law enables a Belizean who is abroad and who has taken up the citizenship of another nation to reapply and become a citizen

of Belize again. It enables an alien or a foreigner who wants to make Belize his home to apply and become a citizen by registration, which we know in the earlier days as naturalization. It is more or less the same thing. And any citizen by registration if he commits certain specific offences stated in this piece of legislation may lose his citizenship if the Minister after getting a report by persons appointed to look into the case and studying that report decides to cancel the citizenship, then he can do it. So, if that citizen by naturalization or registration does not want to lose his citizenship then he does not break the law. If a person does not want to go to jail then he lives within the law; if a person wants to go to jail then he breaks the law.(interruption)..... So is choice; so is choice. I've always lived within the law; not like you.

So, Mr Speaker, the citizens of Belize who have gone to the United States or other foreign countries and have taken up permanent residence visas do not have to become an American citizen to work in that country. I know of many Belizeans who have spent many years residence in the United States of America and in Mexico and in other countries of the Caribbean or Central America, South America and of Europe who have not given up their Belizean citizenship. So all this law does is to enable those who have given it up to reapply for it. It enables foreigners to become Belizean citizens. And I see no need for delaying that process because there are many people in Belize who have lived here for sixty years or fifty years who were born in Central American countries but who have been here from they were two months, three months or five years who are yearning to become citizens of Belize and who because they could not afford the high cost of naturalization while we were a Colony, but who would be able to afford the cost of citizenship in Belize because we are now an independent nation, they are waiting and their hearts are burning to become Belizean citizen. I do not see why we should delay that privilege to these Belizeans because some of us were tardy in reading our Bills and did not do our home work.

Thank you, Mr Speaker.

(a p p l a u s e)

HON. F.J. MURKIN (Minister of Natural Resources):

Mr Speaker, I rise to support the Bill for an Act to make provision for citizenship of Belize and for matters connected therewith.

Mr Speaker, in supporting this Bill, I take very strong objection to the wild charges made across the floor that we are rushing this Bill, that we are doing it with indecent haste; this is absolutely not true. This Bill here before the House, we can compare it to a seed that we planted in January of this year. That seed has grown and is now bearing fruit in the form of this Bill. It is in this House that you, Mr Speaker, appointed a Joint Commission to work on the White Paper that had wide consultation across the country. We went to every district in this country and the responsible organizations and responsible citizens came and spoke on the

White Paper, in support of the White Paper, and there were numerous contributions on that section that dealt with citizenship. It was so sensitive and interesting that points were made that they supported the White Paper because it did not provide for dual citizenship. As I recall as a member of that Commission it was only in Belize City that one person attempted to make the point that we should provide for dual citizenship, but nowhere else in the country; and the records are there that can be produced that were tabled in this House what the citizens of this country thought on that section dealing with citizenship for an independent Constitution.

The Opposition chose not to work with the Commission. So they are ignorant of the fact of how the people of this country feel and think.

(a p p l a u s e)

That White Paper was translated into the Constitution in London, and again they had opportunity to make the point there; they chose not to go: whose fault is it? Whose fault is it that they did not get their point across? Had they been there at the Conference they may have succeeded. But here we have now to put the Constitution into effect, there is absolutely nothing new. What I have read in this Bill is what is provided for in the Constitution. The broad principles are there, it is only putting this into detail and telling how the mechanism will work for you to either choose to let go your Belize citizenship or you want to acquire it. The facilities are there for those that want to do so. The choice is there as a free people.

So that the people of Belize do not need two months, they have had eleven months on this issue; from January to November is eleven months, Mr Speaker, since this question of citizenship first by means of the White Paper then the Constitution that was published far and wide and now this Bill. Now it is our turn as legislators to decide for the good of the people and approve this legislation. So all the nonsense of deferment for two months I do not subscribe.

The other point I want to make is that this Government is inviting refugees. I know of no instance of the Belize Government inviting refugees. What I do know for a fact is the United Nations High Commission for Refugees visited Belize, held discussions with officials in the Ministry of Home Affairs and asked the Belize Government on humanitarian grounds to cooperate to solve the refugee problem that has resulted in the region because of the instability in El Salvador and other areas. The Government of Belize as a believer in the Charter of the United Nations decided to help on humanitarian grounds. That's the only instance I know that the Government of Belize has anything to do with refugees. And let that be reflected in the records of this House very clear.

The other point is that we should induce people to come into this country. Mr Speaker, so much is talked about human rights and I believe in the human rights of the people of Belize. As a free people, people choose to migrate and the Government of Belize does not intervene and tell them you cannot go to the United States or you cannot go to Mexico or Panama if you so wish. But people of their own volition choose to go to the United States; it is within

their right to do so and the Government of Belize does not attempt to stop them from so doing. Equally, we should make the point that there are people from the United States that seek to come and live in Belize; so it is a two-way street, not only one-way. That we should induce them to come back? We did not induce them to go in the first instance, so I don't see why we have to induce anybody to come back. What this Constitution is saying is that those that chose to go out have until December 1983 to make up their minds - do they want to stay there where they believe they have made their home or they want to come back to Belize. This Bill provides from here, if approved today, until December 1983 in which those people are free to come back and choose the citizenship of their country if they have given it up at all. So let that be very very clear and not allow the mischief introduced that we are stopping....nobody is stopping any one. That is why, Mr Speaker, I reject the amendment moved from across the floor. And I invite this Honourable House in the interest of the people of Belize to support this Bill.

Thank you.

(a p p l a u s e)

MR SPEAKER: The Member for the Albert Division.

HON. V.H. COURTEMAY (Minister of State): I think the Member might wish to have an answer. As the person who is responsible for the Bill and on your motion you might wish to have an answer as to what my reaction is to your appeal.

Mr Speaker, I listened with great interest and for some moments I thought that we were in outer space enjoying some hallucination which was unrelated and unconnected with really what is before this Honourable House. I found it very difficult to understand some of the very emotional outbursts which we had the pleasure to enjoy and some of the loss of control which overtook some of the Honourable Members in discussing this point.

Citizenship is a serious issue. Citizenship is a matter that the Government cannot take lightly. Citizenship is for Belizeans vital; it is, perhaps, one of the greatest stimulus which the Government had in its drive for the independence of this nation. We felt that it was a shame that Belizeans should not be Belizeans, but should be British subjects. We felt that it was unfair and unfortunate that Belizeans should be Colonial subjects. And it was our desire and wish to create such a thing as Belizean citizens that led us and spurred us on in our quest for the independence of Belize.

Mr Speaker, I welcome and I would wish to reaffirm the statements of the Honourable Minister of Agriculture in what really is the procedure which this House has embarked upon in arriving at the citizenship provisions for our country. This is not an issue which is two weeks old. It is unfortunate and unfair that they should be so described. I would wish that Honourable Members would look at their Constitution and I would wish that they look at Chapter III. There is a whole Chapter on citizenship in our Constitution. And some

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of the screams which we heard this morning are matters which were dealt with in our Constitution. The rights of Belizean people to be citizens of Belize are carefully and specifically spelt out by the Constitution. And let me say, and, Mr Speaker, I hope you will not admonish me for repeating, let me repeat that the rights of the Belizean people to their citizenship is determined by Chapter III of the Constitution of Belize and that this Bill if it were to attempt to change that would be unlawful and unconstitutional and would be of no effect. But this Bill does not attempt to do so. This Bill merely attempts to set out the rights and to repeat the rights which are set out in the Constitution. In-so-far, I would say that the Bill might be repetitive as I have repeated the position. But, Mr Speaker, it is unfortunate that we should pretend that those are matters which are being rushed. Honourable Member seems to have lost sight that the train is long down the road.

I attempted in an exercise to be helpful this morning, Mr Speaker, to point out that there are ten different ways in which the Constitution provides and which this Bill repeats for persons to acquire the citizenship of Belize. And of those ten, nine are automatic. Whether we want to change it or we don't want to change it, we cannot do so without amending the Constitution; and no matter how many times we shout and scream that this Bill affects the rights of Belizean citizens, it is totally untrue, totally untrue. This Bill cannot affect the rights of Belizean citizens. The rights of Belizean citizens are determined by the Constitution and the Constitution sets out and says who are Belizean citizens; and it defines nine such classes of persons who, automatically, are entitled to Belizean citizenship. And we can froth at the mouth, if we want, we cannot change the Constitution in that way. And we can debate all day and we will not be able to change the Constitution. Those nine classes of persons have a right to Belizean citizenship; that right is fixed in those people from the 21st September 1981 and no Bill can change it. So where those nine classes of persons are concerned their rights have already been established. In the case of seven of them, those rights have been already decisive because it took place on the 21st of September 1981. So that when statements are made in this Honourable House that every Belizean is affected by this Bill, let me disclaim, immediately, I happen to be one Belizean that cannot be affected by this Bill. My rights as a Belizean citizen were determined on the 21st of September 1981 and the only way to affect that right is by amending the Constitution of Belize. And I would like to make the point that all those persons who fall within that class, those seven classes, that their rights cannot be affected.

Mr Speaker, to delay the Bill does not assist those people in any way. Their rights have been determined and we can delay the Bill for five years and we cannot help them. The only way we can touch their rights is by amending the Constitution.

Mr Speaker, those persons who were born after independence.....there are two classes of persons; those who were born in Belize and those who although born outside of Belize inherit Belizean nationality; similarly their

rights are provided by the Constitution. No matter how long we delay this Bill, we cannot affect those rights. I go farther, Mr Speaker, with regard to those nine classes of persons that this Bill does not seek to touch or affect their right in anyway. So that to delay this Bill further does not help or affect the rights of those nine classes of persons. This Bill, Mr Speaker, only touches upon the rights of persons who are not Belizean citizens, who are not Belizean citizens. So that it is important that we should recognize that these polemic statements that this Bill affects the rights of every Belizean citizen and thousands outside of Belize, it is not so, Mr Speaker. This Bill seeks to regulate the rights of people who are not Belizean citizens who have no right to Belizean citizenship. That is what it seeks to do.

Mr Speaker, I would like to go into one or two of the provisions of this Bill. What it says, in effect, is that those people who have no right to be Belizeans might become Belizeans by registration. That is what this law is all about; about those people who can claim under our Constitution a right to registration as citizens, who may without being Belizeans, acquire Belizean citizenship. Mr Speaker, in that regard, the Honourable Members across the House have not addressed themselves to the procedures which have been set out and which the Government recommends. Unfortunately this is so; that they have been anxiously speaking about other matters instead of addressing themselves to the machinery which is prescribed. And what they have sought to do, Mr Speaker, is to confuse several issues, first the issue of citizenship. The issue of citizenship, Mr Speaker, has absolutely nothing to do with the travel rights of a person or the rights of a person to residence. If I am a Belizean citizen, my Constitution and the Constitutions of most countries in the world give me a right to travel, to travel freely. The United Nations recognizes that right. That should not be confused.

I recall statements that the Belizean Government wanted to say to people that they could not come back to Belize. This Bill has absolutely nothing to do with the rights of travel.

There were other statements, Mr Speaker, which confused immigration rights, and this is the right of a person to take up residence in the country of his choice. Those are national issues; those are issues which are determined on the basis of whether a particular person is acceptable by the Government of a particular country. And every Government in the world reserves the right to accept or to reject foreigners as residence in their own country.

MR SPEAKER: We have come to the hour of interruption. I was just wondering if the Minister intends to go on for much longer.

HON. V.H. COURTENAY: Mr Speaker, just two or three more minutes. I hope. I just want to get these issues clear.

Secondly, Mr Speaker, there is the question of residence and the rights of Belizeans to reside in other countries. Mr Speaker, Belizeans have no right to reside in other countries; other countries decide whether they will

/accept ...

accept them. The United States Government accepts Belizeans if they want to and when they don't want to accept them, they reject them as our citizens will know who go to the American Consulate; and the United Kingdom does the same thing. In our case, Mr Speaker, no citizen of Belize is deprived of the right to live in Belize. That is the only country in which he has such a right. And I defy any Member to point to any clause in this Bill which deprives a person of the right to reside in his own country. I would wish also, Mr Speaker, and I propose to speak in winding up the debate on the substantive motion. But I would wish to deal with the problem of the deprivation of citizenship rights.

Mr Speaker, once again I must invite the Honourable Members across the House to look at the Constitution and find out, discover that the question of avoidance of dual nationality is a matter which the Constitution deals with. The loss of citizenship is another matter which the Constitution deals with and that these objections should have been taken at the time of the Constitution and that Honourable Members should have participated in that exercise. Mr Speaker, if we were to delay this Bill for two months or for six months, we cannot affect the fact that our Constitution prohibits dual nationality and it does so for very good reasons. Honourable Members are quick to think of the United States and only United States; they forget, they forget that Belize has a long border, a long border with Guatemala and that it will, if we were to provide dual nationality, we would be permitting persons to hold Belizean nationality and Guatemalan nationality at the same time.

(a p p l a u s e)

MR SPEAKER: We have come to the hour of interruption. The Sitting will be resumed at two o'clock this afternoon.

Sitting suspended at 12 noon.

Sitting resumed at 2:00 p.m.

MR SPEAKER in the Chair.

HON. V.H. COURTLINAY (Minister of State): At the adjournment, I was making the point, attempting to discuss the situation on the question of dual nationality, and while we heard expressions about nationality involving citizens of countries such as the United States of America, Belize has always got to think of what would be the position and what is the position with those Belizeans who share their loyalties and allegiance with a country such as Guatemala. And I would wish to say to the Honourable Gentlemen who are asking us to postpone in order to consider that matter, that on that we are not prepared to compromise. That that is a deliberate and conscious decision which was taken at the time of the Constitution and upon which there were many representations that Belize should not contemplate, in its own interest and in the interest of its security, dual nationality; that it would be a very dangerous thing for us to do.

I would wish to wind up at this stage, Mr Speaker,

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by expressing, as I understand it, the request which has been made for the adjournment, the request as I understand it, is that there are people who are about to lose their Belizean citizenship. Mr Speaker, I also just received information, during the luncheon break that Belizeans in the United States are learning on a tape that this law makes such provisions and that they are being very excited about this information. I wish to make it very plain and clear that this law does not contemplate that any Belizean should lose his nationality. There are two things which this law says with regard to that. And the first relates to those people who have no rights to Belizean nationality but who voluntarily wish to become Belizeans. And what the law says to those people who are not Belizeans that if you become a Belizean you must behave yourself and you must continue to live as a good Belizean citizen. And if you fail to do so you could lose registration. I would wish to make it very clear that that relates to people who are not Belizeans and who seek Belizean citizenship and who when they seek Belizean citizenship are made aware that that is the choice that they are making. If that results in that person losing citizenship and having no citizenship then that person must calculate that when he makes his application.

And finally, I would wish to state, categorically, that the only other provision where a Belizean citizen can lose his citizenship is by a voluntary act on his part in preference of some alternate citizenship. What the law says is that no Belizean can have his cake and eat it; that he cannot maintain Belizean citizenship and swear allegiance to some other country and some other flag. If he wants to retain his Belizean citizenship he cannot enjoy the best of both worlds.

And, Mr Speaker, I trust that we will no longer confuse this with the proposition of residence, and this Bill has nothing to do with deciding in what country a citizen of Belize may choose to live. The question of immigration, migration and those subjects are matters which are dealt with under the Immigration Ordinance, and they are dealt with by the laws of Immigration of their countries. But nationality which is the subject of this debate has absolutely nothing to do with the place where somebody lives.

Mr Speaker, fundamentally, these are issues which were decided and have been decided a long time ago. These are issues upon which the Belizean people have had long opportunity to study and which they have had opportunity to make representations. They had opportunity, first of all, as has always been pointed out in the exercise leading up which emerged out of the White Paper and leading up to the Constitutional Conference; after that Conference its results were published, published at great expense by the Government so that all citizens could know what their rights were. But we went a step farther because the Belizean Constitution came before this Honourable House and here again all Members had a long opportunity to test the Constitution, to examine it and to express their views. And now, one month later, we are now attempting to devise the machinery to put that into force and Members really have the gall and the temerity to come before this House and say they haven't had enough time. I would respectfully submit, Mr Speaker, that anybody who has

not had enough time to examine the question of nationality for Belizeans in the Independent Belize can blame no one but themselves, and anybody who claims that he needs another two months that person can hardly be serious and can hardly treat this House and such an important matter with seriousness. There are citizens who wish to enjoy the privileges which the Constitution give to non-Belizeans. In fact, administratively, the Government has been forced to take this on, piece-meal; it has been unable to accept the deluge all at once. It would be an administrative inconvenience to attempt to deal with it in that way with the result that Government has been forced to say that it would receive at this stage only applications up to a particular time; having processed those it would receive applications up to another period of time. Those applications are going to be processed, Mr Speaker; those applications are going to be processed in accordance with the Constitution. And if those applications are processed in accordance with the Constitution then the Minister has the absolute discretion as to which he is going to accept and which he is going to reject. What this law seeks to do is to say that the Minister will only reject applications for specific grounds which are going to be prescribed by this law; in other words, we are restricting the hands and the discretion which the Constitution gives to the Minister, which is totally contrary to the submissions which we have heard this morning. The machinery which has been adopted is placing the Minister's activities within prescribed boundaries so that the citizen is able to know, beforehand, whether he qualifies or whether he fails to qualify. If this is not an advance of the rights of the citizens, then I suspect that either I am mistaken or perhaps others are.

I think that we ought, seriously, Mr Speaker, to look at these twelve pages. We are behaving as though this is a Bill with a hundred pages. This is twelve pages; and of the twelve pages, about five or six are reproductions of the constitutional provisions, and really all we need to look at is the machinery which is prescribed. This Bill is purely regulatory and does not in any way abridge or increase the rights of the individual.

Mr Speaker, I must say on behalf of the Government that we take this matter far more seriously and we cannot allow and we will not allow this matter to be postponed further. We feel that any Member of this Honourable House who has real concern on this issue has had ample time to get his thoughts together.

(a p p l a u s e)

HON. P.S.W. GOLDSON (Albert): Mr Speaker, there seems to be two points of confusion among the Honourable Members on the other side of the House regarding the intention of the amendment which is now being debated. They seem to be under the impression that we on this side of the House are seeking an amendment of the Constitution. Now, nobody on this side of the House, nobody who spoke on this side of the House mentioned anything about amending the Constitution. All the suggestions, all the arguments against amending the Constitution came from the other side of the House without any provocation from this side.

/Another ...

Another point of confusion is, or seems to be, that because the Constitution, starting with the White Paper, dealt with the question of citizenship during the past ten months, that, therefore, there is no need for this Bill which is now before the House to be widely circulated for consideration by Belizeans. If the logic of this argument is followed, it would mean that in the years to come, no Bill which touches on a subject within the Constitution, wouldn't need to be widely circulated among Belizeans because it can always be pointed out that two years ago, ten years ago, the Constitution mentioned that point and, therefore, you know, or ought to have known about it. If that argument is followed, it means that one day the Government could produce treaties under the Heads of Agreement and say to the people well look we can rush this Bill in a few days because the Heads of Agreement were published way back in March of 1981, so what you need to study any details for, any details of those Heads of Agreement, you know what the Heads of Agreement are all about, because all that is in the Constitution, which you might call heads of citizenship; that is all that is in the Constitution in Chapter III.

What this side of the House is concerned about is the interpretation of the citizenship provisions of the Constitution. And there are three things that I see. First of all, there are the principles of citizenship laid down in the Constitution; nobody seeks to change those at this stage. Then, there are the interpretation of those principles which the Government seeks to do when it produces this law. They put one interpretation on those principles.

Then, there is the question of the implementation. We maintained that the question of the interpretation of the citizenship provisions of the Constitution, of its very nature, is a difficult and complicated matter that needs very careful consideration and the application of as many minds as possible.

Then, there is the question of the implementation of that law as interpreted, as finally passed by this House and then interpreted, I'm sorry, and then implemented. Now, I gave examples; and I wish the Honourable Members opposite, instead of arguing about matters which we did not raise such as Constitution and so on, had confined their consideration to real difficulties, such as, for instance, the fact that the Constitution makes provision in its Citizenship Chapter as to what should happen as from September 21st onwards. But there are certain status, certain actions which Belizeans were involved in before September 21st which this Bill before the House seeks to affect; and that is where the real difficulty comes up. The example is that before Independence certain persons who were born in this country, assumed other nationality, the most notable of these, United States citizenship. That meant that while still being British citizens, or as they call it citizens of the United Kingdom and Colonies, they also took out American citizenship. They were not required to give up their British citizenship in order to acquire American citizenship; that was not required. The result is that as citizens of the United Kingdom and Colonies, those persons, despite the fact that they have another nationality, automatically became Belizean citizens, as of right, not by grace of the Government, by grace of the

Constitution, became Belizean citizens on September 21st. O.K., there is a problem there for the Government to deal with, for this House to deal with because the Constitution prohibits dual nationality. But how does this Government seeks to deal with it? They put forward a Bill which says we are going, in two years time, to take away your Belizean citizenship. Now, you don't have to apply for Belizean citizenship; you already have it, but we intend to take away from you, in two years time, if you don't decide to renounce the American citizenship. Now, where is the constitutional authority to do that? The Constitution makes no provision for the taking away of citizenship of a Belizean by descent; no provision for taking it away; once you have it, you have it. And I agree there is a problem there; perhaps a problem which can be solved; perhaps, a problem which cannot be solved without a constitutional amendment; I don't know. But what we are saying to the Government, problems of this sort cannot be solved in the simplistic manner in which you are seeking to solve it. You cannot seek to adhere to the Constitution by committing an unconstitutional law. And that is what we are trying to get across to them. We are trying to suggest lets look at this thing a little further. We are even going so far as to say, well, we realize you have the good intention of trying to adhere to the Constitution, but you mightly simply be creating other problems.

Then, there is the question of what happens to a citizen born before September 21st, has another nationality, in addition to British nationality, therefore becoming a Belizean citizen who does not opt to become, who does not under this proposed law decide by 1983 that he will renounce his other nationality; according to this Bill if it is passed, that person would be deprived against his will, not by any voluntary act that he makes; what this law is saying contrary to the Constitution is if you do nothing, we will take away your citizenship; the Constitution says if you by a voluntary act do so and so, then you will lose your citizenship; but this law says we will take it away. Well, alright, you take it away; after 1983, he is deprived of it according to this law, we contend quite unconstitutionally. Now, in the future, this same person who is deprived, unconstitutionally, of his right as a Belizean citizen, he wishes now to become, lets say in the year 1990, wishes to revert to his Belizean status; according to this proposed law, he will have to apply for that right to revert to Belizean citizenship; he doesn't have an automatic right, he has to apply for it and then it is at the discretion of the Minister whether he should be allowed to revert to the citizenship of the land of his birth, which he did not give up; this is important; he did not give it up. According to the Constitution of his country, he is constitutionally a citizen of Belize. It is only the Government by an arbitrary act would have taken it away from him; but this same Government says you can revert to it, but in order to revert to it, you have to apply to the Minister. Having renounced the other citizenship that you took up, you then, in that stateless condition, apply to the minister and the minister in his descretion may grant you the right to revert to the citizenship of the land of your birth. If he refuses, that's your tough luck; you are just one Belizean refugee cast upon the world.

We are saying that those things are obviously not the intention of the Constitution. We are going so far as to say that it is not the intention, perhaps, of the Government; but we are saying that the Bill in its present form could lead to such situations and, therefore, let us look at it a little bit more. Past history is irrelevant in this matter because they, themselves, point out that this Bill was gazetted on October 31st, just barely two weeks ago, and we all know that it takes about ten days to two weeks for the Gazette to circulate around the country; so most Belizeans have not seen this Bill. So, we are saying if you take this thing as seriously as you say you take it, then why the rush; there is no magic to the two months we have suggested. We have proposed two months, we could have proposed six months; but we have no desire to delay the Bill unnecessarily, so we proposed two months and there is no magic to that. There could be an understanding that it could be earlier; if we can get through the exercise earlier than two months, we can then pass the Bill having thoroughly gone through it, because no matter how they pretend, they can't pretend that the provisions in this Nationality Act which is now before this House was ventilated during the past ten months; they were not. What were ventilated were the principles in the Constitution. When that Constitution was debated in this House, we had our say on it; we had our say on the question of dual nationality; the House passed the Constitution in the way it was proposed by the Government it doesn't matter; if then months ago they had brought it up, perhaps they would still have stuck to what they wanted; they wanted that from the beginning; it is not their habit to change what they want to do; so it didn't matter whether we talked about it ten months or ten minutes or ten years, they are not going to change it. But the fact is we had our exercise at the time when the Constitution was being passed and we are satisfied that that is now the Constitution of Belize and we know we can't change that at this stage and we have no intention of seeking to change it. What we are saying is we want to uphold the Constitution, it will violate the Constitution; and that is the substance of what we are asking for. I know the Honourable Minister of State has said that they have made up their minds that they are going to refuse the request from this side of the House. Well, that is nothing surprising. Any request coming from this side of the House is automatically rejected by them. But I would like to point out that we went to the extent of sending a letter to the Clerk of the House, admittedly late, but we got the Bill late; admittedly late this morning, a couple of hours before the House sat, asking that this matter, that there be an agreement on this post-poning. We sent a copy to the Chairman of the Constitution Committee. We are acting in good faith in this matter because we see problems from the rather cursory glance that we have been able to give to this Bill. We can see difficulties in implementing it; and we don't want to have difficulties over the question of citizenship and nationality and things like that; things like that should be free and clear. And so, I would ask them to grant the request of the Opposition, if not for two months, then for a reasonable time, so at least they can examine the points that we have raised; maybe there is nothing in them, after examination, but in case there is anything in them, we can get together and straighten them out. That is all we are asking, Mr Speaker. I hope that common sense and goodwill will prevail.

Thank you very much.

MR. SPEAKER: Honourable Members, the Question is that the amendment be made.

All those in favour, kindly say aye; those against, kindly say no. I think the noes have it.

If no one wishes to.....

HON. V.H. COURTENAY (Minister of State): Might I just wind it up because we had some new matter arising there and I would like to deal with it very quickly, Mr. Speaker.

First of all, the question of interpretation. I kept looking and searching for the question of interpretation. The way I look at this Ordinance, and I would ask all Members to do so, to take out their Constitution and look at the words. I mean if you look at Section 4, if you look at section 5, you look at Section 6, 7, all of them there, identical to the Constitution, the words are identical, there is no question of interpretation. The one place where the law deals with the problem is on the question of citizenship by registration and then it begins to spell out some of the details with regard to the loss of citizenship in that section as the Constitution contemplates. But I would like for clarity to draw your attention, Mr. Speaker, the fact that section 27 of the Constitution provides in no uncertain terms that any citizen of Belize who by virtue of a voluntary act, any voluntary act of his other than marriage, acquires the citizenship of any other country shall with effect from the date of such acquisition cease to be a citizen of Belize; from the date of such acquisition, cease to be a citizen of Belize. Mr. Speaker, I listened very carefully to the examples put to us. It seems to me that what the Honourable Gentleman is saying is that the Bill before us violates the Constitution in that it gives more time, gives more time to Belizeans than the Constitution does; the Constitution says from the day of your act, from the day you become a citizen of another country, from that day you lose citizenship. Whereas he is complaining because Belizeans have been given two years in which to make a decision..... The Honourable Member for the Albert Division, apparently, was being very honest when he said that he did not study this Bill, and I would commend to him that he ought to spend a half an hour or so and read the twelve pages over and over, maybe twice, and then compare it with his Constitution and then he will find that he has misunderstood and he has misrepresented the Bill, as it is, in this Honourable House. And he will then discover that the machine which has been set out is to the advantage of the Belizean.

Mr. Speaker, if he is not so convinced and if he is still of the view that what has happened is that this Bill has gone farther than the Constitution and has gone farther than the Constitution permits this House, then, of course, we now have the full protection of the provisions of the Constitution. Any such Bill can always be tested. So that there is no hardship; there is no difficulty; we can always get back to the letter of the Constitution and we can always get back to the spirit of the Constitution.

In my view, Mr. Speaker, this law goes a long way in making the law certain and the machinery certain for all persons, be they Belizeans or otherwise. And I

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would invite my Honourable Colleagues on the other side to take the time out that is necessary to read and to discover that what I am saying is the truth.

I ask you now to support the Bill.

MR. SPEAKER: Honourable Members, the Question is that a Bill for an Act to make provision for citizenship of Belize and for matters connected therewith, be read a Second Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill accordingly read a Second Time and, pursuant to Standing Order, committed to a Committee of the whole House on Bills.

4. Wildlife Protection Bill, 1981

5. National Parks System Bill, 1981

HON. F.J. MARIN (Minister of Natural Resources): Mr. Speaker, with your permission, I would like to deal with the two Bills together.

Mr. Speaker, a Bill for an Act to provide for the conservation, restoration and development of wildlife, for the regulation of its use and for all other matters connected therewith; I move its Second Reading today.

In doing so, I want to thank the Economic Development Committee for deliberating on this Bill and coming back to recommend its Second Reading.

Also Mr. Speaker a Bill for an Act to provide for the preservation and protection of highly important natural and cultural features, for the regulation of the scientific, educational and recreational use of the same and for all other matters connected therewith or incidental thereto.

I am grateful to the Health, Education and Welfare Committee for deliberating on this Bill and for the amendments it has offered which I make it my own and to also move its Second Reading.

Mr. Speaker, Government is very much concerned that there should be protection for the national environment and also to comply with our obligation as a member of the Washington Convention on International Trade in Endangered Species.

Experts from the Food and Agricultural Organization of the United Nations, the Belize Audubon Society, the Ministry of Natural Resources prepared the draft legislation.

The proposal for National Parks Legislation makes provision for the creation of the following four types of reserves:-

- (1) National Parks which will normally be a thousand acres in area. The purpose of these reserves will be for the protection and preservation of natural and scenic beauty of national significance for the benefit and enjoyment of the general public.

/(2) Nature.....

HON. P.S.W. GOLDSON (Albert): Mr Speaker, this side of the House welcomes the initiative which produced two Bills. Admittedly, rather late in the day, but nevertheless most welcome at a time when we hope Belize will begin to experience some rapid development, including development in the area of national parks and in other natural areas of the country; development, for instance, of tourism which we felt should be one of the top priority in this nation's list of priorities. And so, we shall support these Bills and follow their implementation with great interest and will cooperate and assist in any way that we can.

Thank you very much.

MR SPEAKER: Honourable Members, the Question is that a Bill for an Act to provide for the conservation, restoration and development of wildlife, for the regulation of its use and for all other matters connected therewith, be read a Second Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill accordingly read a Second Time and, pursuant to Standing Order, committed to a Committee of the Whole House on Bills.

MR SPEAKER: Honourable Members, the Question is that a Bill for an Act to provide for the preservation and protection of highly important natural and cultural features, for the regulation of the scientific, educational and recreational use of the same and for all other matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill accordingly read a Second Time and, pursuant to Standing Order, committed to a Committee of the Whole House on Bills.

MR SPEAKER: Honourable Members, the House will now resolve itself into a Committee of the Whole House to consider the Bills which have been read a Second Time at this Sitting.

MR SPEAKER left the Chair.

COMMITTEE OF THE WHOLE HOUSE ON BILLS

[In the Committee]

The Deputy Speaker in the Chair.

1. International Financial Organizations
Bill, 1981

Clauses 1 to 7 agreed to.

First Schedule agreed to.

Second Schedule agreed to.

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Third Schedule agreed to.

Fourth Schedule agreed to.

Bill to be reported back to the House without amendment.

2. Defence (Amendment) Bill, 1981

Clauses 1 to 49 agreed to.

Bill to be reported back to the House without amendment.

3. Belizean Nationality Bill, 1981

Clauses 1 to 24 agreed to.

Schedule agreed to.

Bill to be reported back to the House without amendment.

4. Wildlife Protection Bill, 1981

Clauses 1 to 27 agreed to.

Schedule agreed to.

Bill to be reported back to the House without amendment.

5. National Parks System Bill, 1981

Clauses 1 to 23 agreed to.

Clause 14 agreed to with the following amendment:-

Delete Clause 14 and add new Clause 14 to read -

"Any park officer may, if he suspects that a park offence has been committed, question any person and record any statements he thinks relevant to the investigation of the offence. In any subsequent prosecution, a Magistrate may admit such statement in evidence provided such statement was taken in the presence of the accused. An accused person may at his own expense require the presence of any such witness for cross-examination."

Clause 15 agreed to with the following amendment:-

Delete subclause (2) and add new sub-clause (2) to read -

"When in any proceedings under this Act a question arises as to whether or not any national or cultural object of value is the property of the government, such national or cultural object shall be presumed to be the property of the government until the contrary is proved."

Clauses 16 to 23 agreed to.

Bill to be reported back to the House with amendments.

The House resumed.

MR SPEAKER in the Chair.

1. International Financial Organizations Bill, 1981

HON. G. PRICE (Prime Minister): The Bill for an Act to enable Belize to become a member of the International Monetary Fund, the International Bank for Reconstruction and Development, the International Finance Corporation and the International Development Association, has passed Committee without amendment and I move its Third Reading.

MR SPEAKER: Honourable Members, the Question is that the Bill for an Act to enable Belize to become a Member of the International Monetary Fund, the International Bank for Reconstruction and Development, the International Finance Corporation and the International Development Association, be read a Third Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a Third Time.

2. Defence (Amendment) Bill, 1981

HON. V.H. COURTENAY (Minister of State): Mr Speaker, I wish to report that a Bill for an Act to amend the Defence Ordinance 1977 (No. 8 of 1977) to give effect to the changes made necessary by the Belize Constitution and to provide for matters connected therewith or incidental thereto, has passed Committee without amendment, and I beg to move its Third Reading.

MR SPEAKER: Honourable Members, the Question is that a Bill for an Act to amend the Defence Ordinance 1977 (No. 8 of 1977) to give effect to the changes made necessary by the Belize Constitution and to provide for matters connected therewith or incidental thereto, be read a Third Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a Third Time.

3. Belize Nationality Bill, 1981

HON. V.H. COURTENAY (Minister of State): Mr Speaker, I wish to report that a Bill for an Act to make provision for citizenship of Belize and for matters connected therewith, has passed Committee without amendment, and I beg to move its Third Reading.

MR SPEAKER: Honourable Members, the Question is that the Bill for an Act to make provision for citizenship

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of Belize and for matters connected therewith, be read a Third Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a Third Time.

4. Wildlife Protection Bill, 1981

HON. F.J. MARIN (Minister of Natural Resources):
Mr Speaker, a Bill for an Act to provide for the conservation, restoration and development of wildlife, for the regulation of its use and for all other matters connected therewith, passed Committee stage without amendment and I now move its Third Reading.

MR SPEAKER: Honourable Members, the Question is that a Bill for an Act to provide for the conservation, restoration and development of wildlife, for the regulation of its use and for all other matters connected therewith, be read a Third Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a Third Time.

5. National Parks System Bill, 1981

HON. F.J. MARIN (Minister of Natural Resources):
Mr Speaker, a Bill for an Act to provide for the preservation and protection of highly important natural and cultural features, for the regulation of the scientific, educational and recreational use of the same and for all other matters connected therewith or incidental thereto, passed Committee stage with amendments, and I now move its Third Reading, as amended.

MR SPEAKER: Honourable Members, the Question is that a Bill for an Act to provide for the preservation and protection of highly important natural and cultural features, for the regulation of the scientific, educational and recreational use of the same and for all other matters connected therewith or incidental thereto, be read a Third Time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a Third Time.

B. PRIVATE MEMBERS BUSINESS

BILLS FOR SECOND READING

HON. V. CASTILLO (Corozal North): Mr Speaker, I rise to move the Second Reading of a Bill for an Act to provide for the Incorporation of the Iglesia Evangelica El Calvario (Belize).

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MR SPEAKER: Honourable Members, this Bill is referred to a Special Select Committee comprising the Attorney General and Minister of Education and Sports, the Minister of Social Services, Labour and Community Development and the Member for the Mesopotamia Division.

ADJOURNMENT

HON. G. PRICE (Prime Minister): I move that the House do now adjourn to a date to be fixed by the Speaker.

HON. T. ARANDA (Leader of the Opposition): Mr Speaker, I rise to say a few words about the lateness with which papers have been distributed to the Members of the House. We urge and we ask at this moment that Bills be distributed or made available to all Members at the reading for the first tabling of the Bills because it creates a lot of problems. Bills as important as the ones that we are discussing today are handed to us rather late. Like, for instance, this Membership and Monetary Institution; I think it is something that should have been given to all of us to look at and study; not so much whether a person does his home work as some Members like to throw in the others faces. Take the case of the Bill for Citizenship; it's not so much a matter of whether or not you can read a Bill within an hour or two or three, but rather the seriousness with which we are dealing with these issues, the seriousness of the content of the matter requires deliberation. You may read something the first time and you may feel emotionally attracted to it or repelled by it, but upon further consideration and deliberation you may find that you either quell your euphoria or your rejection of the Bill because of rational thinking concerning that same Bill. And this House because of the fact that it is dealing with such serious issues, I would strongly urge that Bills be tabled at the time - I mean, Bills be handed out at the time they are tabled. Like these cases, we were here two weeks ago and we got our Bills, some of us got them Thursday, yesterday, and some got it Wednesday. It is very unsatisfactory. So I am requesting that serious consideration be given to that. I do know sometimes that - I do know that at times there is a lot of work; then if there is a lot of work to deal with a Bill, then postpone it for another meeting of the House; don't try to rush it through. So that is one request I am trying to make, Mr Speaker.

MR SPEAKER: It is not a matter for the Adjournment, but I will take note of it. The Speaker, as you know, is responsible for House matters and we will do our best to comply with your request in the future.

HON. P.S.W. GOLDSON (Albert): Mr Speaker, I rise and I must confess with some reticence to deal with a matter which I feel is very much of public concern. This is the question of the treatment accorded to the Representative of Her Majesty the Queen in Belize. I think quite a number of citizens are very much upset at the fact that the Governor-General is not given her official quarters and offices since the advent of Independence. We know that it has been said that those offices and the residence of Belize House were on loan to the British High Commission until he could make his

own arrangements. But, Mr Speaker, I would like to pose this question - if the Queen's Representative in Belize was not a Belizean, would she have been so treated? For instance, when Jamaica became independent, the Colonial Governor was appointed Governor-General and he carried on for six months or so before a national was appointed. Suppose the former Governor, Mr Hennessy, had been appointed Governor-General for a period of time would he have been put out of Belize House and those premises given to the British High Commission? I am almost certain that this would not have been done. I think that the Governor-General should be treated for what she really is - Her Majesty's Representative and also the symbol of the dignity, integrity, unity of this country. We would like to see her treated according to the dignity of her high office, We don't think that the Government is doing this.

We sympathize with the fact that the British High Commission have to be provided with quarters; but I am certain it is not beyond the ingenuity of the Government to solve that problem without depriving Her Excellency of her proper residence and offices.

HON. G. PRICE (Prime Minister): I appreciate the concern of the Honourable member for the quarters of Her Excellency the Governor-General.

The circumstances in which Belize became independent are entirely different from the circumstances in which Jamaica became independent.

There is a reason for a temporary occupation of the former Belize House and Her Excellency is the first one to understand the circumstances. As far as I know, she is not the one to raise the matter. As a good Belizean, she understands the problems of a new Government which has emerged into independence in very difficult circumstances where the British troops are still here for an appropriated period.

We wonder why there is such great concern from the other side when we all know the circumstances and the Governor-General, herself, knows the circumstances.

HON. C. WAGNER (Toledo South): Mr Speaker, I too rise to raise a matter which I consider to be of great importance and urgency to the public at large.

Mr Speaker, my point is that of the harvesting of the rice production in the Toledo District. In response to the call of Government to the people of this country to work harder and harder and produce more and more, scores of Toledo farmers have earlier this year, as in every year, seek loans from the Development Finance Corporation in order to invest in what they call, or what is known as mechanized rice farming. These farmers, Mr Speaker, are hoping to make more money by doing this and to produce much more rice, and most of these loans are given by the Development Finance Corporation and it seems that there is some sort of cooperation between the Development Finance Corporation and the Ministry of Agriculture. The Department of Agriculture in the Toledo District operates some combine harvesters and these harvesters are supposed to reap the rice for all these farmers who invest into mechanized rice plantations.

I really, Mr Speaker, am sad to see the amount of rice that is being over-dried for many of the hard working farmers, those who depend on their rice plantation for some Christmas money and for money to pay towards their loan and to buy other things that these poor people long for.

Mr Speaker, I don't know if you know much about rice other than eating it in the plate; but, Mr Speaker, rice is a thing that cannot wait very long; it grows on what we call stacks and as soon as the ball of rice begin to ripen, then it is time that you prepare to reap it because the stack of the rice begins to dry very quickly after the rice itself has ripen. It means then that the harvester must get to these rice fields within a very limited time. Now, I can appreciate the fact that the Ministry of Agriculture has but a few harvesters. What I do not appreciate, Mr Speaker, is the fact that these farmers are given loans and are allowed to go into such a venture only to see that at harvest time they cannot obtain the use of the harvester so they have to stand up and watch with great frustration the loss of whole fields of rice.

From day to day during the past week, different farmers have been coming to me and laying their troubles to me with great sorrow and I have pity on them, but what can I do but to raise this matter here hoping that the Minister concerned will be able to devise some means of consoling these farmers.

Mr Speaker, I think I have made the point and I wish that the Minister concerned will do some explanation.

HON. F.J. MARIN (Minister of Natural Resources):
Mr Speaker, I certainly appreciate the Member's concern.

We in the Ministry are well aware of the problems. 1981 has been a very good crop and grain production in both corn and rice, and in the Toledo District we have experienced problems in harvesting. It is not a matter of there is a shortage of combines. There are enough combines in the Toledo District to harvest the production there. Government has a few combines, Harold Whitney has other combines, and Caribbean Land and Timber Company have combines, but the farmers have nobody to blame but themselves. These combines are there ready to hire to do the job, but they prefer to wait on the Government combines for reasons known to them.

So, this has been the problem, and we in the Ministry have decided to give priority to the better kept fields. Let us not assume that all the fields there are well kept. There have been exceptionally good fields and we have put the combines to harvest those fields. Those that are full of weeds - some rice fields, as they say some rice fields have sometimes 80% weeds and these tie up the combines and create breakdowns and all kinds of problems. But I appreciate the problem and we will do everything possible with the machinery we have and also with the machinery that private enter prises have. The other side know so much about private enterprise, I believe they all know this because it is there ready for anybody who wish to have a combine to harvest rice.

(a p p l a u s e)

HON. B. AH (Toledo North): Mr Speaker, I rise in this Honourable House to ask the Honourable Minister who is concerned, as to why is it that the Toledo farmers are not getting paid for their rice as they are delivering to the Marketing Board.

Mr Speaker, we should be aware that most of these farmers are depending on these annual cash crop, I hope something will be done to pay these people in time for their product.

HON. F.J. MARIN (Minister of Natural Resources): Mr Speaker, I appreciate the Member for Toledo North's concern.

What has happened, we are trying to establish systems on discipline in the method and forms of payment in the Marketing Board like we have in the sugar industry. We have a two-tiered payment. We are trying to establish a two-tiered payment in the rice and also in the sugar industry where we will pay 50% on delivery and as soon as we have dried it and stored it properly - again, quality if taken into consideration and we will effect payments for the rest.

I want to assure the Member that all those farmers that have delivered will be paid.

(a p p l a u s e)

MR SPEAKER: Honourable Members, the House now stands adjourned.

Adjourned at 3:15 p.m. to a date to be fixed by the Speaker.
