

THE SENATE

Tuesday, 1 September 1981

10:30 a.m.

PRESENT:

The President, the Honourable Mr. W.E. Coffin
The Vice-President, the Honourable Mr. G. Ramos
Senator, the Honourable Mr. C.L.B. Rogers,
Minister of Home Affairs
Senator, the Honourable Mr. A. Fuller
Senator, the Honourable Mr. H. Lewis
Senator, the Honourable Mr. M. Esquivel
Senator, the Honourable Mr. A. Aragon
Senator, the Honourable Mrs. E. Searle

ABSENT:

Senator, the Honourable Mr. J. Chun IV

MR. PRESIDENT in the Chair.

PRAYERS read by Mr. President.

BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I rise to signify my willingness to take charge of the Land Utilization Bill, 1981, the Belize Constitution Bill, 1981, and the Control of Public Meetings and Public Processions (Amendment) Bill, 1981. I move that they be taken through all their stages forthwith.

MR. PRESIDENT: Honourable Senators, the Question is that the Bills be taken through all their stages forthwith.

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

PAPERS

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I rise to lay on the Table, Sessional Papers Nos. 32/1/4 to 50/1/4.

MR. PRESIDENT: Honourable Senators, those Papers are ordered to lie on the Table.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move that at its rising today, this Senate adjourns to a date to be fixed by the President.

MR. PRESIDENT: Honourable Senators, the Question is that at its rising today, the Senate adjourns to a date to be fixed by the President.

/All ...

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

PUBLIC BUSINESS

A. Government Business

MOTIONS

1. Guarantee of Loans to the Banana Control Board

SENATOR C.L.B. ROGERS (Minister of Home Affairs):

Mr. President, I move:-

WHEREAS by Resolutions passed on 7 October 1977 and 15 December 1988, this Senate approves the guarantee by Government of loans by the Bank of Nova Scotia, Barclays Bank International, the Royal Bank of Canada, the Atlantic Bank Ltd. and the Development Finance Cooperation to the Banana Control Board of a total sum of \$5,000,000 (five million dollars) at the price rate of interest;

AND WHEREAS as a condition to the extension of the time for repayment of the said loans the said lending Institutions require that the rate of interest payable under the said loan agreements shall be increased to prime rate plus one percent;

NOW, THEREFORE, BE IT RESOLVED that this Senate approves the increase of the rate of interest payable on the loans of \$5,000,000 (five million dollars) made to the Banana Control Board by the Bank of Nova Scotia, Barclays Bank International, the Royal Bank of Canada, the Atlantic Bank Ltd., and the Development Finance Corporation to the prime rate of interest plus one percent.

I signify the Governor's recommendation.

MR. PRESIDENT: Honourable Senators, the Question is - NOW, THEREFORE, BE IT RESOLVED that this Senate approves the increase of the rate of interest payable on the loans of \$5,000,000 (five million dollars) made to the Banana Control Board by the Bank of Nova Scotia, Barclays Bank Ltd. the Royal Bank of Canada, the Atlantic Bank Ltd., and the Development Finance Corporation to the prime rate of interest plus one percent.

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

2. Resolution on On-lending of proceeds of CDB Loan from the Government of Belize to the Belize Electricity Board

SENATOR C.L.B. ROGERS (Minister of Home Affairs):

Mr. President, I move:

/WHEREAS ...

WHEREAS by a Resolution dated 3 February 1981 this Senate approves the borrowing by the Government of Belize of US\$5.0m (US five million dollars) for the purpose of the upgrading and expansion of the electrical system in Belize.

AND WHEREAS Section 20 of the Belize Electricity Board Ordinance (Chapter 156 of the Laws of Belize) require the approval of the National Assembly for the placing of such funds at the disposal of the Board and the specification of the rates of interest and the mode and time of repayment;

NOW THEREFORE BE IT RESOLVED that this Senate approves (a) the placing at the disposal of the Belize Electricity Board of funds not exceeding a sum of US\$5.0m (US five million dollars) (b) that the Belize Electricity Board shall repay the said sum as set out on the Order Paper.

I signify the Governor's recommendation.

MR. PRESIDENT: Honourable Senators, the Question is that - NOW THEREFORE BE IT RESOLVED that this Senate approves (a) the placing at the disposal of the Belize Electricity Board of funds not exceeding a sum of US\$5.0m (b) that the Belize Electricity Board shall repay the said sum as set out on the Order Paper.

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

3. Loan to the Government of Belize - Caribbean Development Bank

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move:

WHEREAS under the provisions of Section 3 of the Loans (Caribbean Development Bank) Ordinance, 1981 (No. 26 of 1971) the Government may, in such manner and on such terms and subject to such conditions as may be agreed between the Government and the Bank from time to time, borrow such sums as may be required by the Government.

AND WHEREAS the Caribbean Development Bank has now agreed to lend the sum of US\$750,000 (United States dollars seven hundred and fifty thousand) to the Government for the purpose of assisting in the construction of the Belmopan Hotel in Belmopan, Cayo District.

BE IT RESOLVED that this Senate approves the loan of US\$750,000 from the Venezuelan Trust Fund established in Caribbean Development Bank to the Government for the purpose stated above on Caribbean Development Bank's standard terms and conditions and on the terms and conditions stated on the Order Paper.

The Governor's recommendation is signified.

/MR. PRESIDENT ...

MR. PRESIDENT: Honourable Senators, the Question
is - BE IT RESOLVED that this Senate approves a loan of
US\$750,000 from the Venezuelan Trust Fund established in
Caribbean Development's Bank's standard terms and conditions
and on the terms and conditions stated in the Motion.

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

4. Resolution for on-lending of Funds from Royal
Bank of Canada to Government of Belize

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

WHEREAS the Government of Belize desires to
borrow funds for the purpose of financing a Housing
Project in Belize;

AND WHEREAS the Royal Bank of Canada is
prepared to make funds available to the Government
of Belize;

NOW THEREFORE BE IT RESOLVED that this Senate
authorized the Minister of Finance on behalf of the
Government and people of Belize to enter into an
agreement for a loan of US\$2.0m (US dollars two
million) from the Royal Bank of Canada to the
Government of Belize for the purpose of financing
a housing project in Belize on such terms as he
deems fit including the terms as set out in the
Order Paper.

I signify the Governor's recommendation.

MR. PRESIDENT: Honourable Senators, the Question
is that - NOW THEREFORE BE IT RESOLVED that this Senate
authorizes the Minister of Finance on behalf of the Government
and people of Belize to enter into an agreement for a loan
of US\$2.0m (US\$ two million) from the Royal Bank of Canada
to the Government of Belize for the purpose of financing
a housing project in Belize on such terms as he deems fit
including the terms as set out in the Motion.

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

5. Resolution for on-lending of Funds from Atlantic
Bank to the Marketing Board

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

Be it resolved that this Senate approves
additional overdraft facilities of BZ\$400,000 from
Atlantic Bank Ltd. to the Marketing Board to finance
milk operations of the Board.

I signify the Governor's recommendation.

MR. PRESIDENT: Honourable Senators, the Question is -
it resolved that this Senate approves additional overdraft
facilities of BZ\$400,000 from Atlantic Bank Ltd. to the
Marketing Board to finance milk operations of the Board.

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

6. Resolution on Belize's Membership of the
Commonwealth of Nations

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
President, I move -

WHEREAS it is the declared policy of the
Government of Belize to apply for full membership
of the Commonwealth of Nations on the attainment of
Independence;

AND WHEREAS Her Majesty's Government has agreed
that Belize shall become an Independent State on the
21 September 1981;

BE IT RESOLVED that the Senate directs that a
formal application be made to the Secretary-General
of the Commonwealth of Nations for full membership
for Belize of the Commonwealth;

BE IT FURTHER RESOLVED that the Senate hereby
requests Her Majesty's Government to support and
assist Belize to become a member of the Commonwealth;

AND BE IT ALSO FURTHER RESOLVED that the
Senate directs that copies of this Resolution be
despatched without delay to the Secretary-General
of the Commonwealth of Nations and the Secretary of
State for Foreign and Commonwealth Affairs.

SENATOR M. ESQUIVEL: Mr. President, I wish to move
an amendment to the Motion proposed by the Honourable Minister.
I move that the Motion be amended by the addition of the
following paragraph after the last paragraph of the Motion.

"Provided that no action shall be taken on this
resolution unless or until the people of Belize
have been given an opportunity through a referendum
to decide whether or not they wish to enter into
independence with the Heads of Agreement and that
this House is fully satisfied by a vote of not less
than 3/4 of its membership, that suitable arrange-
ments for the defence and security of Belize after
independence exist."

SENATOR E. ARAGON: Mr. President, I rise to second
the Motion.

MR. PRESIDENT: Honourable Senators, the Question is
that the amendment be made.

All those in favour, kindly say...

/SENATOR C.L.B. ROGERS ...

SENATOR C.L.B. ROGERS: Mr. President, you put the amendment as I understand it:

MR. PRESIDENT: Yes, the amendment then I'll go on the Motion. Now we'll talk on the amendment.

SENATOR M. ESQUIVEL: Yes, just a word or two to explain the reason for this amendment and that is, that I think Honourable Senators are aware that in the House of Representatives sometime ago, the Honourable Premier made a commitment to that House that he would be informing the House of Representatives fully of all arrangements which have been made for the future security and defence of Belize after independence. To date this has not been done, Mr. President. That is, the House of Representatives, to the best of my knowledge, still awaits such an explanation from the Premier, and it seems to me that this was an undertaking that the membership of the House of Representatives be fully aware of all of the provisions for the future security and defence of Belize before they would be asked to support anything dealing with a date for independence, and since this has not been done, it is felt on our side that some mention of the future security of Belize should be made in anything dealing with the independence of Belize. We certainly are in agreement with the concept that whenever Belize becomes independent it should become a member of the Commonwealth of Nations. There's no difficulty in that. However, the difficulty is that a date is being made, the 21st September for independence, without the undertaking given to the other House being kept by the Government. We therefore feel that it is in the interest of Belize and Belizeans that this Senate should place on record the need for a firm security arrangement, and we also feel, as has been our policy all along, Mr. President, that on this most important step in the history of a nation, the power to say aye or nay rests with the people, and we feel that because it is our policy that the power to say yes or no rests with the people, that the people should be given that opportunity in a referendum. This has been stated in many places and on many occasions, Mr. President, and I'm merely reiterating it here for the record and I ask the Honourable Senators to seriously consider this amendment and to vote yes.

Thank you very much.

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, if no one wishes to speak on the amendment --

The proposition before this Senate is strictly to do with membership of the Commonwealth of Nations. I think one of the propoganda had been both in this country and abroad that Belize would not enter the Commonwealth. Belize is today, through its National Assembly and it has passed the House already, taking the decision that an independent Belize should become a member of the Commonwealth of Nations. To us this is of great importance, Mr. President, that as part of the preparation for the independence of Belize, Government, on behalf of the people of Belize, take the necessary steps to seek membership of the international organization which play key roles in the international society for the benefit of mankind, both this and other resolutions that will be coming before the Senate very shortly.

/The ...

The Commonwealth of Nations itself, Senators and Mr. President, is a voluntary association made up of independent sovereign nations bound together by a common heritage and common objective. Each state responsible for their own policies; consulting and cooperating in the common interest of their people and in the promotion of international understanding, peace and goodwill.

Member states regard Queen Elizabeth II of the United Kingdom as the symbol of their free association and as such the head of the Commonwealth. So it indeed surprised us when this amendment to reject the membership of the Commonwealth was proposed by our distinguished colleagues on the other side.

For the benefit of members, I think I should mention some of the historical perspective of the Commonwealth. The modern Commonwealth had its beginning in 1947 with the demise of British rule in India with countries which became independent in the last few decades forming the majority of its members. The Commonwealth has been especially concerned to quicken the pace of de-colonization. Commonwealth leaders have used the Association to advance independence for subject peoples.

In the case of Belize, we have received overwhelming support for a safe, secure independent Belize with all its territory intact. Furthermore, Mr. President, we have benefited from the technical assistance programme of the Commonwealth funds, a technical cooperation which has offered us advice, experts and training in many areas. As a member of the Commonwealth of Nations, Belize will be able to fully participate at the highest level of the decision making and will benefit from the various forms of assistance offered to member state. The resolution before this Senate will enable Belize to become a member of the Commonwealth of Nations and fulfill its financial obligation of membership.

The Senator, in proposing the amendment, Senator, Esquivel, has talked of a promise made to the House to bring to it a security arrangement. Mr. President and Members of the Senate, all of us, I believe, were informed, we heard on the radio, we read in the press the security arrangement for Belize. In fact, it came over the BBC, internationally also. That record was read in the House during the debate on this very Motion last Friday and the commitment, Mr. President, was not for a referendum on independence. We have gone over this many times. The commitment that the Government made was for a referendum on the Heads of Agreement not on independence. This Government has never agreed that there should be a referendum on independence when in fact those questions were put to the people in the general elections in 1979. What the Government undertook was that any treaties emerging from the Heads of Agreement would be put to the people in a referendum and the Government continue to stand by that. If any treaties ever follow, arise out of the Heads of Agreement, the treaties would be put. It is a political trick to try to translate that now in terms of a referendum on independence. There seems to be a continuous obstruction to independence whatever form it comes in. Whether it arises out of the Heads of Agreement or whether a defence arrangement which the Government said it was travelling on two roads. The Heads of

agreement if it fails we would proceed on the other road for a defence arrangement and that can only come, become fully known in detail when Belize is an independent state and exchange letters of agreement with the United Kingdom. It cannot do so in its present colonial state. Belize has to achieve its independence in order to formalize its agreement when it can sign contract, when it can sign treaties. It cannot sign a treaty now because it is a colony and that is why we are all trying to hasten the date of independence to be able to make our own arrangements in the best interest of this country. Thank you, Mr. President.

SENATOR M. ESQUIVEL: I take it we are still debating the amendment. So if I may wind up. I am very grateful to the Minister for his remarks. I do have a few comments on them.

The Minister at one point said that the House had been informed in a similar way to the rest of the nation by a release read on the radio on the security arrangement (and gazetted too) and in the House of Representatives, which he alleged fully informed us of the defence and security arrangements for Belize after independence. His last remarks seem to contradict that, Mr. President, that he said that we cannot know fully the defence arrangements until after we are independent, (in detail, quite right), which is what we want to know. What has been read on the radio and in the House and gazetted leaves us no better off than we were before as far as knowing what the defence arrangement is. So that was my point, Mr. President.

Also, I must congratulate the Minister on his little dig there about us opposing entering into the Commonwealth of Nations. I think I prefaced my remarks and I remembered, Mr. President, saying that we certainly did not oppose membership in the Commonwealth of Nations and I think I must thank the Minister for very eloquently pointing out all of the benefits which would accrue from such membership, which we had been saying all along, and I'm very glad that the Government has seen the wisdom of what we have been saying. However, nevertheless, the point of my amendment had to do with the security arrangement of Belize and I still wish to ask Senators to consider it seriously and to vote for the amendment.

Thank you very much, Mr. President.

MR. PRESIDENT: Honourable Senators, the Question is that the amendment be made.

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

Now on the Motion.

Honourable Senators, the Question is BE IT RESOLVED that the Senate directs that a formal application be made to the Secretary-General of the Commonwealth of Nations for full membership for Belize of the Commonwealth;

/BE IT ...

BE IT FURTHER RESOLVED that the Senate hereby requests Her Majesty's Government to support and assist Belize to become a member of the Commonwealth;

AND BE IT ALSO FURTHER RESOLVED that the Senate directs that copies of this Resolution be despatched without delay to the Secretary-General of the Commonwealth of Nations and the Secretary of State for Foreign and Commonwealth Affairs.

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

7. National Symbols Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

- WHEREAS: (1) in accordance with the decision of the Belize Constitutional Conference a representative Committee was formed on a bi-partisan basis comprising members of the People's United Party and the United Democratic Party to make proposals on national symbols for Belize;
- (2) the selections made by the National Symbols Committee were arrived at by consensus;
- (3) the Report of the Committee has been laid on the Table of this Honourable Senate;

BE IT RESOLVED that the Senate approves the Report of the National Symbols Committee, as amended by the House of Representatives, and prescribes its recommendations as the National Symbols of Belize in pursuance of section 122 of the Belize Constitution.

Mr. President, I think that this act shows the maturity of Belizeans. That they can, in spite of what they say, agree on something that they can discuss their differences and arrive at consensus. I am happy on this side, Mr. President, that we have arrived with consensus on these matters of great importance and that further the amendment to the National Anthem which was amended and which comes to the Senate amended already. It was amended in the House; was arrived at between the leaders of the people over the Table. That last bit was arrived at in one of our discussions on the recent unity talks that were held. I think it augurs well for the future of this country and the political maturity of its representatives. I recommend the resolution for passage by the Senate.

SENATOR M. ESQUIVEL: I rise to support the Motion put by the Minister. I too am very happy to see that at least on this we have been able to reach a common ground and consensus by the time tried method of compromise. I can recall in this Senate, I believe it was during the debate on the White Paper on the Constitution, the Honourable Minister expressing the view that a joint commission on the national symbols would be a waste of time because we could never agree, and that in any

case the national symbols would have to be approved by the National Assembly, and that we could never agree on that matter anyway, so that it was a waste of time even suggesting it. I am very happy to see that now he agrees that if we try hard enough, we can find ways of agreeing with each other. We can find ways of unity without uniformity. We can find ways of agreeing without conformity and I think that I must agree with him that this is a good sign. It is something which we from our side sincerely hope will continue to be the order of the day; that is, that Government and Opposition will seek those methods which are best able to work in order to find ways and means of finding common ground on matters of extreme national importance, and so I wish to record also, Mr. President, my happiness that at least on the matters of the national symbols there has been agreement. The method which was suggested, even though it seemed hopeless perhaps at the time, has in fact worked out, and it should be an indication to the other side that such a method has merit and should be used in the future on other issues.

So I support the Motion.

SENATOR C.L.B. ROGERS: Let me for the records correct my remarks and to say to the Senator that we are bigger than these little petty things. That if indeed I felt that it was useless to meet in a bi-partisan committee, I stand corrected today. What is true today changes tomorrow. The only thing that doesn't change is the principle of change itself, Mr. President and I am well aware of that. But the Senator knows fully well that although I had said these words that I worked very hard to bring about agreements and to make my own predictions wrong. The Senator knows that fully well. So there is no propaganda value in saying that because I said this I was trying to obstruct. I am always trying to make agreements and I'm always fighting for consensus, Mr. President and that is why although it meant the majority sometime and I think at the time what I said was that they always think of compromising terms of the majority giving way. Well, we did give way because we want harmony, we want unity.

So, Mr. President, in spite of that, the only point I am making is that I worked to make my prediction wrong. I have faith in human beings and we hope that on other matters the Opposition will show this spirit which was enunciated today by the Senator on the other side.

MR. PRESIDENT: Honourable Senators, the question is BE IT RESOLVED that the Senate approves the Report of the National Symbols Committee, as amended by the House of Representatives, and prescribes its recommendation as the National Symbols of Belize in pursuance of section 122 of the Belize Constitution.

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

8. The National Seal Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

WHEREAS: Belize shall proceed to independence on 21 September 1981;

AND WHEREAS the Public Seal comprises the Royal Crest, the Coat-of-Arms, the Royal Style or Title, and the name of the country;

AND WHEREAS the Royal Style and Title is Elizabeth II Queen of Belize and of the other realms and territories;

BE IT RESOLVED that this Honourable Senate, pursuant to Section 130 of the Belize Constitution adopts the existing Public Seal as the National Seal of Belize.

Mr. President and Members, the proposal is that Belize on the attainment of independence on 21 September 1981 remains within the Commonwealth. The proposal is that the existing public seal be retained. The new Royal Style and Title be incorporated. The amended public seal will comprise the Royal Crest, the Coat of Arms of Belize, the Royal Style and Title Elizabeth II by the Grace of God Queen of Belize and other realms and territories, head of the Commonwealth at the risk of sounding more royalist than the other side and the name of the country Belize. The resolution before this Honourable Senate will enable us to adopt and use the public seal subject to certain modifications.

MR. PRESIDENT: Honourable Senators, the Question is BE IT RESOLVED that this Honourable Senate, pursuant to Section 130 of the Belize Constitution adopts the existing Public Seal as the National Seal of Belize.

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

9. Membership of the United Nations Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

- WHEREAS: (1) it is the declared policy of the Government of Belize to seek membership of the United Nations Organization and its related organs on the attainment of Independence;
- (2) Belize shall proceed to independence on 21 September 1981;
- (3) the United Nations has played a significant role in the imminent attainment by Belize of independence, by the consistent implementation of the General Assembly's Declaration on the Granting of Independence to Colonial Countries and Peoples and particularly through resolutions of the General Assembly;

(4) in its resolutions A/C4/35/L8 passed on the 11th November 1980 the General Assembly welcomes the declared intention of the Government of Belize to apply for membership on the attainment of independence;

BE IT RESOLVED that this Honourable Senate authorizes the Government of Belize to apply for full membership of the United Nations Organization and its related organs, and to assume all the financial responsibilities and other obligations of membership.

The United Nations, Mr. President, has played a significant role in supporting the independence of Belize with its sovereignty and territorial integrity. The General Assembly of the United Nations has passed several resolutions to this effect the latest being the United Nations resolution of the 11 November 1980 which is referred to in the resolution. It called upon the United Kingdom to continue negotiating with Guatemala to take Belize to independence before the next session of the General Assembly in 1981 this year and to continue to defend Belize.

It called upon the World Community to take appropriate action to facilitate the independence of Belize and to guarantee its security and territorial integrity thereafter or such action for those purposes as may be requested by the United Kingdom or Belize.

It called upon Guatemala and Belize after independence to work out arrangements for cooperation on matters of mutual concern.

The United Nations is an organization of sovereign nations. It provides the machinery to help find solutions to disputes or problems and to act on generally any matter of general concern to humanity. It does not legislate in the sense of enacting laws that nations must accept. But in the meeting rooms and corridors of the United Nations, representatives of most countries of the world, great or small, rich and poor, with varying political views and social systems, have a voice and a vote in shaping the policies of the international community on a broad range of issues. Membership in the United Nations, Mr. President, is open to all peace loving states which accept the obligations contained in the charter and in the judgement of the organization are able and willing to carry out these obligations. As a peace loving nation, it is highly desirable that Belize should seek membership of the United Nations and its related agencies.

Because of Belize's peculiar position in international affairs, it is recommended that membership in the United Nations organization be given priority. This must also be treated as a matter of urgency because of the political and defence potential of membership in this organization. Admittance to this organization should be regarded as a step which must mature contemporaneous with the assumption of independence. Application must therefore be lodged and processed prior to independence day.

I ask for the support of this Senate on the passage of this resolution.

/s/ A. ...

MR. PRESIDENT: Honourable Senators, the Question is BE IT RESOLVED that this Honourable Senate authorizes the Government of Belize to apply for full membership of the United Nations Organization and its related organs, and to assure all the financial responsibilities and other obligations of membership.

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

10. Membership of the International Monetary Fund Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

- WHEREAS: (1) the International Monetary Fund was established to manage the exchange rate system of the world and to provide short-term financial support to countries experiencing balance of payments difficulties;
- (2) financial and economic benefits will accrue to Belize upon becoming a member of the International Monetary Fund;
- (3) it is the policy of the Government of Belize on the attainment of independence to seek membership of International Organizations that serve the best interest of Belize;

BE IT RESOLVED that the Senate authorizes the Government of Belize to seek membership of the International Monetary Fund and to assume the financial responsibilities and other obligations of membership.

Members, Mr. President, the IMF was created at the Bretton Woods Conference in New Hampshire in 1944 to manage the fixed exchange rate system and to provide short term financial support to countries with balance of payment difficulties.

The IMF, International Monetary Fund, also helps member countries experiencing payment difficulties in identifying problems and remedies and take account of the countries social and political objectives. The Fund has increased its collaboration with the World Bank to ensure that adjustment programme support a recipient country's investment priority. It is envisaged that Belize will actively participate in the activities of this Institution.

The resolution before this Honourable Senate will give Government on behalf of Belize the authority to apply for membership in the IMF and to undertake all the financial and other obligations of membership.

I commend the passage.

/MR. PRESIDENT ...

MR. PRESIDENT: Honourable Senators, the Question is BE IT RESOLVED that the Senate authorizes the Government of Belize to seek membership of the International Monetary Fund and to assume the financial responsibilities and other obligations of membership.

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

11. Membership of the International Bank for Reconstruction and Development Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

WHEREAS: (1) the International Bank for Reconstruction and Development, (also known as the World Bank) was established to provide financial and technical assistance for the development of its member countries;

(2) financial and economic benefits will accrue to Belize on becoming a member of the International Bank for Reconstruction and Development;

(3) it is the policy of the Government of Belize to seek membership of International Organizations which serve the best interests of Belize on the attainment of independence;

BE IT RESOLVED that the Senate authorizes the Government of Belize to seek membership of the International Bank for Reconstruction and Development and to assume the financial responsibilities and other obligations of membership.

I commend the passage of the Motion.

MR. PRESIDENT: Honourable Senators, the Question is BE IT RESOLVED that the Senate authorizes the Government of Belize to seek membership of the International Bank for Reconstruction and Development and to assume the financial responsibilities and other obligations of membership.

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

12. Membership of Organization of American States Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

WHEREAS: (1) it is the intention of the Government of Belize upon the attainment of independence to play its part in strengthening the Inter-American System;

(2) the States of this Hemisphere have established the Organization of American States as a regional agency of the United

Nations to strengthen their collaboration,
to defend their sovereignty, their
territorial integrity and their independence;

BE IT RESOLVED that the Senate authorizes the Government of Belize on Independence to seek membership of the Organization of American States and to assume the financial responsibilities and all other obligations of membership.

Mr. President, the Organization of American States is a regional agency, as the resolution states, of the United Nations. It is the oldest regional society in the world dating back to 1890. The charter of the OAS proclaimed an important function of that organization as the strengthening of the peace and security of the continent. The prevention of possible causes of conflict and the pacific settlement of disputes in the hemisphere. It reaffirms this principle that international order consist essentially of respect for the personality, the sovereignty and independence of states. The OAS as it is called, has been involved in the broad area of Inter-American cooperation to enhance political relations and foster economic, social, educational, scientific, technological and cultural developments.

Inter-American Cooperative Action in the term applied to the many types of international assistance furnished to the member countries.- On the 25th September 1980 at the 10th Regular Session the OAS General Assembly endorsed the pro-Belize resolution earlier adopted by the United Nations General Assembly calling for the independence and territorial integrity of Belize by the end of 1981. Further more, the OAS resolved to offer its cooperation to facilitate the constitutional evolution of Belize as a sovereign independent state of the Americas and to assist the independent state of Belize to develop harmonious relations with its neighbours and other states in the hemisphere.

Article 8 of the OAS charter, Mr. President, does not allow membership to be accorded to any states whose territory is being claimed by a member state of the OAS. Belize will continue to pursue its policy of seeking membership of this regional organization with the support of friendly nations of the Americas.

The resolution before the Senate is to authorize the Government of Belize on independence to continue to seek membership of the OAS and to assume the financial and other obligations inherent in this membership.

I commend the passage of this resolution, Mr. President.

SENATOR M. ESQUIVEL: Thank you, Mr. President. Just one remark. Perhaps I could prevail on the Honourable Minister in replying, to say a bit more about the statement he made. I think he said it was Article 8, that member states who have a claim on another country or territory (as implied from his statement) would have a right to veto membership from any applicant who happens to be claiming, which is the unfortunate situation of Belize and Guatemala, and I would seek the Ministers indulgence if he would direct some remarks to that, as to what is the present attitude of Guatemala with regard to the membership of Belize in the Organization of American States. Thank you, Mr. President.

SENATOR C.L.B. ROGERS: Mr. President, to answer the question posed on the other side, I do not know the attitude of Guatemala to an independent Belize's application for membership to the Organization of American States, but I do know and all of us know that the Organization of American States has endorsed the United Nations resolution for the acceptance of Belize into the organization. Time will tell what the Guatemalan attitude will be. But I think that the way is paved and although there may be difficulties ahead, what we are saying here, Belize must continue to press for membership and once we are in the United Nations, we are members of the United Nations itself, the Latin American group to which all the Caribbean States belong would be using all means at their disposal, to get Belize under this umbrella organization for the defence system.

I think also that it is in the interest of Guatemala for Belize to become a member of the Organization of American States. Guatemala's first concern is to see that all the newly independent states, as I understand, their interest are together in the same organization. In fact, there is only one country that is outside the organization of its own voluntary will, the country of Cuba. I think they did not want to go back in, they were put out of the organization. I think that it would be in the interest of order to the area and peace to the area for Guatemala to support, or at least to remain silent and not to exercise any form, I'm not sure that they have a veto to exercise, but not to appear to be preventing Belize from becoming a member. The other country that I know that is not a member is the country of Guyana and that is not of their own, they would like to become a member. The Organization of American States has not passed a similar resolution as they have done on Belize. They have not done so in the case of Guyana. I think the prospects are good, although I say there may be difficulties ahead but that Belize's membership, it would not be in the interest of our neighbour to prevent or to try to prevent the entry of Belize into that organization.

MR. PRESIDENT: Honourable Senators, the Question is BE IT RESOLVED that the Senate authorizes the Government of Belize on Independence to seek membership of the Organization of American States and to assume the financial responsibilities and all other obligations of membership.

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

13. Membership of the Non-Aligned Movement Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

WHEREAS: (1) it is the policy of the Government of Belize to contribute as an Independent State solving the global concerns faced by developing countries and to maintain a policy of non-alignment;

(2) the Non-Aligned Movement comprises a neutral grouping of countries committed to a co-ordinated stand on issues affecting developing countries;

(3) the Non-Aligned Movement has granted Belize special status, including the right to speak, at Conferences of Heads of State or Governments and has consistently supported Belize in its struggle for self-determination, independent and territorial integrity;

BE IT RESOLVED that this Senate authorizes the Government of Belize to seek membership of the Non-Aligned Movement and to assume the financial and other obligations of membership.

Mr. President and Members of the Senate, the Non-Aligned Movement has consistently supported the case of Belizean independence with full sovereignty and territorial integrity. This support is contributed to the overwhelming support to Belize by the wider international community. I commend the passage of this resolution to the Senate.

MR. PRESIDENT: Honourable Senators, the Question is BE IT RESOLVED that this Senate authorizes the Government of Belize to seek membership of the Non-Aligned Movement and to assume the financial and other obligations of membership.

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

14. Relationship with the European Economic Community Resolution

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move -

WHEREAS: (1) it is the policy of the Government of Belize to maintain close economic links with the European Economic Community on the attainment of independence;

(2) it is the objective of the Second ACP/EEC Convention of Lomé and the Georgetown Agreement to promote trade and economic cooperation between the European Economic Community and the African, Caribbean and Pacific States;

(3) financial and economic advantages will accrue to Belize by accession to the Second ACP/EEC Convention of Lomé and the Georgetown Agreement;

BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Second ACP/EEC Convention of Lomé and the Georgetown Agreement and to assume the financial responsibilities and other obligations of membership.

Mr. President, I urge the support of the Senate to this resolution.

MR. PRESIDENT: Honourable Senators, the Question is BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Second ACP/EEC Convention of Lomé and the Georgetown Agreement and to assume the financial responsibilities and other obligations of membership.

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

III BILLS FOR SECOND READING

1. Land Utilization Bill, 1981.

SENATOR C.L.B. ROGERS (Minister of Home Affairs): Mr. President, I rise to move the Second Reading of a Bill for an Ordinance to provide for measures to govern the use and development of land and to introduce measures for conservation of land and water-sheds. I commend this resolution (sic) to the Senate for passage.

Mr. President and Members of the Senate, the need for this Bill should be self-evident. It is the protection of the land and the environment particularly the water-shed areas. There has been a disturbing observation that improper methods are being used and we must protect and preserve our water-shed areas.

SENATOR M. ESQUIVEL: Mr. President, I noticed that there are several amendments of the Bill and there is one which is not clear to me. And again, perhaps in his second speech, the Minister may clear up the difficulty, and that is the last amendment, No. 18 Section 18 of the Bill. It says that "this part of this Ordinance shall not apply where the divided portion of any land is transferred to the owner of any land abutting on the said sub-divided portion and where the divided portions are to be alienated to the transferred wife or children and each parcel of land so alienated or divided is provided with a right of way". What is not clear to me, Mr. President, is what is meant by this part of this Ordinance. It seems to me that the Ordinance is divided into numbered sections and there's a Part I on Subdivision and then there follows Part II on Utilization. My question is whether the amendment No. 18 in the Bill refers to the entire Bill Section I up to this point Section 17. That is the only matter I was seeking some clarification on.

SENATOR C.L.B. ROGERS: If no one wishes to speak, Mr. President, may I reply.

The Bill essentially is to provide against subdivisions that wills or codicils, any land left by wills or codicils would not be affected. This is the assurance I am told to give. The Bill is to control subdivision and to protect the water-sheds and nothing to do with, or affecting the transfer of lands from one party to the other through wills or codicils.

MR. PRESIDENT: Honourable Senators, the Question is that a Bill for an Ordinance to provide for measures to govern

the use and development of land and to introduce measures for conservation of land and water sheds, 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 Orders, committed to a Committee of the Whole Senate.

2. Belize Constitution Bill, 1981

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I rise to move the Second Reading of a Bill for a Constitution for an independent state of Belize.

Mr. President, at committee stage I will be moving an amendment to this Bill. The amendment is called the Transitional Provisions amendment to provide for the transitional period. It is out of an abundance of caution that this is being done because the House had already amended the typographical and procedural, if I am correct, amendments and I understand that the Bill that is before the Senate is the amended version. Now that being so then I only have to give notice of the amendment which members have been given notice of for the Transitional Provisions. Am I correct? The question is, Mr. President, that that amendment occur in committee stage.

Well, then, Mr. President, I will be very brief that an independent Belize requires this independence Constitution and the Constitution came from the House. You will all remember that the proposal for a constitution came out from the National Assembly by a Joint Committee. The White Paper which was presented to the National Assembly and both sides were invited to be members of that committee. One side did not attend and we proceeded around the country, got our ideas and took those ideas to London for a constitutional conference. At that constitutional conference certain things were agreed as part of the democratic process. The Joint Select Committee, I think I neglected to say, had come back to both the House and Senate and then the constitutional conference agree on a Constitution for a securely independent Belize with all its territory. The Constitution takes the form of a Bill which is now before this Senate and it has been approved in the United Kingdom by an Order in Council and signed by Her Majesty the Queen in the Privy Council.

Because the proposed terms of the Constitution for the independent Belize originated in the National Assembly, the Constitution is brought back to the National Assembly. The Bill describes the state of Belize and enshrines its territorial integrity. It makes it the supreme law of the land. The Bill provides for fundamental freedom, citizenship, Government-General, the Executive, that is the Cabinet, a Bi-cameral Legislature both House and Senate, the Judiciary and an Advisory Council. It also provides for the Public Service, Financial and other matters, such as a Code of Conduct, National Symbols and Appointment. And I said that at committee stage I propose to move the amendment.

Mr. President, I commend the Bill for passage.

SENATOR M. ESQUIVEL: Now here we have reached a point, Mr. President, where my remarks earlier on the National Symbols become once more relevant. That is, it is our position that the entering into independence, and the Constitution which is a necessary consequence of that, are issues which by their very nature are by far more important to the entire nation, regardless of their political opinion, than the National Symbols (important though they may be). And our side considers it a great pity that the same road was not taken by the Government in arriving at its policy on entering into independence, because so much could have been avoided and so much good could have been done by pursuing that road. We have seen the good that has come out of the National Symbols Committee. We have seen, Mr. President, the good that has come out of certain dialogue held between the Government and the Opposition in the past few weeks. Certainly these things should convince us that there is no better way than the way of dialogue.

So that the Minister refers to the fact that both sides, or both Houses, were invited to be part of a Joint Committee to make recommendations for the Constitution for Independence, but even at that stage, dialogue could have been initiated, Mr. President, in order to resolve the very real and very great division between our two sides. But to date we find ourselves confronted with a date for independence and all of the trappings attached thereto, including a Constitution, and to date, except for some informal discussions a few weeks ago, or last week I may say, there has been no dialogue between the parties on this most important, this paramount issue facing our nation. So that unfortunately, Mr. President, we enter into independence divided on that particular issue. In other words, we find that our position and that of the Government on entering into independence on 21 September are so far separated, that at this stage we fear there is nothing that can be done to reconcile those differences. If I might reiterate the position once again, Mr. President, it is that on entering into independence, a nation which is threatened by an unfriendly nation, which has a dispute not of its own causing still unresolved with our neighbours, which has a security problem, as well as our recent past history, that is, we have started too late to think about it. Because of these things we feel that the step into independence (as I pointed out, I believe, in the debate on the White Paper) is a step into the dark for our people. At that time I also pointed out that there was nothing wrong with stepping into the dark provided we do it with the consent of the people. That is if there is a risk to be taken then none of us is qualified or authorized, in our opinion, to take that risk on behalf of the people because it is not ourselves we are taking the risk but the entire nation. There our position has been, for a very long time now, and remains, that the people should have an opportunity to express their will. Since they are not given the opportunity to express their will in a referendum on treaty or treaties with Guatemala, then since the Government is determined that the 21 September is unchangeable, although that is not our view, then we say let the people speak on whether they wish to go into independence under the present circumstances in a referendum.

Mr. President ...

Mr. President, that policy is no surprise to anyone, it has been our policy for very many years. I merely wish to reiterate our sorrow that the Government did not see the wisdom, these past many years, of dialogue and of compromise, so that when Belize enters into independence whenever that day is, it is the position of Government it is the 21 September, that we could have entered into it a joyful people, united in that single issue at least. As I say, it is a matter of deep regret on our side, Mr. President, that that is not the case, and that therefore from our point of view, 21 September, if independence comes on that day, is not going to be an occasion of joy or an occasion of unity, and I think this could have been avoided if these past many years we had sat down and dialogued and compromised. However, I wish to reiterate that it's still not too late on other matters for us to seek dialogue and compromise and I repeat my hope that the Government will pursue that policy, Mr. President.

Thank you very much.

SENATOR G. RAMOS: Mr. President, Honourable Senators, for the records I wish to endorse the Bill before the Honourable Senate for a Constitution for an independent state of Belize.

Mr. President, it is evident that Belize and Belizeans are ready for independence. We are ready for independence. The evidence of maturity and the willpower to meet the challenge of an independent Belize are here. We have built the foundation of a new nation on principles of democracy, human rights and social justice. This democratic system is already our Belizean way of life. Every Honourable Member here today is proud, not only of the Belizean masses, but also of the Government's efforts and achievement in unifying the people of Belize. You will agree with me, Mr. President, that this indeed is a remarkable feat to unite the Belizean people. I can say with utmost confidence that no Belizean here today or a thousand hence need feel anything but pride with the steps we are about to take in passing this Bill. Thank you.

SENATOR A. FULLER: I rise to give support to the Constitution of Belize which will eventually be the supreme law of the land. It is a good Constitution. In my opinion, all vital points have been included and provision made for. It is a Constitution which we can all be proud of. As suggested by Senator Esquivel, these are security problems and stepping into the dark. I see no such thing. Like my colleague Senator Ramos said, the people of Belize are ready, have been ready for a long time but we know that the road is now set and we are ready. I reiterate that I give my full support to the Constitution. Thank you, Mr. President.

SENATOR H. LEWIS: Mr. President, I rise to support the Motion before us. I would like to give my full support to the Constitution for an independent Belize.

First of all, I would like to make very clear the apparent misleading point here that an independent Belize would move into the darkness or things along that line. First of all, it is my understanding that independence has always been the

ultimate objective of the People's United Party which is in power at the moment and they have been very consistent in this aim and objective. Elections after elections, the People's United Party in different forms however have made it absolutely clear that independence was its ultimate goal, and of course the fact that the party has been in Government for so long is a clear indication, I believe, that the people themselves have gone into the pros and cons of independence and have finally decided that in fact and in truth that is what they wanted as well.

I therefore wish to give my full support to the Constitution for an independent Belize.

SENATOR E. ARAGON: Mr. President, Honourable Senators, I am for independence, but definitely not in the method being used to achieve the independence we are getting. I believe the people have been denied much of their rights and I think that day by day the Belizean people are losing certain rights, inalienable rights that they should not be losing. Today when we supposed to be speaking of unity, I do not want to speak against this unity that we should be more or less trying to uphold to make something better for the future for Belize. So today, I only wish to state and to have it recorded that the Constitution of Belize has been rushed through with so much haste that I do not think that justice has been done to it. I will only hope that the future proves that the right thing has been done. May God help us all for the greater glory of Belize.

SENATOR C.L.B. ROGERS: Mr. President, I just want to wind up this debate and to reply to a few criticisms that have been hurled here.

The longest self-governing country, perhaps there may be others but, the longest self-governing country in the Caribbean, let me confine it to the region, is undoubtedly Belize. We have been self-governing since the 1st January, 1964. In 1963 we obtained the Self-Government Constitution. At that time there were many voices, Jeremiahs, saying that Belize was going into the unknown. Of course the future is the unknown. Of course we are not crystal gazers in this Senate to know what the future will bring. In our personal lives we do not know what the future will bring; we can go out there and get knocked down by a car without seeing it in the crystal ball. But Mr. Speaker, that is the stuff of which life is made. We must launch out on new stages of life. Belize has reached a new stage. All the predictions about how bad things would go for us did not materialize with self-government. The moment the people's national leaders begin to run the affairs of this country, the budget has multiplied twenty-folds.

The rights of which we speak, we had the Clause 6 then, those who are too young would not know it, but you know it, Mr. President, when the Governor used to exercise his Clause 6 and devalue the currency at his whim and fancy regardless of the outcry, you couldn't talk about putting that to a referendum, they just did what they wanted to do. The people of this country have never enjoyed the freedom they now enjoy.

There is Universal Adult Suffrage. At that time you had to vote by property, by income, a privileged few running the country. Indeed, they said the country was run from a certain club to where all the ex-patriates belonged. Times have changed and

so have the Belizeans. We have gotten our new identity and we are all proud to be Belizeans.

Mr. Chairman, reference was made of dialogue and I am happy that the dialogue has begun. But the people who kept the dialogue all these years were the people who belonged to the Opposition party. They refused membership of the Joint Committee for the Constitution, the White Paper, to take it around to the people to consult the people, they refused to take part in that. They refused to participate in the discussion of the New Constitution which we are having here today. They could have gone to London. The invitation was there, passages would have been paid from the national coffers. They refused that. How can you dialogue with a people who reject, flatly reject, and say we won't participate. They refused membership to participate and to negotiate in the Heads of Agreement. With that policy of rejection which they were doing, everything that was proposed: take part in this, as the Opposition, take part in that; the conclusion must have been that they wanted no part of responsibility. When we fail to achieve consensus, when one party doesn't want to speak, not even to hail you, the only thing you could do, Mr. President, is to govern, the Government has the responsibility; and though we may seek dialogue and though we may seek unity, it is for the other side to say they want to talk. If they don't want to talk to us, what can we do. Even in talking, Mr. President, it is only a hope, because while we are talking, things are happening in Belize and the people of Belize know what is happening. There are terror-tactics being used by people who are associated with the Opposition party. We would hope that in the words of the communique that was issued for adhering to the democratic process and living under the Constitution, this present Constitution that we are debating here today, that people who aspire to become leaders will do so through the Constitution. Don't try to over throw a Government by undemocratic practices and unconstitutional measures: that is breaking the Constitution; and these things that are happening, people know how they are connected.

So, Mr. President, I too would like to express my sorrow and deep regret that the Opposition did not see until now to begin to dialogue with us. We had, during the Heads of Agreement, negotiations before it began, and we invited the Opposition to come to negotiate with us. We had already offered all these things. Let us examine the system. Let us set up a committee. We would have had a head start. It is not the fault of the Government that there was no dialogue then. I am saying these things not to rehearse and to re-hash old enmities and to keep it alive, but to keep the records straight, Mr. President. That's all. I am hoping that they will turn to this new page and stick to it for dialogue because to come here and criticize that there is no unity, when the people who are withholding unity, we know we are here; they are the ones who are withholding unity. It is like we and Guatemala. Guatemala can drop her claim anytime when she want to drop it. It's not us who are keeping the claim alive. Same with unity, national unity, in this country. This Government has been one of the Government that is willing to bend over backwards to achieve unity. How can you achieve it with people who don't want to talk. People who don't want follow what I think their own followers want to do, to try to encourage the people to boycott independence, and then you want unity?

To appeal to people, this can lead, this can escalate to national tragedies, Mr. President and Members of the Senate. If this offer, if this rhetoric is genuine and sincere, let us desist from at a time when the people should celebrate and if they want to celebrate of their own accord and I know many members of the Opposition who would love to celebrate, but because their leaders are telling them to boycott the celebrations, they have great fear. This issue will divide them, politically, because I think it is only for a political reason that it is being done. The issues and the events that are taking place in our country, today, are bigger than political gains. Let us not try to get political gains out of this. Let us try to adopt a Constitution which provides for the protection of the rights of all our citizens which guarantees fair-play more than we've ever had it in our history. A people with such a long colonial history, Mr. President, should be glad for the day of freedom. And it is no use to come and tell us I am for independence, but I do not want independence now. That, Mr. Speaker, is spurious argument. It is like the man who said, I no want dead, but I no want live. Where you going to put him.

So, Mr. President and Members of the Senate, let us be realistic. Let us understand what unity means. Unity means all of us. We can't always have our ways, we have to give up a little something, and we are asking the Opposition to give up that something; to turn to a new page; to keep talking and not to reject their responsibilities because the Government has to govern. We would like to take you along, but if you are using delaying tactics to keep the people of this country from freedom by making these kinds of statements or by calling on people to boycott the celebrations, then your words are one thing but your deeds are another.

I commend the passage of this Bill.

MR. PRESIDENT: Honourable Senators, the Question is that a Bill for a Constitution for an independent state of Belize 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 Orders, committed to a Committee of the Whole Senate.

3. Control of Public Meetings and Public Processions (Amendment) Bill, 1981

HON. C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I rise to move the Second Reading of a Bill for an Ordinance to amend the Control of Public Meetings and Public Processions Ordinance 1967 (No. 14 of 1967) of the Laws.

For a long time, Mr. President, the Government has considered that the existing law for the control of public meetings and public processions is inadequate. Draft legislation to correct the deficiencies of the law has been considered for a number of years. The Bill now before the Senate proposes only amendments which are necessary to protect the public safety.

/She ...

The events of the last six months beginning in March made it crystal clear, not only to the Government, but to the large number of law-abiding citizens in the country that steps must be taken to give the police such powers as is absolutely necessary to carry out its responsibility for maintaining law and order and for ensuring public safety. The behavior of certain lawless elements of the society have pointed directly to the shortcomings in the law. The actions of these persons had shown the areas where the law is deficient. And so it has been easy to provide for the correction of the deficiencies in the areas which are now covered by the Bill.

Mr. President, the licence previously enjoyed by those who would use the peaceful means of public meetings and public processions as mechanisms for the overthrow of the legally elected Government will no longer be available to them. So we see that the protestations about democracy and personal liberty are only a farce which is used to cover up the illegal actions of this very small minority. It has been necessary to give authority to the police to set conditions for the holding of meetings and processions including where they are to be held, for how long, and what time they must come to an end. There is nothing in this Bill that goes beyond what is necessary at this time to deal with the situation at hand. We have witnessed the spectacle of meetings beginning at midnight, Mr. President; of meetings turning into illegal public processions which have led to the destruction of property; threat to the life and safety of the citizen and his property. We have had the situation where a meeting is now more than a public nuisance. Mr. President, the Government has been forced to act in the public interest. A Government is elected to govern and this Government is not about to abdicate its responsibility. We have, no doubt, that the vast majority of good Belizeans will support the taking of this action. Those who are offended, those who consider that the police are acting beyond their powers, those who are aggrieved, have the courts to resort to. This is the way the democratic system operates.

MR. PRESIDENT: It is now twelve o'clock when we should adjourn. Can I get a consensus from Senators if we should continue for another twenty minutes or so or adjourn now and resume at two o'clock.

SENATOR C.L.J. ROGERS: I think that we should continue, Mr. President, seeing the stage we have reached on the Order Paper.

MR. PRESIDENT: It's nearly finished. Shall we continue?

MEMBERS: Aye.

MR. PRESIDENT: We continue then. We proceed.

SENATOR M. ESQUIVILL: Mr. President, I've listened to the remarks of the Minister in introducing this Bill and it all sounds very innocent, but one must wonder at some of the provisions of this Bill, and why it is being introduced at this time when there is already in effect a Statutory Instrument which gives the police complete control over public meetings and processions. I wonder if it has anything to do with the provision of the proposed Constitution that matters dealing with public safety and human rights, that is, that part of the Constitution that says that any laws in existence before Independence Day cannot be amended for five years. I'm wondering if that is the reason for the timing of

this Bill, Mr. President, for there are certain particular sections I would like to direct some remarks at which I find a bit curious. So if I may take them in the order in which they come, not necessarily their importance.

On page 5 of the Bill, Section 7, subsection 8, it says that all processions shall cease by seven o'clock in the evening. It has always been the policy to set the time when public processions must begin and one wonders what is the point of adding in here that they shall cease at seven o'clock. The police have, at the moment, full power to grant permits to have a public procession as well as full power to put conditions on such a procession and seven o'clock it seems to me, I can't think of any particular circumstances at the moment, but it seems to me, might well be an unreasonably early hour because I can remember in the past, not in the recent past, but say in the 1974 elections, pre-election rallies by both political parties being held, if I can remember rightly, up to eight o'clock at night, and it seems to me that it's one thing to talk about midnight, there's something magical about that hour, but seven o'clock or nine o'clock, it's all the same, and I wonder if there is any real logic behind putting the hour of seven o'clock there. But that is a small matter, Mr. President.

I also noticed that there is a provision under Section 14 which can be used with very very ill effects on those against whom it is used, by anyone of ill will or bad intentions, and that is this section which says that "no public meeting may be conducted in such a manner as to result in a public procession, and if the public meeting is conducted in such a manner that such a procession originates or takes place etc. etc." It seems to me, Mr. President, that to say that a public meeting is conducted in such a manner that as a result certain things have happened? Presumably this is completely up to the police to decide if it has been conducted in such a manner. Surely if we're going to legislate we should try to be as concrete as we can and to not leave room for violation of the intent of the Bill, or for abuse of the powers conferred by this Bill, and I think a section such as Section 14 certainly lends itself to abuse by those in authority.

Another curious part in Section. The Honourable Minister has said that this legislation has been made necessary largely because of the activities of a certain minority of people. I see here that there is reference to nationals or residents addressing public meetings, or taking part in public processions. I am at a loss, Mr. President, as to what is the reason for this section in the Bill. I am not aware that there are any insidious foreigners jumping up on public rostrums conducting public meetings or taking part in public processions, which I presume are defined as political procession. So that I find it extremely curious, and I'd be interested to hear a little bit more about that. You know, if we are legislating for glaring loopholes in the law that have been made visible due to the activities of the last six months. I would really like to find out who are these foreigners that all of a sudden we find that we have to protect ourselves against them by this legislation.

Now, the one which concerns me most is paragraph 16 that is governing the use of amplifying systems, loud speakers, because on one hand there is provision in the parent ordinance that in order to have a public meeting at a designated spot, example the Court House wharf, one need only give notice to the police in sufficient time. This Bill already says that having received notice the police can then put certain conditions on your meeting, but all of that is a meaningless right of the people, if in Section 16 it is saying that you need a permit to have an amplifier or loud-speaker to conduct the meeting. So on the one hand the parent body says you have a right to conduct a public meeting in a designated spot, provided you have informed the police, and you meet with certain conditions they have set, but you have no right to address such a public meeting through a loud-speaker. So that while we are saying that a political party has a right to conduct a public meeting at a designated spot, it has no right to be heard by the people that are being addressed; you must first apply for a permit to use a loud-speaker to address the people. There is a certain degree of duplicity here, Mr. President. Either you have a right to address the people in public or you do not have a right. So do not say you have a right to address the public in designated spots, provided we meet certain arrangements, and then say, however, you do not have a right to address them over a loud-speaker; you must apply for a permit and it is completely up to the officer to whom you apply, the appropriate officer it says here, whether or not he will give you a permit. I have heard, Mr. President, of situations in the island nation of Grenada where the Opposition also enjoys this right to have a public meeting, but when they attempt to address the public, well, they didn't even bother with legislation, they merely cut off their electrical supply. But there seems to be a similarity in intent if not in procedure here, Mr. President and for the life of me I can't understand why it is Section 16 needs to be so all-embracing. And if the worry is that they might be a public nuisance, there is a special mention made of churches and schools etc. If the worry is that such loud-speakers will be a nuisance to the public how is it that loud-speakers by political parties may pose a nuisance to the public but loud-speakers used by other people would not pose such a threat. I find an inconsistency there, Mr. President. Not that I'm suggesting that these other people should also be limited. It is bad enough that politicians are being limited, but I have heard of cases where people have complained to the police time and time again at the nuisance caused by loud-speakers at the MCC Grounds on Sundays during church hour. So there have been actual complaints about this nuisance, Mr. President, but there's no legislation against that. I am not aware of public protest of nuisances being caused by public meetings at the Court House wharf for example. However, there is legislation being introduced to control that. That I cannot accept, Mr. President, that the reason for Section 16 is any worry over a public nuisance but rather an attempt to be able to turn on and off the voice of the Opposition at the whim of those in authority, and therefore I find that section most obnoxious that I cannot support it, Mr. President.

Am I hear ...

You hear many nice remarks about the Government bending backwards in order to achieve unity, and how it is the Opposition that is obstructing it, Mr. President, but the Opposition has no authority or power to pass legislation. It has no power to move against citizens through the forces of law and order and therefore we find it an unacceptable statement, that is the Opposition which is causing trouble in this country, which is obstructing it and preventing unity. Remarks have been made that we have been appointed to or invited to this committee or that or to attend this conference or that, but to attend a conference or sit on a committee, Mr. President, is not the same as dialogue. Dialogue means that two parties sit down and discuss their common differences and try solutions and ways to arrive at unity. It does not mean entering into a committee or a session or a negotiation where the the agenda has already been set and where what is to be said has already been fixed and where the policy is already decided. That is not dialogue, Mr. President. And therefore we insist that a distinction must be made between the two. When we talk about dialogue we mean that the two parties sit down with open minds ready to listen to the point of view of the other and to compromise. The Minister earlier on remarked about the Government compromising in the case of the national symbols and we expect never to compromise, it must always be the Government. On that very matter, Mr. President, it is the Opposition which compromised on every single thing except on the matter of the flag in regard to the national symbols. So to say that we are not willing to compromise also is unacceptable to us. We are always willing to compromise but it must be genuine compromise on both sides. We must both recognize our positions. We must both be willing to recognize whatever faults may exist and we must both be willing to try to arrive at consensus.

Thank you very much, Mr. President.

SENATOR H. LEWIS: Mr. President, I rise to support the Bill before us, that is the control of public meetings. I would like to give my support to it and I'd like to make a few comments.

I am in agreement with the Bill for as far as the participation of non-nationals are concerned, because without calling names, Mr. President, I have had the privilege of listening to a number of meetings of the Opposition and this is not necessarily UDP because you have other opposition groups too. You have the BAM and the WAM and what not. And there is a tendency for some reason or the other, for non-nationals to be drawn towards the opposition. Why I don't know. I've never researched that. And I believe, therefore, that the intentions in this Bill are very genuine. I sincerely believe that. And I make reference to Point 15 or subsection 15.

As regards 16, Mr. President, I have personally lived in Belize City for five years and of course you know that, Mr. President, when I was associated in some form with the Belize City Council and I have listened with some dismay to announcements made by (without calling names again) a member of the Civic and I believe he used that opportunity, he abused the opportunity because there was no provisions of any sort

to control such announcement or procession or whatever name you might apply to it. So I also want to say, Mr. President, that this is a very good suggestion.

Now what strikes me as very funny, Mr. President and Senators, is that the Opposition is constantly opposing all Bills whether they are good or not and this smacks in my mind because it is a very dangerous thing. First of all, it gives me the impression that if and when the Opposition becomes Government or rules our day of life as it were, that they are going to be extremely vindictive. It might even mean my leaving the country as a Belizean. I believe that we should look at things in their true perspective not just opposing for the sake of opposing and when it comes to dialogue or compromise I want to believe that we compromise by being mature in our outlook and that we go to the conference table as if we were with a clear conscience, that is, if a thing is genuinely good let us say that it is good and let us give it a try because it is only by making errors that we are going to progress in the final analysis.

So, Mr. President, without much ado, I want to give my full support to the Bill.

SENATOR G. RAMOS: Mr. President, Honourable Senators, it is my opinion that Government in initiating this Bill on Public Meetings and Public Processions is attempting to resolve two important competing values. And one, that is, freedom of assembly. And two, that of maintaining public order. We must not pretend that the task of balancing these competing values is an easy one. However, it is the responsibility of Government to act and protect the interest of the public. The public is looking forward to be protected from hooliganism. The events of the recent past have shown that the public needs to be protected from the overt and covert acts of irresponsible elements opposing Government. What is important, Mr. President, is that the Government has not over-reacted, nor has Government failed to act under these disturbing circumstances which have dictated this shift in balancing these competing values of freedom of assembly and the maintenance of public order.

Mr. President, a wise political philosopher once said, your freedom ends where my nose begins. I think this is a very important quotation to remember when we are discussing freedom of assembly and maintenance of public order. In clear ordinary language from the quotation I made awhile ago, it is being suggested that there are limitations to the freedom of assembly but the limitations should be in the interest of the public.

Mr. President, I fully support this Bill because it is in the interest of the public. It is in the interest of the public on a whole.

SENATOR L. ARAGON: Mr. President, Honourable Senators, a great man once said freedom isn't free. It cannot be bought or sold. It must be earned with hard work and dedication and above all, it must be preserved because in this world tyrants and dictators abound. The freedom of thought and expression is one of the most vital elements when speaking about freedom. I am aware that this ordinance that seeks to amend the Control

of Public Meetings and Public Processions Ordinance 1967 you have some justification, but I am afraid that behind all this, there is a dangerous attempt to silence the voice of any who speaks against the Government or who wishes to speak against the Government in the future to come even if this intention is not there, the danger is there. I've always come to this place in the mind that the freedom of the people need to be looked after. I've always felt that the leaders in our country usually put politics above everything and everytime I come here I leave more or less frustrated with the same mind that something somehow is wrong, that we are really not working to preserve the freedom of the people, the very people we are responsible to.

I looked, as I said, that the freedom of thought and expression is so much a necessary thing that whosoever or whatever seems to want to destroy it or to weaken it must be pointed out. I believe that at this stage I can say that by passing the amendment to this ordinance we are trying in some way or the other to limit the freedom of the Belizean people. We have always used the methods that we know best. The peaceful method of trying to break up public meetings, processions. Isn't it better than guns and bullets? I believe that this is the best method. But here in this Control of Public Meetings and Public Processions, I find that the people are intimidated. Here the people are being intimidated that probably in the near future no one will want to have a public meeting; no one will want to join a protest march and isn't this the best way we can demonstrate that we are not for something or that we are for something? But this to me is doing the opposite. It is trying to destroy what we have, the freedom of speech. The best thing we have in this country. If we prefer bullets and guns then that's what probably the country will get into in the future. This, I hope will never happen.

We have Section 16, subsection 5 and it says "Any person who organizes, holds, speaks at or takes part in a public meeting or public procession at which a noisy instrument is used without a permit issued by the appropriate officer or in violation of any condition subject to which it is issued or and so on and so on, would be guilty." Imagine, somebody with a mike speaking to a crowd of people, the people not even knowing that this man has a permit and they themselves that they are running the risk according to this they will be guilty of an offence. I think that something must be done more than this. As I said, there might be a justification in passing such an amendment, but we must look deeper into this. According to this, it seems that a football game is more important than politics.

It says in Section 16 "Any person who wishes to publicize the holding of any public meeting or public procession, it doesn't mention anything else except public meeting and public procession, with any noisy instrument or to use any such instrument at any public meeting or procession shall at least twenty-four hours before the hour at which it is proposed to commence, the meeting or procession and before any such instrument is used for the said purpose apply to the appropriate officer for a permit to use such noisy instrument and so on and so on."

/s/ t ...

That means anybody who wants to talk about or announce football games or any other propaganda can do so, but as long as it is politics, it cannot be done. What's wrong? Sports, football games and other propaganda are more important than politics? I believe that politics is essential to every country, especially an independent country.

Section 2, subsection 2 of Section 16 "the appropriate officer may if he considers that the grant of a permit in terms of subsection 1 will not inconvenience the public or the neighbourhood which it is proposed to use it issue a permit for the use of a particular noisy instrument stipulating such condition as to the time and route as he considers necessary. The refusal of the appropriate officer to issue such a permit shall be final. One man to decide what the route will be, whether you can do it or not. I believe that, as I said, at the beginning that we Belizeans are day by day losing the inalienable rights that we have and if we cannot look into this, if we cannot be sincere to the people then I don't know where we are going, Nicaragua or Salvador, Guatemala. I wish it never happens and that is why when I come here I come with the mind that all I can do is to express what I feel that we are losing. I might be wrong but those are my sincere thoughts.

Thank you.

SENATOR C.L.B. ROGERS: Mr. President, I think that the Bill before us is clear if we read the Bill. All this talk about freedom and how unlimited it is and absolute it is, is not real; all our freedom is related to the other man's freedom. Nobody can claim that they have freedom to take away your freedom, Mr. President, or anyone else's freedom. Anytime you have that freedom that is not freedom because other people have freedom too. All of us who live in Belize know what we have been experiencing. We have been experiencing a man called Shubu in Belize City who goes around in the early hours of the daylight and he says he represents a certain party and he has been waking up people, and how come they haven't heard that nuisance, how come they haven't heard people complaining against it. Is it only one kind of people they hear complain? Five o'clock in the morning, twelve o'clock at night, they wake up people. The courts are not free from it, the judiciary which we claim is independent and can carry on trials without being molested, they are not free from it. In the middle of the day at the public buildings they not only use it, they brought the speakers up to intimidate, to cause a disruption of the service out there. These things arise out of the hard facts of experience and all of you in this Senate know that this happened in Belize City. That it is because they had abused freedom and took away other people's freedom and disrupted other places, that's the kind of freedom we want in Belize? That the citizens can stop the courts from operating? Is that the kind of freedom? (interruptions) The radio can't be worse when you want to get on the radio. Why you want to get on? Just because the radio is good. Mr. President, a bit of trivia was said today about how can we compare, this must be trivia to compare the radio. The radio you turn it down as you like. You could play the radio how you want, man, you regulate it to your taste, your freedom.

The Senator on the other side mentioned that the laws in existence today cannot be amended before five years and wondered whether that is why we are There is no intention about it. In fact, that provision is only to give the people time. It will be done even before five years, but we give them up to that in case they have difficulty, in case they have short staff and they can't meet it if they had one year, that's all why that is in the Constitution. Mr. President, all this was discussed in London and as I said, they could have been there to know how we arrive at these things. We are trying to prevent people from taking away other people's freedom and that is why this law is brought to the Senate today.

The mention has been made of paragraph 14 and we are talking here about public meetings, any public meeting. And it says "no public meeting", and nobody wants to silence the Opposition, Mr. President, or that would have been in there to have no public meeting. All it is doing is setting the ground rules for all of us to play by. It applies to the People's United Party, it applies to the United Democratic Party, it applies to parties that are not yet in existence, it applies to some of the front organizations of the UDP, the BAM, the WAM and all of them. All this applies that we must regulate things. You can't have unlimited freedom and do what you like to stifle other people. So paragraph 14 is putting the responsibility on the organizer. I agree with Senator Lewis that you should look at things in their true perspective and not opposing for the sake of opposing. What Section 14 seeks to do is to set the ground rules for all of us to play by, UDP, PUP. (interruption) No, we have a law for people like that, and the people who encourage them; that is what we have a law for - the people who encourage that sort of thing. You can't come in and say we are the ones who want freedom for everybody and at the same time you are trampling on other people's freedom - the courts. You hold meetings at midnight, as we talked about; that can't be the kind of freedom we want. We want in Belize freedom that will not trample other people's freedom. When I exercise my freedom, I must be careful that I am not trampling other people's freedom; if so, that is not freedom.

There was also talk about dialogue. I am not going to dwell on this, but just to say that what I meant when I said - my remarks on my previous Motion was that if you are not willingthe Opposition has nothing to do; as you rightly say, it can't legislate; but it must be willing to take part in governmental functions; it has some function. And if you are not willing to take the only thing that you have to do - and I'm using the Senator's words - if the only thing you have to do is to serve on a Joint Select Committee and you don't want to serve on it, what can we do? If the only thing you have to do is to serve on the Constitutional Talks, the Constitutional Conference, I am talking about, and you think you could read into that, that you were unable to dialogue. That's all we are pointing out.

Mr. President, I commend the bill for passage.

MR. PRESIDENT: Honourable Senators, the question is that a Bill for an Ordinance to amend the Control of Public Meetings and Public Processions Ordinance 1967 (No. 14 of 1967) of the Laws 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 Senate.

IV COMMITTEE OF THE WHOLE SENATE ON BILLS

[In the Committee]

MR. PRESIDENT in the Chair.

1. Land Utilization Bill, 1981

Clauses 1 to 18 agreed to.

Bill to be reported back to the Senate without amendment.

2. Belize Constitution Bill, 1981

The Preamble agreed to.

Clauses 1 to 131 agreed to.

Delete Clauses 132 and 133 and add the following new clauses 132 to 142 as follows:-

CHAPTER XI

Transitional Provisions

Interpretation for this Chapter.

132. In this Chapter -

"the Constitution Ordinance" means the British Honduras Constitution Ordinance 1963;

"the Letters Patent" means the Belize Letters Patent 1964 to 1979.

The Constitution-transitional powers.

133. The Governor (as defined for the purposes of the Letters Patent) acting after consultation with the Premier (as so defined) may at any time after this section comes into operation exercise any of the powers conferred on the Governor-General by section 134 of this Constitution to such extent as may be necessary or expedient to enable the Constitution to function as from Independence Day.

/Exhibit ...

Existing
laws.

134. (1) Subject to the provisions of this Chapter, the existing laws shall, notwithstanding the revocation of the Letters Patent and the Constitution Ordinance, continue in force on and after Independence Day and shall then have effect as if they had been made in pursuance of this Constitution, but they shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Constitution.

(2) Where any matter that falls to be prescribed or otherwise provided for under this Constitution by the National Assembly or by any other authority or person is prescribed or provided for by or under any existing law (including any amendment to any such law made under this section), that prescription or provision shall, as from Independence Day, have effect (with such modifications, adaptations, qualifications and exceptions as may be necessary to bring it into conformity with this Constitution as if it had been made under this Constitution by the National Assembly or, as the case may require, by the other authority or person).

(3) The Governor-General may, by order published in the Gazette, within twelve months after Independence Day, make such amendments to any existing law (other than this Constitution) as may be necessary or expedient for bringing that law into conformity with the provisions of this Constitution or otherwise for giving effect or enabling effect to be given to those provisions.

(4) An order made under this section may be amended or revoked by the National Assembly or, in relation to any existing law affected thereby, by any other authority having power to amend, repeal or revoke that existing law.

(5) The provisions of this section shall be without prejudice to any powers conferred by this Constitution or by any other law upon any person or authority to make provision for any matter, including the amendment or repeal of any existing law.

(6) In this section, the expression "existing law" means any Act of the Parliament of the United Kingdom, Order of Her Majesty in Council, Ordinance, rule, regulation, order or other instrument having effect as part of the law, of Belize immediately before Independence Day (including any such law made before that day and coming into operation on or after that day).

First
Governor-
General.

135. (1) Her Majesty may before Independence Day appoint the first Governor-General from among persons who qualify in accordance with section 30 of this Constitution to become citizens of Belize on Independence Day.

(2) Any such appointment shall take effect as from Independence Day, and the person so appointed shall hold office in accordance with section 30 of this Constitution.

Ministers.

136. (1) The person who, immediately before Independence Day, holds the office of Premier under the Letters Patent shall, as from that day, hold office as Prime Minister as if he had been appointed thereto under section 37 of this Constitution.

(2) The persons who, immediately before Independence Day, hold office as Ministers (other than the Premier) under the Letters Patent shall, as from that day, hold the like offices as if they had been appointed thereto, under section 40 of this Constitution.

(3) Any person holding the office of Prime Minister or other Minister by virtue of subsections (1) and (2) of this section who, immediately before Independence Day, was under the Letters Patent assigned responsibility for any business or department of government shall, as from that day, be deemed to have been assigned responsibility for that business or department under section 41 of this Constitution.

(4) Any person holding the office of Prime Minister or other Minister by virtue of subsections (1) and (2) of this section shall be deemed to have satisfied the requirements of section 46 of this Constitution.

Article ...

National
Assembly.

137. (1) The persons who, immediately before Independence Day, are members of the former House of Representatives shall, as from that day, be deemed to have been elected in pursuance of section 56(1) of this Constitution in the respective electoral divisions corresponding to the electoral divisions by which they were returned to the former House of Representatives, and shall hold their seats in the House of Representatives in accordance with the provisions of this Constitution.

(2) The persons who, immediately before Independence Day, are members of the former Senate, having been appointed as such under paragraphs (a), (b) and (c) of section 9(2) of the Constitution Ordinance, shall, as from Independence Day, be deemed to have been appointed to the Senate in pursuance of paragraphs (a), (b) and (c) respectively of section 61(2) of this Constitution, and shall hold their seats in the Senate in accordance with the provisions of this Constitution.

(3) The persons deemed to be elected to the House of Representatives or to be appointed to the Senate by virtue of subsections (1) and (2) of this section shall be deemed to have satisfied the requirements of section 71 of this Constitution.

(4) The persons whom immediately before Independence Day, are the Speaker and Deputy Speaker of the former House of Representatives and the President and Vice-President of the former Senate shall, as from Independence Day, be deemed to have been elected respectively as Speaker and Deputy Speaker of the House of Representatives and President and Vice-President of the Senate in accordance with the provisions of this Constitution and shall hold office in accordance with those provisions.

(5) The person who, immediately before Independence Day, is the Leader of the Opposition in the former House of Representatives shall, as from that day, be deemed to have been appointed as Leader of the Opposition in pursuance of section 47 of this Constitution, and shall hold office as such in accordance with the provisions of this Constitution.

(6) The Standing Orders of the former House of Representatives and of the former Senate as in force immediately before Independence Day shall, until it is otherwise provided under section 70 of this Constitution, be the Standing Orders respectively of the House of Representatives and of the Senate, but they shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Constitution.

(7) Notwithstanding anything in section 84(2) of the Constitution (but subject to subsection (3) of that section), the National Assembly shall, unless sooner dissolved, stand dissolved on 30th November 1984 (that is to say, five years from the date when the two Houses of the former National Assembly first met after the last dissolution of that Assembly under the Constitution Ordinance).

(8) In this section, the expressions "former National Assembly", "former House of Representatives", and "former Senate" mean respectively the National Assembly, House of Representatives, and Senate established by the Constitution Ordinance.

Existing
public
officers.

138. Subject to the provisions of this Constitution every person who immediately before Independence Day holds or is acting in a public office under the Letters Patent or the Constitution Ordinance shall, as from that day, continue to hold or act in that office or the corresponding office established by this Constitution as if he had been appointed thereto in accordance with the provisions of this Constitution and as if he had taken any oath required by this Constitution or any other law:

Provided that any person who under the Letters Patent, the Constitution Ordinance or any other law in force immediately before Independence Day would have been required to vacate his office at the expiration of any period shall, unless earlier removed in accordance with this Constitution, vacate his office at the expiration of that period.

Supreme Court and Court of Appeal.

139. (1) Subject to the provisions of this Constitution, the Supreme Court shall on and after Independence Day have all the powers which immediately before that day are vested in the former Supreme Court.

(2) All proceedings that, immediately before Independence Day, are pending before the former Supreme Court may be continued and concluded on and after that day before the Supreme Court.

(3) Any decision given before Independence Day by the former Supreme Court shall for the purposes of its enforcement or of any appeal therefrom have effect on and after that day as if it were a decision of the Supreme Court.

(4) Any appeals from Belize that, immediately before Independence Day, are pending before the former Court of Appeal may be continued and concluded on and after that day before the Court of Appeal.

(5) Any decision given before Independence Day by the former Court of Appeal shall for the purposes of its enforcement or of any appeal therefrom have effect on and after that day as if it were a decision of the Court of Appeal.

(6) In this section -

"the former Supreme Court" means the Supreme Court established by the Constitution Ordinance;

"the former Court of Appeal" means the Court of Appeal established by the Court of Appeal Ordinance 1967.

Alteration of this Chapter.

140. (1) The National Assembly may alter any of the provisions of this chapter, other than those referred to in subsection (2) of this section, in the manner specified in section 69(4) of this Constitution.

(2) The National Assembly may alter this section, subsections (1), (4) and (7) of section 137, section 138 and section 139 of this Constitution in the manner specified in subsections (3) and (5) of section 69 of this Constitution.

(3) ...

(3) Subsections (7) and (8) of section 69 of this Constitution shall apply for the purpose of construing references in this section to any provision of this Chapter and to the alteration of any such provision as they apply for the purpose of construing references in section 69 of this Constitution and in Schedule 2 hereto to any provision of this Constitution and to the alteration of any such provision.

CHAPTER XII

Repeal and Date of Commencement

Commencement. 141. This Constitution shall come into operation on Independence Day.

Provided that sections 133 and 135 of this Constitution shall come into operation forthwith.

Revocations. 142. The Ordinance set out in Schedule 4 are revoked with effect from Independence Day.

Schedules 1 to 4 agreed to.

Bill to be reported back to the Senate with amendments.

3. Control of Public Meetings and Public Processions (Amendment) Bill, 1981

Clauses 1 to 16 agreed to.

Bill to be reported back to the Senate without amendment.

MR. PRESIDENT resumed the Chair.

1. Land Utilization Bill, 1981

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I beg to report that the Bill for the Land Utilization Ordinance to provide for measures to govern the use and development of land and to introduce measures for conservation of land and watersheds, has been considered by the Senate and passed without amendment.

I move the Third Reading.

MR. PRESIDENT: Honourable Senators, the Question is that the Land Utilization Bill, 1981 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. Belize Constitution Bill, 1981

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I beg to report that the Belize Constitution Bill, 1981, has been considered by the Senate and I beg that the Bill be read a Third Time and passed with amendment.

MR. PRESIDENT: Honourable Senators, the Question is that the Belize Constitution Bill be read a Third Time as amended.

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

Bill read a Third Time.

3. Control of Public Meetings and Public Processions (Amendment) Bill, 1981

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I beg to report that the Bill for the Control of Public Meetings and Public Processions (Amendment) Bill, 1981, has been considered by a Committee of the Whole Senate and passed without amendment.

I move the Third reading of the Bill.

MR. PRESIDENT: Honourable Senators, the Question is that the Control of Public Meetings and Public Processions (Amendment) Bill, 1981 be read a Third Time.

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

Bill read a Third Time.

ADJOURNMENT

SENATOR C.L.B. ROGERS (Minister of Home Affairs):
Mr. President, I move that the Senate do now adjourn to a date to be fixed by the President.

MR. PRESIDENT: Honourable Senators, the Senate now stands adjourned.

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