

**TALKING NOTES
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YAMACRAW CONSTITUENCY
STRAW MARKET AUTHORITY BILL, 2011
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Introduction

Mr. Speaker, I am privileged to rise on behalf of the residents of Yamacraw and with the help of Almighty God to make a contribution to this debate for “A bill for an act to establish a statutory authority to maintain and manage the Straw Market or any other craft or straw market owned by the Government of The Bahamas and for Matters Connected Thereto”. I do so, Mr. Speaker, as the proud child of a Straw Vendor. One who has worked in the straw market during school breaks and one who grew up in a home environment where this cottage industry was nurtured and developed. One who can say I am who I am today, not just because of the income provided from the straw market for my education and other necessities of life, but more importantly from the valuable life experiences gained in the market and the values taught me by my mother in word and deed as she worked night and day,

through sickness and pain to provide for us as so many other vendors did for their families.

Mr. Speaker, the Straw Industry is no fly by night enterprise; it has a rich history started in The Bahamas in the 1850's and being commercialized more than nine decades ago by some ladies from Fox Hill who journeyed to town to sell their straw wares to cruise ship passengers in Rawson Square. It was only a seasonal business then, Mr. Speaker, but over the years it has grown and developed into a thriving industry that provides employment for hundreds of persons, mostly women, and generations of families have made their living, educating and providing for their families in the Straw Market. In the process the vendors have become an integral part of the cultural, social, political and economic life of this country and have indeed helped to make this country what it is today.

I commend the vendors for their hard work and contribution to the development of the modern day Bahamas, Mr. Speaker, and I want them to know that we feel their pain over the turn of events surrounding this bill and this regulation that are before us today. You have been

disrespected, ridiculed and degraded by nationally by many who have rushed to form opinions without even knowing the facts surrounding the whole matter and you have been deceived by those who you sought to work with to achieve what you thought was a common goal. Today, your story will be told.

Wrong Version of Bill Laid in Parliament

First of all, we wish the public to know that once again the Government, after two months break, has returned to this honourable place and laid the wrong version of the Straw Market bill before members for consideration, just as they did with the Sports Bill. Imagine our dismay when we discovered that the bill laid in Parliament did not contain the Transitional Clause # 18 as the copies circulated outside Parliament. This has been happening far too often and is a sign of incompetence and a flawed and rushed process.

Regulations & Bill

When we look at the Regulations and the Bill, Mr. Speaker, it is clear that they were not well thought out and I will explain that in a moment.

Regarding the Regulations, first of all everyone should know that this is not the first regulations established for the Straw Market, in fact the Straw Market has always had regulations which were enforced by the relevant ministry working with the leaders of the Market. That is nothing new. The difference is the rules and regulations have never been laid in Parliament before; it has always been an internal document between the vendors and the relevant ministry. The vendors had no reason to believe that this one would be different and were never told it would be. They therefore worked diligently on and off with the Ministry of Works for the past almost 2 years to put together the regulations. They did not know it was being put together for legislative purposes and that it would be published in the media and laid in Parliament as it was. They have no problem with regulations, as they are aware that in order for things to run smoothly in any organization, especially one where a large group of people have to co-exist, there must be rules and regulations. The vendors find some of the provisions of the regulations offensive and

recommend that the offensive provisions be removed and dealt with in another way, perhaps a Vendors' Handbook.

Regarding the establishment of an Straw Market Authority, Mr. Speaker, the straw vendors say they were never advised of an authority and were more than amazed and felt deceived that they were meeting with the Ministry since June discussing the regulations, but were never told of an authority or know of it until they received the bill in a package last Wednesday morning. This surely cannot be right. None of us would like to be treated in this way and vendors would wish to have more time to give consideration to the provisions of this bill.

Specific Concerns

The Bill

Clause 2, Interpretation, Approved Goods – Is there a list of Approved Goods and will the government lay it on the table?

We note the intent of the government to make an amendment to the interpretation of the word “Minister” and wonder which Minister the government envisions to have responsibility for this Act.

Also, under Interpretation, Mr. Speaker, I note the definition of the word “Market” which refers to “government owned premises”, however when you look at Clause 5 1(a) the functions of the authority refer does not include this limitation. Does the government intend the authority to govern markets on non-government owned premises?

Clause 3, regarding the establishment of the Authority, Mr. Speaker. The bill does not speak to the number of members of the Authority or who will comprise the membership of the Authority. This is very unusual, Mr. Speaker and is real cause for concern.

Clause 4, Mr. Speaker, this provision is very suspect and it certainly appears that some special interest group has finally gotten their way to determine what items are sold in the Straw Market. This is all the more reason why everyone should know who is expected to make up the Authority. The Vendors accept wholeheartedly that counterfeit brand names are prohibited from the new market, but are concerned about other goods that may be prohibited, like a Bahamian made tote bag which has the

caricature of Sponge Bob, Dora the Explorer or any cartoon character, with the word “Bahamas” under it. We cater to a largely US market and requests for such bags are frequent, plus it is an all-Bahamian made item. Again it is great cause for concern who comprises the Authority, as vendors have been told none of them will be allowed to serve on the authority.

Clause 15 (b), Can the government give some idea of what the charges and fees might be in respect to stalls in the Market as the fees discussed with vendors are not in the regulations.

Clauses 16 and 17, these two clauses seem to be making criminals out of the straw vendors. Government may wish to amend both to include the word “willfully”, but it was generally felt , particularly with Clause 17, that these provisions should not be an offence but should result in suspension or eviction.

Clause 18, Mr. Speaker, this clause does not give any security to the existing vendors, some of whom have been in the Straw Market for years, that they will be grandfathered in once the bill is passed. It appears that

everyone is being treated as a new applicant. Is this fair? Existing vendors have a legitimate expectation to be licensed by the Authority and should be entitled to do so. If they have any shortcomings they should be encouraged to upgrade and improve themselves, but it would not be fair to treat them as new applicants.

The Regulations

Article 4 of the Regulations still does not address the issue of rental fee. What is the rental fee? Existing stall holders entitled to be licensed.

Article 6 (b) No more than one helper, what happens in case of vacation or illness? Sometimes a helper may move around helping several people to set up.

Article 7, it is acknowledged that the Government of the Bahamas is the legal owner of the stalls, but is any consideration being given to family members who wish to continue the business when a stall holder dies or retires (e.g.)

Article 9 (b) is it fair to make a stall holder responsible for the actions of his helper, unless the stall holder can be proven to have given instructions for the helper to behave

in such a way. Employers are not usually held responsible for the actions of their employees. The helper should be disciplined or suspended, not the stall holder.

9 (2) Who comprises the disciplinary committee?

What numbers?

9 (5) (a) and (b) Does this apply to the premises?

10 (3) and (4) Stifling culture and entrepreneurship (stopping others from making an honest living or augmenting their salaries.

14 (c) and (d) should be deleted or placed in a vendor handbook.

15 (9) add marketing “area” for clarity.

General Concerns

Vendors are concerned that there are not enough booths for the current vendor population which is around 589 persons (booths number 455).

Vendors are concerned about special stalls in the middle of the Straw Market and who will be using them. They obviously do not appear to be for straw vendors. Again vendors have not been told who they are for. Craftsman is continually being mentioned in the bill and

the regulations. It is speculated that they will be placed in the upgraded area and it appears that the government is creating an atmosphere for conflict with discriminatory practices.

Vendors are also concerned that the booths are too small, the aisles cannot accommodate them, their helper and their customers.

The top of the booths should be extended to increase display area and that the storage area is uncomfortable to reach into the corner, must get down on hands and knees.

Mr. Speaker, my colleagues will follow with additional observations and recommendations and it is my hope that the government will look at the recommendations being put forward and move to amend this bill and regulations for the better. The Member for North Abaco has said in this place on several that we must be seen to be passing laws that make sense and some of the provisions of this bill do not make sense and are offence to a group of people who are indeed a great benefit to this country. People come from all over the world looking for the “World Famous Straw Market” and there is no question

that improvements are necessary and the vendors accept that, but it is counter-productive to single them out with such offensive language as is in the regulations or to treat them in such a manner that they feel they have been disrespected and deceived when they in turn acted in good faith.

Conclusion

Mr. Speaker, Straw Vendors are human beings too and they have feelings too. They want for themselves and their families the same thing everyone else wants for theirs.

There is no profession in life that is perfect, every one has their fault, but we cannot condemn an entire group because of a few. If that was the case the entire Bahamas would be condemned because of the few criminals that wreak havoc in our midst or all of us in this place would be condemned because of the actions of a few.

Mr. Speaker, I thank God for Straw Vendors today. They are among the unsung heroines and heroes of this Nation. They continue to play a major role in the development of this country.

Not only were straw vendors able to rise to serve in the highest chamber of Parliament in this Country, The Senate, where former senators Telator Strachan and Naomi Seymour served, but they have provided this nation with some of its finest sons and daughters - doctors, lawyers, accountants, secretaries, businesspersons, bankers, ministers of religion, nurses, politicians, administrators, teachers, architects, contractors, engineers. I don't know them all, but I think of people like, Franklyn Wilson, prominent businessman, politician, developer, accountant and all-around patriot; Wendy Craig, first female Governor of the Central Bank, the Hon Cynthia "Mother" Pratt, first female Deputy Prime Minister and Alonzo Pratt, Banker and they have done it with the blood, sweat and tears of hard work and an indomitable spirit that defies all odds.

I speak for them today when I say treat them like how you would want to be treated. Look at them how you would want to be looked at and for God's sake respect them how you would want to be respected.

Mr. Speaker those are the observations and recommendations of Her Majesty's Official Opposition for the consideration of the Government.