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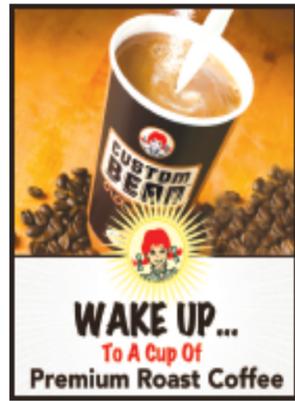
# The Tribune

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## USA TODAY

**BAHAMAS EDITION**

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Volume: 106 No.12

FRIDAY, DECEMBER 4, 2009

PRICE - 75¢ (Abaco and Grand Bahama \$1.25)



**No restoration for non-paying International Business Companies**  
SEE BUSINESS FRONT

**CARS FOR SALE, HELP WANTED AND REAL ESTATE**  
BAHAMAS BIGGEST



**Magic beat the Marlins**  
SEE PAGE TWELVE

# Probe teacher 'flees island'

## \$7.1m contract 'to revive family island's fortunes'

By ALISON LOWE  
Tribune Staff Reporter  
alowe@tribunemedia.net

RESIDENTS of the southern island of Acklins are expecting that a \$7.1 million contract for the rehabilitation of their main thoroughfare will be the catalyst for a major revival of the island's fortunes.

For over a decade, more than 30 miles of the Queen's Highway - the only road

connecting many of the far-flung island's tiny communities - has been in a condition which many who are used to properly maintained thoroughfares would consider impassable.

From paving pockmarked with potholes so deep that to fall in one would mean certain mechanical failure, to treacherous rocky stretches without surfacing of any

**SEE page seven**

## Man at centre of lewd emails investigation 'leaves with family'

By DENISE MAYCOCK  
Tribune Freeport Reporter  
dmaycock@tribunemedia.net

IT is feared another male teacher might have fled Grand Bahama following police investigations into accusations involving a female student.

Tribune sources alleged that the teacher, who has been employed at a private school on Clive Avenue, has left with his family.

According to reports, the teacher allegedly sent emails

with a photo of male genitalia to a female student. The emails date back as far as 2007. The student was graduated in June of this year.

In October, Senior Assistant Commissioner of Police Marvin Dames reported in a local newspaper that police investigations surrounding a teacher at St Paul's Methodist College were not of a sexual nature.

At the time, he noted that an anonymous person had sent sheets of paper to the police of the image, but that there was no official complaint.

The alleged documents with the image were also circulated around the school's campus, to

**SEE page two**

## Police officer shot in Fox Hill

POLICE confirmed last night that a traffic police officer was shot in the area of Fox Hill sometime around 8pm.

Up to press time, police were still responding to the

**SEE page two**

## Man is found dead in bushes

A MAN was found dead in bushes near the Princess Margaret Hospital yesterday, police reported.

Foul play is not suspected in the death of the unidentified man, who is believed to be in his late forties or early fifties.

According to police, his body was found shortly after 4.00pm in the area of

**SEE page two**

## SALVATION ARMY TARGETS \$150,000 FUNDRAISING GOAL



A CONTRIBUTION to the Salvation Army's Kettle Drive on Bay Street yesterday.

By AVA TURNQUEST

THE Salvation Army's New Providence branch has raised its annual Christmas fundraiser to \$150,000, meanwhile in Grand Bahama, the organisation is unable to secure donations or volunteers.

The Kettle Drive, which is more than 30 years old, was launched on November 21 and 27 in New Providence and Grand Bahama, and will continue until Christmas Eve.

In New Providence, it is estimated that so far more than \$5,000 has been collected in kettle donations.

Marsha Kanady, the community relations and development associate for New Providence, said she is confident this year's Kettle Drive will meet its goal, which is \$50,000 more than last year.

The money raised in New Providence will assist much

**SEE page seven**

## Attempt to steal tourist's purse foiled

HAVE-A-GO heroes foiled a would-be thief from snatching a tourist's purse.

The woman and her male companion - who were guests at the Harbour Club, near the Harbour Bay Shopping Centre on East Bay Street - were walking to a nearby restaurant shortly after 8pm Wednesday when the attacker struck.

As they neared the Paradise Island bridge, a young dark-skinned thug wearing a

**SEE page seven**

## World-wide news video now on Tribune website

THE TRIBUNE website TRIBUNE242 recently launched a stand alone video player supported by the Associated Press on its home page, where broadcasts of local events can be viewed.

While more work is being done to fine tune the development of multi-media projects, The Tribune is proud to bring a new level of news gathering to The Bahamas and to the world via World Wide Web.

As news breaks, world-wide video and audio broadcasts are becoming more of an essential part of the whole story, and our move to the web has enabled us to make use of that media.

Our very first packaged report, on the state of Christmas tree sales in New Providence, is ready for you to view. Simply log on to www.tribune242.com

## Three students with swine flu 'doing well'

THE three students of St Andrew's School who contracted the H1N1 virus are doing well - with one of them already back in school, said Health Minister Dr Hubert Minnis.

The students bring the number of confirmed H1N1 virus cases in the country to 44, however due to the virus's low mortality rate - compared with the more deadly regular influenza

**SEE page two**



Dr Hubert Minnis

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LOCAL NEWS

**In brief**  
**Three-year jail sentence for cocaine possession**

A 45-year-old man was sentenced to serve three years in prison after he was convicted on a cocaine possession charge on Tuesday. Leonard Fleurena of Cowpen Road was charged with possession of cocaine with intent to supply. Fleurena was found in possession of the drugs on October 9, 2005. According to police, around 9am that day, two police officers from the Arawak Cay Police Station observed two men loading three crocus sacks into the rear of a red Isuzu Rodeo jeep.

**Suspicious**

The officers became suspicious and approached the men who sped off in the jeep. They crashed, however, in the area of West Bay Street and Perwall Tract. Police were able to apprehend Fleurena and found that two of the crocus sacks contained cocaine while another contained coal. The drugs had a weight of 60 and half pounds.

Fleurena was found guilty of the offence, convicted and sentenced to three years in prison. He was also fined \$5,000. Failure to pay the fine will result in an additional term of one year imprisonment.

**Man awaiting new sentence for murder**

A MAN convicted of murder who spent the past 12 years in prison will have to wait two more weeks to learn what his new sentence will be.

Senior Justice Anita Allen yesterday deferred her decision on the sentencing of Lindy Sheldon Cartwright, 32, until December 18.

Cartwright, who was sentenced to death in May 2000 for the December 1997 shooting death of Deton Forbes, was expected to be resentenced yesterday, however Senior Justice Allen indicated that she wanted to hear the legal arguments in a similar matter before making her decision.

Cartwright's death sentence was quashed by the Privy Council in July 2006.

He is represented by attorney Dorsey McPhee. Attorney Anthony Delaney is representing the Crown.

**BUT set to host 50 delegates attending Caribbean meeting**

THE Bahamas Union of Teachers will host 50 delegates attending the Caribbean Union of Teachers (CUT) Executive Committee meeting scheduled from December 4-5 at the union's Walkers Hall, on Bethel Avenue.

Delegates have started to arrive from 21 Caribbean nations stretching from Bermuda in the north to Guyana in the south.

The CUT rotates the venue of its Executive Committee meetings between the member countries and this will be the second time that the BUT is hosting this prestigious meeting in 10 years.

The items set to be discussed on the agenda include: Disaster Preparedness and Mitigation Workshop, collective bargaining and ICT Workshops, assistance to Haiti, Les Harris Cricket Competition and many others.

"The Bahamas Union of Teachers has planned and prepared to treat our special guests to a great Bahamian experience before they leave on Sunday," secretary general Stephen McPhee said.

**Two in hospital after separate shootings**

**Police also probing armed robbery in West Street area**

POLICE are investigating two separate shootings in the capital which left two men in hospital.

Officers are also probing the armed robbery of a business in the West Street area.

In one of the incidents, two determined gunmen shot an employee of MAC Consultants on Carmichael Road twice after he refused to let them in the store.

The employee told police he was ambushed by two dark men wearing dark clothes as he closed up shop for the night at around 11pm on Wednesday.

According to the employee, the men tried to force him back inside the store.

The employee said he put up a fight and was shot once in the left foot. As the two culprits fled the scene, one of them shot at

him again, hitting him in the left leg a second time.

The man was taken to hospital by ambulance where he is said to be in stable condition.

Earlier that night, a man claimed he had been beaten and shot by three men who attacked him near a water depot on Meadow Street.

**Approached**

Police were notified about the incident at around 10.30pm.

The 29-year-old victim told officers that he was approached and attacked by three men as he stood near the depot.

One of the men, who was allegedly armed with a gun, shot the victim in the right leg, he said. The victim was taken to hospital where he is listed in

stable condition. Sergeant Christyn Skippings said police are following significant leads in this matter.

Earlier that day, at around 10am, police received reports of an armed robbery at Millennium Communications on West Street.

Sgt Skippings said: "Police responded and spoke with an employee of the establishment who informed them that a masked male allegedly armed with a handgun entered the store and demanded cash."

She said the culprit ordered the employee to the ground before robbing the store of an undetermined amount of cash and cell phones.

An 18-year-old male has been detained and is assisting the police with their investigation.

**Rubins helps newborns 'Breathe Easy'**



PICTURED LEFT TO RIGHT: Bianca Butler, PMH; Leslie Turnquest, Rubins; Sandra Olander, PMH; Maria Gatis, Rubins; Dr Gwendolyn McDeigan, Neonatologist; Patrice Solomon, PMH; Michele Rassin, Doctors Hospital; Jenny Plinder, The Tribune; Juanika Knowles, Rubins; Tonya Davis, Rubins.

Rubins is the latest sponsor to present a cheque to the "Breathe Easy" campaign in memory of the late Roger Carron.

This donation has brought the campaign to a total of \$210,575 raised for ventilators to benefit critically ill newborns at the Princess Margaret Hospital's Neonatal Intensive Care Unit.

"The management and staff of Rubins wish to extend our condolences to Mrs Carron and her son for the loss of their husband and father," said a spokesperson for the company.

**Remembered**

"Mr Carron will always be remembered by the ladies of Rubins and they will surely miss his periodic visits to our store, when he invariably would engage us in conversation on all manner of subjects. His gentle and kindly way of speaking have entranced many of us and touched our lives in many ways. He was truly a gentleman who will be remembered and missed by many."

Persons interested in making a donation to the nation-wide fund-raising campaign should contact: the Tile King, The Tribune Media Group, Doctors Hospital, or the Princess Margaret Hospital Foundation. Please make cheques payable to the Princess Margaret Hospital Foundation. For more information call 302-4707.

**Fund-raiser for indigent retired police officers**

THE RBPF Retired Police Officers Association will host a fundraising concert on Christmas night to aid indigent retired officers with medical costs and other needs.

Entertainment will be provided by Slinger "The Mighty Sparrow" Francisco and his band, the Trinidad and Tobago Troubadours. The Police Pop Band and other local artists will also perform. Proceeds from the function will also go towards repairs to the homes of indigent retired officers and help with the Police Dependents' Trust, which was created to assist the families of officers who died while on duty.

The event - which will be held at the Sheraton Nassau Beach Resort at 8 pm - is under the patronage of Sir Orville Turnquest, former governor general, his wife Lady Turnquest and under the auspices of the Commissioner of Police and the RBPF.

Ticket information can be obtained from the Secretariat at RBPF headquarters or by calling 302-8044.

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MOVIE	CLASS	1:20	3:40	N/A	6:20	8:40	10:50
ARMORED	C						
EVERYBODY'S IS FINE	B	1:10	3:25	N/A	6:10	8:25	10:45
NINJA ASSASSIN	T	1:05	3:35	N/A	6:05	8:30	10:55
THE OLD DOGS	B	1:10	3:45	4:15	6:10	8:30	10:40
THE TWILIGHT SAGA	A	1:00	3:30	N/A	6:00	8:20	10:40
BLIND SIDE	T	1:15	N/A	4:15	7:15	N/A	10:00
PLANET 51	A	1:20	3:40	N/A	6:20	8:35	10:35
2012	T	2:00	N/A	6:00	N/A	9:00	N/A
A CHRISTMAS CAROL	T	1:15	3:45	N/A	6:15	8:35	10:35
LAW ABIDING CITIZEN	C	N/A	N/A	N/A	N/A	8:20	10:45
I CAN DO BAD ALL BY MYSELF	B	1:00	3:30	N/A	6:00	N/A	N/A

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MOVIE	CLASS	1:15	3:35	N/A	6:15	8:35	10:50
ARMORED	NEW						
NINJA ASSASSIN	C	1:10	3:30	N/A	6:10	8:25	10:45
OLD DOGS	B	1:20	3:20	N/A	6:05	8:35	10:35
THE TWILIGHT SAGA	T	1:00	3:25	N/A	6:00	8:20	10:40
BLIND SIDE	B	1:10	N/A	4:10	7:10	N/A	10:10
2012	T	N/A	N/A	N/A	N/A	N/A	10:00
PLANET 51	A	1:15	3:40	N/A	6:15	N/A	N/A

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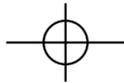
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## EDITORIAL/LETTERS TO THE EDITOR

## The Tribune Limited

NULLIUS ADDICTUS JURARE IN VERBA MAGISTRI  
Being Bound to Swear to The Dogmas of No Master

LEON E. H. DUPUCH, Publisher/Editor 1903-1914

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(Hon.) LL.D., D.Litt.

Publisher/Editor 1919-1972  
Contributing Editor 1972-1991

EILEEN DUPUCH CARRON, C.M.G., M.S., B.A., LL.B.  
Publisher/Editor 1972-

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## How the Baha Mar project collapsed

PRIME MINISTER Ingraham's expressed doubts on March 5 last year when moving a Resolution in the House of Assembly to authorise the Treasurer to transfer certain lands and buildings to Baha Mar Cable Beach Resorts, was like manna falling from heaven.

It was the excuse Harrah's Entertainment's new owners were looking for to cover the fact that they were manoeuvring behind the scenes to pull out of the \$2.6 billion Cable Beach deal, while smiling coyly and announcing to the public that all stations were "go."

At first Opposition leader Perry Christie had agreed with Mr Ingraham's questioning of Harrah's commitment to the deal. "It seems to me," said Mr Christie at the time, "that Harrah's were looking for a way out and they used the speech and the words of the Prime Minister as an excuse, or part excuse for the way out."

However, Mr Christie suddenly changed his tune. Did he realise that if he let Mr Ingraham off the hook, the spotlight of blame would be on him and his government for the inordinate delays in signing the Baha Mar agreement? It didn't take Mr Christie long to rewrite his script. He urged Mr Ingraham to accept the blame and "responsibility" for setting back, "if not killing the proposal." Mr Christie, while admitting that other factors contributed to Harrah's walk out, continued to put full blame on Mr Ingraham's "intemperate language" and injecting the fear that the land conveyances for the project were in doubt. This, said Mr Christie, were the "straws that broke the camel's back."

While accusing fingers were still being pointed at Mr Ingraham, later that year a drama was being played out in a court room in New York, when the deceit of Harrah's new owners was unmasked. It was revealed that three days before signing the Heads of Agreement with the Ingraham government and making a public announcement of its intention to go ahead with the project, Harrah's new owners were plotting to pull out of the deal. This meeting took place in January. Mr Ingraham did not speak in the House until March.

Tribune Business reported allegations that the move to withdraw from the Baha Mar joint venture was directly linked to the takeover of Harrah's by two US private equity giants, Apollo Management and Texas Pacific, which purchased the gaming giant for \$27.8 billion, and assumed \$10.7 billion in debt, on January 28, 2008 — three days before the supplemental heads of agreement were signed between Baha Mar and Government. Caesars Bahamas consented to the deal.

In the court case, Baha Mar alleged that Harrah's and its new owners decided to withdraw from the project to aid the former's balance sheet position, but instead of notifying its partners it looked for an excuse to

withdraw. This was in January, 2008. Mr Ingraham made his remarks in the House two months later — March 5, 2008.

And so we are left with the first part of Caesar Bahamas Investment Companies' printed complaint to its intended joint partner — Baha Mar Joint Venture Holdings — that "the long delays in reaching agreement with the government and completing the assemblage of the relevant land rights have contributed to considerable doubt about whether the project can be financed at all given the continuously deteriorating debt markets. These delays also raise grave concerns about increased costs and risk and create apprehension about your ability to execute in a timely manner."

Baha Mar was unable to execute in a timely manner because, as Sarkis Izmirlian told prime minister Christie in a letter on January 25, 2006: "You had given me your personal assurance that you would ensure that the Government would move to expeditiously accomplish the above (which Mr Izmirlian listed) by the New Year. Yet this did not happen." And he concluded: "If we cannot achieve the early February timeframe for accomplishing the above, I will have to inform Harrah's and Starwood that, despite my best efforts these past three odd years, the Government of The Commonwealth of the Bahamas has failed me. I certainly do not want to be known as the developer (and I'm certain you don't want to be known as the Prime Minister) that lost Caesars and Starwood. Today, more than before, I need your unambiguous support, Mr Prime Minister." This letter was dated January 26, 2006. Harrah's new owners did not come on the scene until two years later — January 28, 2008.

As Bahamas Business pointed out, if the supplemental Heads of Agreement had been concluded with the PLP government by March 1, 2007 as they should have been, "the Bahamas, Cable Beach and Baha Mar would not be in the mess they are now in." The deal would have been airtight before Mr Ingraham won the government and Mr Christie would have been assured of his own legacy.

If the contracts had been concluded in March, 2007, "then Harrah's would likely have been locked into the Baha Mar deal and the project would have been well underway." But they were not concluded on time. A year later new buyers were in the picture and had taken over the gambling giant, the global economic situation started to look grim, and what was once a "hot" deal had turned "cold."

A major development project had collapsed, because, according to Mr Izmirlian, the Christie government had not met the promised deadlines, and as a result had lost Caesars and Starwood. The Bahamas was out in the cold, and the jobs that both governments had depended on to keep the economy moving were no more.

# National debt and the FNM spin merchant

EDITOR, The Tribune.

Thank you for your valuable space. The FNM government has increased the National debt of the Bahamian people to the point where each citizen will soon owe ten thousand dollars due to government's borrowing. This is in addition to any personal debt that he may have at a commercial bank through credit card or personal loan.

It is not fair to us that the Minister of State Mr Laing seeks to conceal this alarming fact by only naming the foreign debt and ignoring the local component of the huge debt, as reported in the November 23rd, daily papers.

Bahamians have a right to know the full extent of our debt problem, not some cherry picked section of this humungous debt. Foreign or local, this debt has to be serviced on time, using money taken out of the nation's earnings, or by tax on us. In short, we all have to pay our part of the debt, not only the foreign component of it. This significantly reduces money to pay things like civil service salaries, and you can see that downsizing of that section of the workforce is highly likely in the near future.

Once upon a time it was considered wise to balance a budget, it was considered wise to save, but such common sense wisdom has been forsaken for the new and slick trick of living off credit. The housing collapse in the United States has shown the world the result of living off these slick tricks...ultimately the trick fails and you have to pay up or hit the road of no housing.

When will so-called leaders learn that common sense is the best guide, and that slick spin tricks only erode? How can we have confidence in a financial adviser who conceals the true nature of the nation's huge debt, the reality of how close we are to a ruinous devaluation, the full extent of the huge gamble that we have been forced to accept as financial policy under successive PLP and FNM governments?

Take careful note that now as our reward for trusting these financial advisers we are saddled with an increasing and record high National Debt that we and our children will struggle for decades to pay. The FNM financial gurus will soon place on your back a new tax and call it a sales or VAT tax...later to be followed by a pay as you earn income tax. Add to this the National Health Insurance tax, and your own personal debt and you will see that you are stuck fast in the debt trap. Who do you have to thank for this, and how will you get out?

It is a constant surprise to me that your FNM Government has deliberately decided not to

## LETTERS

letters@tribunemedia.net

encourage the commercial banks to lower interest rates on mortgages, credit cards and personal loans. They have intentionally left these interest rates high to discourage you from borrowing they say. If the minister of finance encouraged these banks to reduce their exorbitantly high interest rates you would be able to meet your commitments easier. Do you recall that it was not long ago the financial gurus were urging you to spend, spend, spend, since they claimed that this would stimulate the economy? Did this advice help you?

The commercial banks don't mind high interest rates, since these guarantee that they stay in a win win situation, unless there is a devaluation! We are the closest we have ever been to a devaluation, and I challenge the minister of finance to deny that fact! We are even closer to a debt burden that will force government to drastically slash its spending, the size of its work force, and increase your taxes. Times will definitely become much harder for many!

But you can take comfort in the fact that it is only "a matter of trust." You can be comforted by the fact that the minister says only 10 per cent of your huge national debt is foreign owned. I did not know that the local banks had written off the rest of the debt. Perhaps I missed where this was stated in the print media. Can the Prime Minister confirm that the total debt is only 10 per cent of GDP? These are serious times, perhaps the most serious in our history. This is certainly no time for the junior minister of finance to engage in double talk and cherry picking as regards the facts. We need to know what the courts ask for, "the

truth, the whole truth, and nothing but the truth!"

Tell the truth, Minister Laing, let the people know that right now we are headed for a dollar devaluation as sure as the sun rises. We are up to our elbows in debt, and sinking deeper every day. Tell the truth, and shame the devil! Do not hide the real facts...let the Bahamian people know what the true position is...you were elected on the promise of transparency, not spin.

We are tired of heads of agreement that are hidden, fiscal policies that are only partly revealed, lack of transparency in financial forecasts, and no freedom of information act in practice. Now you seek to confuse the people with double talk concerning our debt predicament. Come clean and admit that you are worried about the huge debt...as all well thinking Bahamians are. Will you wait until each of us owes over ten thousand dollars of public debt before you confess? Your mentor's regime as Prime Minister was obtained as a "matter of trust" you know. Was that only an empty election slogan, and in reality we have no right to ask you to justify to us why you only talk about the 10 per cent foreign debt? Isn't it true that the full indebtedness is almost five times as much as this foreign component? I suggest that it is at the end of the day far better for you to keep the people fully informed now, and not spring any surprise devaluation on them...heads have rolled for less in other countries in the bad old days, and we would not wish to see that happen here! A word to the wise is sufficient, tell the people the whole truth! Justify the trust that has been placed in you.

DR DEXTER R JOHNSON  
Assistant  
Law Professor,  
Nassau,  
November 25, 2009.

## Who brought politics into Urban Renewal?

EDITOR, The Tribune.

I have read with interest the editor's contribution this morning. It would be taken seriously if it were not so one sided. However, the brief point I wish to make is this: Who brought politics into Urban Renewal?

I have heard over the past year that the Urban Renewal programme would be a success if you took politics out of it. This point has been made most forcefully and often by those in the governing party since their convention.

The only politician in Urban Renewal then and now, to my recollection, is Ms Lewis. I do not recall the PLP appointing a candidate or prospective candidate or past candidate to the post of director of Urban Renewal. My opinion is that if Ms Lewis is removed from the post of Director the matter of politics in Urban Renewal should, and would, be hard to prove.

A CONCERNED  
BAHAMIAN  
Nassau,  
November, 2009.

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**TO ALL SHAREHOLDERS**

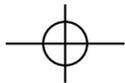
The Board of Directors of Commonwealth Bank Limited has Declared a Quarterly Dividend for Common, "A", "B", "C", "D", "E", "F", "G", "H" and "I" Preference Shares, to all shareholders of record at December 15, 2009, as follows:-

Common	-	5c per share
"A" Preference	-	7% per annum payable quarterly
"B" Preference	-	7% per annum payable quarterly
"C" Preference	-	7% per annum payable quarterly
"D" Preference	-	7% per annum payable quarterly
"E" Preference	-	7% per annum payable quarterly
"F" Preference	-	7% per annum payable quarterly
"G" Preference	-	7% per annum payable quarterly
"H" Preference	-	7% per annum payable quarterly
"I" Preference	-	7% per annum payable quarterly

The payment will be made on December 31, 2009 through Colina Financial Advisors Limited, the Registrar & Transfer Agent, in the usual manner.

Charlene A. Bosfield  
Corporate Secretary

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LOCAL NEWS

# Murder victims' families to stage pro-hanging march

## Call for persons held on murder charges to be denied bail

CONTINUING to demand that all convicted murderers be hanged promptly, the families of murder victims will march from RM Bailey Park through the streets of New Providence on Saturday, December 12 at 9am.

Workers Party leader and victims' rights activist Rodney Moncur announced yesterday that the marchers will also demand that all persons being held on murder charges be denied bail. According to Mr Moncur, in failing to hang persons on Death Row, politicians are "playing games with human suffering".

He added that "too many children go to bed crying, in loneliness and fear every night because their fathers or mothers have been murdered by known persons, who continue to walk up and down the neighbourhood streets."

Mr Moncur said the prime minister deserves most of the blame for the fact that no convict has been hanged in almost a decade, but added that despite leader of the opposition Perry Christie's recent pronouncement that he is a supporter of capital punishment, the record shows that not one person was hanged during his five year term in office.

### Believes

"So, we know that what he believes and what he actually does are as far apart as east is from west, and are as distinct as night is from day.

"Moreover, it is not a question of whether or not the prime minister or the leader of the opposition or a judge of the court or a policeman believes in capital punishment. The issue

is that the law of the land, that clearly mandates that persons convicted of murder should be hanged, must be carried out," he said. Mr Moncur added: "We, who call for the prompt hanging of all convicted murderers and who call for all persons who have been charged with or convicted of murder to be denied bail, have never said that hanging will stop murders. This argument has been coughed up by the gangster philosophers and intellectuals, who use it as a decoy to distract people from the real issue, which is that hanging is just, proper and legal punishment for murder.

"We, who are calling for justice, know this basic truth: that a hanged murderer will be forever deterred from carrying out another act of cruel, inhumane and unusual violence against human life."

## EXCELLENCE IN EDUCATION AWARDS PROGRAMME

# Local retailer salutes top teacher and student



CONGRATULATIONS: Recognising teacher, student excellence.

BRASS & Leather has recognised the outstanding teacher and student in the Southeastern District as part of the company's Excellence in Education awards programme.

On Friday, November 27 at Brass & Leather's Mall-at-Marathon store, the company's management met with the award recipients - teacher Ms Jasmine Bodie and student Ms Jerell Rahming, both of RM Bailey Senior High School which is headed by Principal Julian Anderson.

Ms Bodie is a hospitality and tourism studies instructor and has been employed with the Ministry of Education for the past six years. She was noted for being on the cutting edge of information and technology in her lesson planning and delivery.

Ms Bodie was also recognised for being one of the first teachers to enroll in the Promethean Active Board Training scheme and the Bahamas Education I Now Training (STI) course, enabling her to become the resource person for both programmes at RM Bailey.

The dynamic teacher is a recent graduate of the Bahamahost Programme and has passed level three of the American Hotel and Lodging Association qualifications,

which will ultimately lead to her becoming a Certified Hospitality Instructor. In addition to excelling in the classroom, Ms Bodie serves on almost every committee at her school including of the Social Committee, Interact Club and the Special Programmes Committee.

### Ambitious

Jerell Rahming, a 12th grade student, was described as a humble, ambitious and generous individual. Among her peers, she is known to be a motivator and a peace maker.

The aspiring music teacher lives by the motto, "Do unto others as you would have them do unto you".

Jerell, a senior prefect, holds many leadership positions at school including on the Praise and Worship Team, the Girls' Ensemble and the track and field team. She is a leader of the school band and head vocalist in the choir.

Her involvement in church includes membership in the Southwest Cathedral Youth

Choir, the Girls' Club, Militant Invaders, the drama team, the church band and the dance group.

She visits different churches to perform and spread the word of God to others. The versatile student maintains a 3.30 grade point average in addition to mentoring young girls at her school and at church.

Brass & Leather, the popular leather goods company, has partnered with the Ministry of Education to highlight the achievements of teachers and students in the public educational system. The first awards were presented to Northwestern District teacher Doreen Thompson and student Julian Desir of TG Glover Primary School.

The awardees were presented with gifts from the Brass & Leather Shop.

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## LOCAL NEWS

# Parliament approves transfer of land to 14 homeowners in Eight Mile Rock Grand Bahama land dispute closer to resolution

By ALISON LOWE  
Tribune Staff Reporter  
alowe@tribunemedia.net

Bringing resolution to a long-standing Grand Bahama land dispute closer than ever, parliament yesterday approved the transfer of land by the government to 14 homeowners living in the Eight Mile Rock constituency.

Prime Minister Hubert Ingraham said that the homes were built on land the title to which was later claimed by another person, and after the homeowners were threatened with paying up or facing eviction, the government stepped in and purchased the site for \$170,000.

Those with homes on the 6.8 acres of land were then given the chance to enter into payment plans to buy the land from the government for the price it paid, Mr Ingraham said.



HUBERT INGRAHAM

Yesterday the government successfully moved a resolution that MPs approve the transfer of the land to those individuals who have now entirely paid up, and to proactively approve the transfer of title for the land to the rest of those who are currently paying for their lots once they hand over the full sum.

The move, which now only has to receive the go-ahead from the Senate, was welcomed by Eight Mile Rock MP, Verna Grant, as one which will ensure "closure" to those in the community.

"We realise that land is one of the

biggest investments one can make. It is empowering – it can be left in wills for children, used for collateral opportunities, and it increases in value."

"I encourage those in Pinedale to continue making their payments and you too will get our conveyance if you did not this time," said the MP.

## Resolution

The resolution was one of four moved by Prime Minister Hubert Ingraham, also minister with responsibility for lands, in parliament yesterday, asking for MP's approval to transfer the title for certain pieces of land owned by the government to other entities or individuals.

Among the three other parcels of land the government got parliamentary approval to transfer the title to

was a one acre piece of property which has been leased to David Romer in Andros since 1982.

Mr Romer, whose most recent lease on the property expired in 1997, was operating a gas station on the site which was a much-used refuelling site for Androsians and visitors for many miles around.

Mr Romer died in 1995 but his family maintained the gas service station on the land after he left it to them in his will. Yesterday the government agreed to sell the once acre property to the family for \$3,049.20.

Vincent Peet, MP for North Andros said he "fully supports" the title transfer, noting that Mr Romer and his family have provided a "service to the community."

The two other resolutions call for title for land on which buildings stand that were built using NIB funds but

are presently occupied by the government to be transferred from the treasury to the National Insurance Board.

Mr Ingraham said that in doing so the government is seeking to "tidy up the books" at NIB, allowing the properties to be officially recorded as assets.

"The arrangement is that the title will be transferred to the National Insurance Board and the government will then make payments to them over a period of 15 or so years at the end of which the building ownership will go back to the government.

"The government pays what is in effect rent and/or income to the National Insurance Board to repay the principal sum in that 15 year period of time and also in effect to ensure that it receives interest on that sum of not less than what their average yield would be if they invested the money elsewhere," said Mr Ingraham.

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## Writer's third play to debut at the Hub on December 11



**UNCONVENTIONAL AND GRITTY:** Playwright Rupert Missick Jr's third play will be staged at The Hub and run for three nights.

*FALLEN Trees*, the third play staged by local playwright and filmmaker Rupert Missick Jr, will debut at The Hub on December 11 and run for three nights.

The off-beat play centres around five people who are grieving for their dead friends Percy and Nicky. Each character is frustrated over the couple's death which leads them to examine their faith – or lack thereof.

The unconventional, gritty play was inspired by a literary classic and Missick's own experiences in Catholic mass.

"I was inspired by the footnote to Allen Ginsberg's *Howl* – in it there is a repetition of the word 'holy' which reminded me of the imagery and ritual of some parts of the Catholic mass. In the poem Ginsberg declares holy some things that ordinarily persons may see as profane, and to me, human life, or the human spirit is just that, profane and holy. It is holy in spite of the fact that it can tend to be wretched and imperfect," Mr Missick said. The play also examines the difference between hope and faith and which of the two individuals rely on to get them through tough situations, said the 27-year-old writer.

## Cynical

"I was looking at both and the usefulness of both from an extremely cynical point of view. I wanted to explore which – hope or faith – a group of people facing the possibility of their own death would rely on."

The young writer – who wrapped shooting on his first short-film *The Kindly Ones* in November – has plans to adapt *Fallen Trees* into film as well.

The play is being produced by Missick's 'The Imagination Workshop' – which he founded along with artistic director Taneka Thompson.

*Fallen Trees* stars Leah Eneas, Taneka Thompson, Tara 'Tecca' Woodside, Juanita Kelly, Chrystall Bethel and Chester Robards. The one-act play runs for three nights, December 11 to 13 at The Hub, and starts at 8pm.

Ticket orders can be filled out on the order page at [www.theimaginationworkshop.net](http://www.theimaginationworkshop.net).

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## LOCAL NEWS

## FROM page one

**\$7.1m contract 'to revive family island's fortunes'**

EARL DEVEAUX speaks yesterday.

Clara Sweeting, a resident of the community of Hard Hill, said she feels "wonderful" about the government's decision to finally address the road.

"It's no good for my vehicle and it's no good for me. It makes you feel sick," she said of the experience of driving on the treacherous stretch.

"All of my vehicles have been left in disarray, they've literally been shaken apart."

Peter Hanna, a 17-year-old headboy at Acklins Central High, told *The Tribune* he is "really excited" about the new road.

"The state that the road is in, it's really rough. I have to travel along it twice every day to go to school. It hurts your back."

Stephen Sands, acting principal at the school believes "everything will change" for Acklins once a proper roadway

is installed. "The residents can look forward to the development of the island now, people coming in and spending money, and even more money flowing between persons and businesses on the island."

"The road has discouraged even the islanders, it's caused many of them to leave, as well as investors."

"Now things will change. Everything will change for us," said Mr Sands, who said he has been "waiting" for the signing for the seven years he has been posted to the island.

Providing some support for Mr Sands view, senior administrator for the island, Charles Moss, claimed that as news of the impending contract signing spread in recent months his office has been "inundated with calls" from former residents as well as other Bahamians and as many as five foreigners in the last month expressing interest in investing in Acklins.

"If even one or two of those come when this road is completed, it will be a great benefit," said Mr Moss.

A 36 mile stretch of road from the island's airport at Spring Point, to Chester Bay and Lovely Bay will be rehabilitated under the contract, which was won by the Nassau-based Bethell's Trucking and Heavy Equipment company.

The company have agreed in it to ensure a "substantial amount" of the labour for the project is drawn from the local population.

"The benefits of this arrangement include the provision of local employment opportuni-

ties as well as the transfer of skills from the experienced main contractor to resident workers," said Minister Neko Grant, who travelled to the island for the signing along with other works officials.

Stanley Bethell, owner of Bethell's Trucking and Heavy Equipment, suggested an estimated "twenty to thirty" local people could expect to be hired.

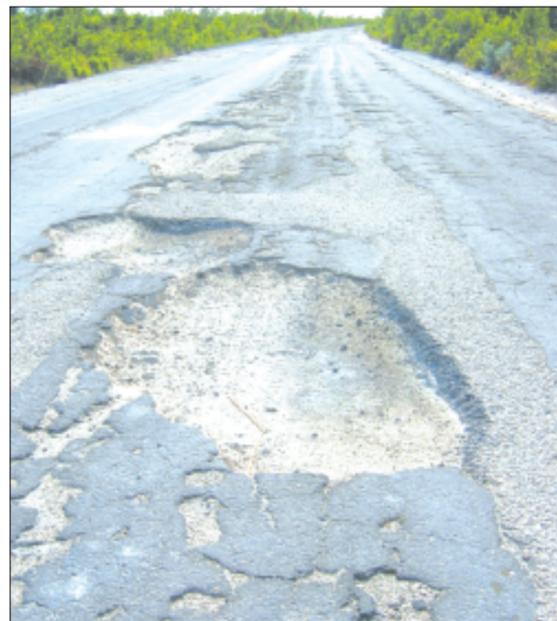
Starting after Christmas and with a twelve month completion deadline, the undertaking will see the total reconstruction of three miles of the Queen's Highway, and resurfacing and patching of a further 33 miles.

\$3.675 million of the \$7.1 million needed for the road rehabilitation will come from the Ninth European Union Development fund, while the balance will be put up by the Bahamian government.

Mr Grant said: "The reconstructed roads will enhance movement between settlements by the reduction of travel time and the cost of vehicle maintenance and repair. Additionally, improved access to the airport and seaports will accelerate commercial activity through more efficient processes in the export of fishery products and the import of goods to the island.

"We therefore look forward to the successful completion of this project that will contribute to the further overall development of the island of Acklins."

Weston Saunders, who spoke on behalf of Bethell's Trucking and Heavy Equipment at the signing, said that the company is committed to



THE QUEEN'S HIGHWAY is set for improvement.

providing a "high quality service" in this regard.

He invited Acklin islanders to "come and see Mr Bethell...and enjoy some of the labour and hard work" that will be on offer.

The contract signing was the fourth major public works contract signed this week.

On Monday, numerous government ministers travelled to Ragged Island, where three

contracts - for road re-paving, construction of a dock and the re-surfacing of the Duncan's Town airport - were signed at a total value of \$14 million, of which almost \$9.5 million will be provided by the government and \$4.8 million by the EU.

With around sixty people currently living on the island, that much-heralded investment equated to around \$233,333 per person.

## Salvation Army fundraising target

## FROM page one

needed funding for the School for the Blind and the various community outreach centres.

Meanwhile in Grand Bahama, Captain Cheryl Compton explained the drive's late start and limited volunteer resources contributed to their poor reception so far.

"We don't have enough volunteers," said Capt Compton. "So we can't get enough kettles out there and keep them at the stores consistently."

Capt Compton said that though donations have been slow, they have received more than 400 applications for food assistance.

In New Providence, the kettles are manned by church volunteers throughout the week and various civic organisations on Saturdays at 29 stores. There is no ringing on Sunday.

"We are always in need of volunteers," added Ms Kanady.

"The number of kettles is constantly growing as more stores allow us space."

## Attempt to steal tourist's purse foiled

## FROM page one

white shirt and jeans ran up to the woman from behind and attempted to snatch her purse.

The pair struggled as the thug tried to take her purse.

Meanwhile, a passing motorist alerted by the woman's screams saw her on the ground with the thug over her. The motorist stopped his car and jumped out to assist the tourist.

Realising he had drawn attention, the thug backed away empty-handed and ran over to two dark-skinned males who all fled the scene on foot heading in the Kemp Road area.

The motorist, with another passersby who stopped to help, gave chase but did not catch the culprits.

Police were alerted. Their investigations continue.

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# Key to crime reduction in urban areas is

By EWI WATKINS

## YOUR SAY

TUESDAY, November 24, 2009 *Tribune* headline – “Police Chief slams Urban Renewal ‘lie’” – was impelling to say the least, but the editorial on page 4 – “Policing before Farm Road” – was not only fantastic, but stunningly revealing. I am of the view that law enforcement officials, especially those that are in command positions, should at all costs avoid becoming embroiled in feuds between two political entities.

After perusing the byline “No evidence to suggest changes to initiative behind

crime surge,” says Commissioner, I, as usual, read all items on the front page, then turned to page eight for the conclusion of those stories. I then returned to the editorial, it was a masterpiece, superbly written. Its revelation should be like gasoline to a dying engine for the powers that be in the Police Force and those in The Ministry of National Security.

What is really amazing

about the editorial is that the writer, knowingly or unknowingly, gave not only the Police Force and the Government the answer to our crime situation, for which we have been searching these many years; but educating John Q. Public as to what their role in the process should be.

To think our Police Force was and still is blessed with the presence of Mr. Shannondor Evans, and that no one, and I mean no one

# Police chief slams Urban Renewal ‘lie’

No evidence to suggest change

THREE-YEAR REDESIGN PLAN FOR RM BAILEY

THE TRIBUNE front page headline on November 24.

Commissioner of Police recognised or paid attention to his (Evans’) initiative in

the Eastern Division of New Providence, is really incredible. For years I have been calling for Community policing, bicycle and foot patrol in urban and commercial areas. Occasionally one would see bicycle patrols around Bay Street, but never in urban areas. I was, until now, unaware of Mr. Evans’ initiative in the Eastern area of New Providence and I am disappointed to learn that such an important programme with such huge community support, was discontinued by Mr Evans’ successor. I would have thought that any Division Commander having been given a command with a ready-made crime-reducing initiative, such as the one initiated and nurtured to such a successful degree by Mr Evans, would have continued to take it to greater heights. I am now of the opinion that the Urban Renewal plan by the PLP was derived from the Eliza-

beth Estates Community Policing initiative.

Whereas I agree that the programme was a good one, I disagree with not only the manner in which it was implemented, but with persons (politicians) who spear-headed its implementation. I am of the view that the politicians saw, or had been informed of the progress of this effort by Mr. Evans, envisioned the prospect of kudos and political mileage in such a programme and with the machinery of government at hand probably politicized it to such an extent that possible law-breakers could have been operating under the badge of authority provided by the wearing of a police uniform, all for the gain of a few more votes. Instead of becoming physically involved, The Ministry of National Security should have supplied the force with

SEE page 11

New Attorney General vows to make crime matters a priority

By MEGAN REYNOLDS Tribune Staff Reporter mregno@tribunemedia.net

ATTORNEY General John Delaney to prioritize criminal justice as he took up his portfolio in a swiftness at Government yesterday afternoon.

The former who boasts 22 years of legal experience said that in the immediate future, the ultimate importance of violent crime incidents will become increasingly important.

But in a climate of a global economic crisis, Mr. Delaney said.

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**NOTICE**  
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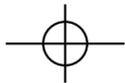
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ARGOSA CORP. INC.  
(Liquidator)



# community policing

FROM page 10

the extra equipment and finances, and left the rest up to the Commissioner of Police.

Police patrols around the perimeter of schools is vital for the following reasons: (I) availability if needed (II) to keep drug peddlers from the area (III) to discourage child sex predators who prey on students, male and female away from school areas. The concept of having a police presence on school premises was not only wrong, but ill advised. There is an old adage in policing that says "There is no substitute for the beat policeman (foot patrol)." This is true.

The robbery of tourists at places of interest that they paid good bucks to visit is unforgivable, the officer in charge of the police facility in that area should not only be transferred, but demoted. Why aren't uniformed officers stationed at the top and bottom of the Queen's Staircase, Water Tower, the Forts, Ardastra Gardens and indeed all tour destinations. I strongly recommend that the powers that be in the police force create an anti-crime directorate within the force under Mr. Evans' command, who will be responsible for the following: (I) implementation of Community Policing in every division by Divisional

Commanders. (II) Formations of flying patrols in and around business houses, banks and busy areas like Bay Street and malls to deal with drug peddlers who openly ply their trade in areas frequented by tourists, prostitutes, uncontrolled students who roam malls and shopping areas after school in groups uniformed foot and cycle patrols in urban areas 24/7.

Inspectors and indeed area commanders should carry out routine and surprise visitations throughout their area regularly. Discipline needs to be enforced; this is the job of non commissioned officers. Senior officers should set examples by not sitting around bars and clubs drinking in uniform. Supervision of constables on foot and cycle patrols is of paramount importance.

There is absolutely no need for the government, any government to look to men of the cloth to come up with crime solutions, because they do not have

the slightest clue to begin with. Community Policing is the answer, the system should be implemented without delay. The stretching of a few necks that are eligible for the gallows will go a long way to discourage many of those who have lost their respect for human life.

These are tough times; we are not looking for more talk. We've had enough of that, and it would appear that we had the solution looking at us for a long time, people power in the form of Community Policing.

The Commissioner of Police should without delay send a letter of "Thank you" to the editorial writer of the November 24 editorial. Remember that the best things in life are free and so is that editorial. The ball now, Mr. Commissioner, is in your court, let us see if you can catch it and make a "Touch Down", even a "First Down" will be an improvement over what we now have. Time is of the essence, our bread and butter is at stake.

## CR Walker's Winter Knights Reunion Dinner

CR WALKER'S CLASS OF '99 will be hosting a Winter Knights Reunion Dinner on December 5th. The event will take place at Palm Cay, Yamacraw Shores and starts at 7pm. Gates will close at 9pm. For tickets call 326-6613 or 376-6254.



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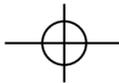
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# sports

FRIDAY, DECEMBER 4, 2009

INSIDE • International sports news



## Magic beat Mystic Marlins in 29-1 rout

By RENALDO DORSETT  
Sports Reporter  
rdorsett@tribunemedia.net

### St. Jean only player in double figures, GHS wins four in a row

THE Government High School Magic have become one of the hottest teams in the GSSSA senior girls division, with their most impressive defensive effort leading to their fourth consecutive win.

The Magic held the Dame Doris Johnson Mystic Marlins without a field goal in a 29-1 rout last night at the D.W. Davis Gymnasium.

Marcelene St. Jean was the lone player in double figures with a game high 13 points to lead the Magic.

Chiquita Ferguson was 4-6 from the field in the second half and chipped in with nine points. Crystal Cox finished with three and Lashantah Deveaux added two.

The Magic got out to an early 8-0 lead in the opening half before a free throw by Natalie Brown stopped the run and gave the Mystic Marlins their lone score of the game.

GHS led 10-1 at the half. Ferguson began the second half for the Magic with a jumper through mid-lane traffic to give her team their first double digit lead of the game.

The Magic run continued as a full court trap rendered the Mystic Marlins defenseless with a lack of ballhandlers, and created easy baskets with St. Jean becoming the beneficiary.

She scored eight consecutive points,

the last of her took the Magic lead beyond the 20 point plateau, 22-1.

Ferguson ended the game the way the half began, with her streaky shooting finding the mark.

She nailed another jumpshot in the lane and a three pointer on the next possession with just 32 seconds remaining to give the game's final score.

After an opening day loss to the C.R Walker Knights, the Magic have scored wins over the C.C. Sweeting Cobras, R.M Bailey Pacers, C.I Gibson Rattlers and the Mystic Marlins.

The Magic improved to 4-1 while the Mystic Marlins remain winless.



MARCELENE St Jean drives to the basket.



Members of and National Youth Cycling Program and Warriors Cycling Club pose prior to a practice session at the National Cycling Track.

## Marathon Bahamas 2010 set for February

IN JUST over two months, the Bahamas will venture into previously uncharted waters, staging its first international road race of this magnitude, one which organisers hope will bridge the gap between business and sports.

Marathon Bahamas 2010, sponsored by the Sunshine Group of Companies and set for February 14th next year, will take place in New Providence featuring hundreds of local and international runners.

While the country has hosted a number of road races in the past, this is the first Marathon staged in the capital since 1985.

The 26.2 mile course will begin at 6am, leaving Fort Montague, travel west over both Paradise Island Bridges, along the shoreline, will turn at Old Fort Bay and end at Arawak Cay.

The race will feature three categories which includes the full marathon (26.2 miles), half marathon (13.1 miles), and relay marathon (a six member team)

At a press conference held by major sponsors of the event, Sunshine Insurance Agents and Brokers, Members of the Marathon 2010 Board of Directors were joined by Executives of the Bahamas Association of Athletic Associations to

SEE page 13

## VOLLEYBALL UPDATE

The NPVA continued action Wednesday evening over at the D W Davis gym.

In the first match, the youthful BTC Blackberries took the Champions Club to 5 sets 24-26, 25-9, 25-20, 24-6 and 15-11. Manishka Rollins led all scorers with 16 points for the win. In a losing effort, Taree Sweeting scored 13 points.

In the feature match, the National Fence Intruders led by Glen Rolle's 20 points won an exciting marathon match against the Police Crimestoppers 25-12, 25-21, 20-25, 23-25 and 15-8. Leonardo Dean finished with 18 points for the Crimestoppers.

Games will continue today with make up games:  
• 7:30pm Johnson Lady Truckers vs BTC Blackberries  
• 8:30pm Saints vs Technicians

## BACF improves junior training system

THE Bahamas Amateur Cycling Federation seeks to garner interest from newcomers to the sport, while developing a feeder system for the senior circuit in the country and throughout the region.

Roy Colebrook, federation

President, said the programme has been modified, upgraded and made more efficient so junior cyclists can get the best possible training environment.

These changes include improvements in training, competition, coaching and financial support, which could

propel them to reach the level of other elite international junior cyclists around the world.

The programme began in New Providence, but by February 2010 it will spread to various family islands which hosts cycling associations or clubs

and will run until December of 2012.

In New Providence the programme begins Saturday, December 5th at the National Cycling Track located at the Queen Elizabeth Sports Center.

Featuring male and females

ages 12-17, the programme will feature registration and trial periods over the next two weekends and follows with sessions December 19 and 20th.

According to federation executives, the programme will focus on channeling the enthusiasm and youthful interest of the sport in a positive direction which would impact lives and the community at large.

"We intend to use sports as a vehicle," Colbrook said. "During this time one of the goals is to eventually cultivate a pool of young and elite junior cyclists, fully equipped and knowledgeable in the sport of cycling and to ultimately represent the Bahamas at various international events such as the Youth World Games, Junior Pan Am Championships, Caribbean Junior Championships and the Olympic Games."

According to a press release issued by the federation, the programme goals and objectives include:

- i. to instill discipline, team work and values in the participants
- ii. to curb deviant behaviour
- iii. to channel energy in a positive way
- iv. to establish scholarship opportunities for the participants

Directors and trainers of the programme includes Barron "Turbo" Musgrove, Jeff Major, and Sam Brown

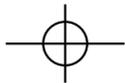
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SPORTS

SPORTS IN BRIEF

# Bahamas hosts Chinese martial arts championship

THE Exposure of Martial Arts in the Bahamas will never be the same as the sport's local community prepares for an international showcase.

On December 4 - 6, 2009, Mr. Nick Scrima and Mr. Kent Bazard will be co-hosting the inaugural International Chinese Martial Arts Circuit World Championships, which will be held at the magnificent Atlantis Resort on Paradise Island. The opening ceremony will take place December 5 at 10:00 am in the Imperial Ballroom.

This event will showcase the local talents of the local Kung Fu and Karate Arena. These arts will be complemented by the showcasing of the talents in the local Boxing federation. One of the main aim of this event is to demonstrate to our

young people that they can channel their energies into something positive that will not only grow them as well rounded individuals but also gives them an opportunity to become ambassadors to the Bahamas and also encourage Tourism.

The International Chinese Martial Arts Circuit (ICMAC) is a group of tournaments hosted around the world by Master Scrima. Competitors earn points at every event on the circuit, and based on their performance, will become eligible to compete at the ICMAC World Championship at the end of each year here in the Bahamas. This event marks the official launch of the circuit, and in December of 2010, the first undisputed world champions will

be crowned.

This world class event will be the first of its kind in the Bahamas - an all Chinese Martial Arts Competition - and will be host to local and international competitors. We are expecting over 500 competitors and spectators from over 6 countries (namely the US, Bermuda, Jamaica, Trinidad, Ajabazan, Portorico and our home grown fighters), to be present at this inaugural Grand Championship, and for that number to triple in 2010. There will be a Master's demonstration, seminars, feature performance show, and over 250 traditional and contemporary Kung Fu divisions for weapons, open hand forms, push hands, sparring, light contact continuous fighting, grappling, and for the

1st time in the Bahamas, Sanda (Chinese Full Contact Kickboxing). The finals for the Sanda competition as well as a few expedition boxing matches (put on by the infamous 1st Class Promotions - Ray and Michelle Minus) will be held Saturday December 5 at 7 pm, at the Atlantis Imperial Ballroom.

As part of the commitment to local social development, each tournament held in the Bahamas donates part of its proceeds to a local charity. The Adisa Children's Foundation is the chosen charity for this year's event.

**SCHEDULE OF EVENTS:**

**Friday December 4:**  
2:00 pm Registration opens for Seminars & competition  
6:00 pm - 8:00 pm Training of

Volunteers  
5:00pm -8:00pm Medical Screening and Weigh-in for Sanda Fighters  
8:00Pm Officials' Meeting

**Saturday December 5**  
9:30Am ICMAC World Championship opening Ceremonies  
10:00Am Masters' Demonstration  
10:30Am Competition begins (All forms divisions and Advanced Sanda Fighting)  
5:30PM Competition ends for the day  
7:30Pm Sanda Finals (Full Contact Super Fights)

**Sunday December 6**  
10:00am Competition resumes for the day (All Beginning Sanda, Continuous Fighting, Push Hands & Other Reaction Skills)  
4:00pm ICMAC World Championship Closing Ceremonies

## Gay scores 22 to lead SDSU over USD

### BASKETBALL SAN DIEGO Associated Press

SAN DIEGO State held onto local bragging rights for another year, thanks to D.J. Gay.

The junior guard scored seven of his game-high 22 points in overtime to lead San Diego State to a 69-62 win over San Diego on Wednesday night.

"Going in, I knew that if I needed to take over offensively, I could," Gay said. "We have so many weapons. But I saw the opportunities and I took advantage of them."

It was the fourth straight win in the crosstown rivalry for the Aztecs (5-2), and their eighth straight overtime win overall.

"This was a big test for us to beat a team like that in their building," SDSU coach Steve Fisher said.

Brandon Johnson scored 21 points for San Diego (4-3) and almost single-handedly brought the Toreros back from a 40-28 deficit in the second half.

Both teams went cold in the final two minutes of regulation, which ended with a 52-52 tie.

SDSU played for the final shot, but Johnson stole the ball and turned it back over with four-tenths of a second left. SDSU's long inbound pass was knocked down by Matt Dorr.

SDSU scored the first eight points of overtime, including a jumper by Gay, for a 60-52 lead with 2:02 remaining.

Billy White stole the ball and drove in for slam dunk to give the Aztecs a 66-57 cushion.



## BACK TO WHERE IT ALL BEGAN

Newly-acquired Philadelphia 76ers guard Allen Iverson, left, and 76ers president and general manager Ed Stefanski pose with Iverson's new jersey after a basketball news conference, Thursday, Dec. 3, 2009, in Philadelphia.

Matt Slocum/AP Photo

## Marathon Bahamas 2010 set for February

FROM page 12

announce plans on the pro-

Franklyn Wilson, Chairman of the Sunshine Group, congratulated newly elected BAAAs executives, and outlined the wide scope of influence the marathon can have on the economy of the Bahamas.

Wilson said the event should prove to be a major boost to sports tourism and the Bahamas in general, in particular, granting an opportunity for entrepreneurship for Bahamian businesses.

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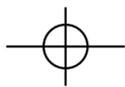
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FRIDAY, DECEMBER 4, 2009

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## 42% of small hotels lacking own website

By CHESTER ROBARDS  
Business Reporter  
[crobards@tribunemedia.net](mailto:crobards@tribunemedia.net)

BAHAMAS Call Centre  
to move home in 2010

SMALL BAHAMIAN HOTELS must embrace technology in order to stay competitive throughout this nation and in the region, the Ministry of Tourism's director-general said yesterday, while the Bahamas' 1-800-BAHAMAS call centre is scheduled to move back home sometime in 2010.

Vernice Walkine said 42 per cent of small hotels in the Bahamas did not have a website, while on the consumer side 40 per cent of vacation purchases were made online.

Ms Walkine said the Ministry has made a concerted effort through Bahamas.com and its various marketing affiliates to highlight those hotels on the Family Islands which may not get exposure via the Internet.



VERNICE WALKINE

"We are in a technological age," she said. "The Internet affords everyone a perfectly level playing field."

SEE page 6B

## 'Serious damage' from Quieting Titles deficiency

By NEIL HARTNELL  
Tribune Business Editor

\* Attorney suggests reforms to legislation seen as 'licence to steal land' and exploited by 'cadre of land sharks'  
\* Warns of major impact to Bahamas' international investment reputation

DEFICIENCIES in the Quieting Titles Act have the potential to do "serious damage" to the Bahamas' international investment reputation, a Bahamian attorney warned yesterday, as it was "open to abuse by a cadre of land sharks" who used it to effectively steal other people's land.

Richard Lightbourn, attorney and partner at McKinney, Bancroft & Hughes, told the Rotary Club of West Nassau that while the Act was "regarded as a licence to steal land" by some, with the correct amendments and the adoption of a Land Registration system in the Bahamas, it could still be a mechanism to resolve land disputes.

However, Mr Lightbourn warned that there were "serious consequences" due to the deficiencies in the current Act,

SEE page 6B

## Hotel room inventory expansion is 'critical'

By NEIL HARTNELL  
Tribune Business Editor

\* Sector chief says room growth key reason why Jamaica and Dominican Republic have seen US stopover growth in 2009, whereas Bahamas declined by 14%  
\* Capacity increase needed to 'absorb' expanding workforce

THE Bahamas Hotel Association's (BHA) president yesterday said it was "critical" for the sector to grow its room inventory and absorb this nation's ever-expanding labour force, arguing that this had helped Jamaica and the Dominican Republic to increase US stopover arrivals at the same time as this nation experienced a 14 per cent decline.

Data supplied by the Caribbean Tourism Organisation (CTO), and obtained by Tribune Business, showed that for the first eight months of 2009, Jamaica had seen year-over-year growth in US stopover arrivals of 2.1 per cent, compared to 2008.

And the Dominican Republic, another major competitor to the Bahamas, saw US stopover arrivals for the nine months to end-September 2009 increase by 2.6 per cent to 912,068. In contrast, for the first seven months of 2009, the Bahamas saw US stopover arrivals decline by 14 per cent to 716,084.

Robert Sands, the BHA's president, when contacted by Tribune Business on why several key competitors appeared to be heading in the opposite direction to the Bahamas, said both Jamaica and the Dominican Republic had benefited from a major increase in hotel room inventory in recent months.

The new, fresh product had given both destinations a 'shot in the arm' from a marketing perspective, creating some excitement they could leverage to entice potential tourists to their islands.

And Mr Sands pointed out that both Jamaica and the Dominican Republic had a

SEE page 4B

## No restoration for non-paying IBCs

By NEIL HARTNELL  
Tribune Business Editor

A Supreme Court judge has stayed for four months his ruling that the Registrar General cannot, under existing legislation restore International Business Companies (IBCs) previously struck-off for non-payment of fees, due to its impact on the financial services industry and business community.

Justice Neville Adderley explained that he was staying his ruling for four months to give the Government, and Parliament, time "to take such action" with respect to the Registrar's ability to restore IBCs in such a position.

His ruling effectively means that all IBCs reinstated since the IBCs Act 2000 was passed, after being struck off for non-payment of fees, should not now be incorporated. Given that such restorations have been going on for nine years, Justice Adderley's findings could cause potential chaos for the

\* Judge stays ruling for four months because of impact on financial services industry/business community, after finding Act does not allow restoration of IBCs struck-off for non-payment  
\* Ruling could impact nine years of restorations  
\* Finding comes in case where claim against Clifford Culmer, Michael Scott and BDO Mann Judd, plus \$209k default judgment, thrown out

financial services industry and its clients.

He reached his decision in ruling that a writ and statement of claim filed against BDO Mann Judd, its senior partner and accountant Clifford Culmer, and Callender's & Co attorney and partner, Michael Scott, be struck out. A \$208,850 default judgment against Mr Culmer and BDO Mann Judd was also set aside.

The action had been brought by the Teneseles trust and the Hawthorne

Sterling Family of Funds, the former having owned the latter, which was a group of 35 underlying mutual funds.

"The primary claim is that the defendants wrongfully induced the Securities Commission of the Bahamas to place the underlying 35 companies which comprise the Hawthorne Sterling Family of Funds into a 'protective liquidation'," Justice Adderley recalled.

"This liquidation, according to the

SEE page 6B

## Go-ahead for Judicial Review of \$105m plant

By NEIL HARTNELL  
Tribune Business Editor

But Supreme Court denies applications for injunction to halt construction and document discovery

OPPOSITION of the Bahamas Electricity Corporation's (BEC) \$105 million Wilson City power plant yesterday won the Supreme Court's permission to launch Judicial Review proceedings in a bid to prevent its construction, although an application for an injunction to stay further building work before the case is heard was refused.

The Supreme Court also refused to grant Responsible Development for Abaco (RDA), a company formed to represent the interests of Abaco landowners and residents who oppose the BEC plant, an interim discovery order that would give them

access to government documents, reports and studies on the proposed Wilson City plant.

That decision, as well as the one on the injunction, will be appealed to the Court of Appeal, Tribune Business understands.

In his submissions to support RDA's application for Judicial Review, Fred Smith QC, the Callenders & Co attorney and partner, said his two clients - Abaco resident Matthew McCoy was named as the second applicant - would be "substantially affected by the power plant, economically and in terms of

their health and immediate environment".

"The power plant threatens to have a very substantial impact on all these persons," Mr Smith alleged. "The applicants claim that the power plant will be damaging to their health and to the environment through water and air pollution.

"The potential for catastrophic damage to the environment is also non-negligible, especially given BEC's poor record in maintaining and supplying oil-fired power plants.

"These environmental impacts will in turn have eco-

nomics impacts. Tourism, Abaco's principal economic driver, is likely to be adversely affected, which will directly and financially affect the applicants. Further the impact of the power plant in contributing to global warming and rising sea levels, and damaging the reputation of the Government of the Bahamas and its ability to lobby other countries to adopt green power-generating technologies, will in the long-term affect all residents of low-lying islands such as the Bahamas."

Mr Smith alleged that his

SEE page 5B



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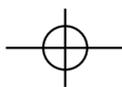
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BUSINESS

SHOWN are members from the Sister Sister Support Group, as well as Ian Thompson, business manager, retail credit; Michael Basden, business manager financial solutions; and Dania Ferguson, marketing coordinator from Bank of the Bahamas.



# Bank 'joins hands' with Sister Sister Support group

BANK of the Bahamas International staff joined hands with the Sister Sister Support group to give a presentation on its new BOB MEDLINE Visa card at the organisation's recent monthly meeting. The Sister Sister group helps and encourages those diagnosed with cancer, as well as cancer survivors. At the end of the presentation, the bank donated BOB MEDLINE stress

balls to the Sister Sister Support group to help with their post-therapy treatments. Bank of the Bahamas International introduced the MEDLINE Visa card as an alternative payment solution for healthcare, in a bid to assist members in the business community who are without medical insurance, those opting for elective surgery and those with pre-existing conditions.



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### Requirements

- All interested participants are required to submit a written paragraph explaining why they should be chosen to participate in the speech competition.
- The paragraph should be titled "Be-Smart Speech Competition" and should be emailed to [pr@btcbahamas.com](mailto:pr@btcbahamas.com). Participants can also send us a private message on the BTC facebook page. All entries must be received by 5:00pm on December 7th.
- Only 40 persons will be chosen to participate. The list of chosen contestants will be posted on our Facebook page on December 11th.
- Only high school students will be eligible to enter.
- Contestants must bring valid identification and must be accompanied by a parent or guardian. Parents and guardians will be required to sign a consent form on the night of competition.
- The judges' decision is final. There will be no appeal process.

The competition will take place on January 14th and 15th at 6:00 pm at the British Colonial Hilton Hotel, #1 Bay Street.

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The Tribune

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BUSINESS

# Marine manufacturer expands into furniture

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A NASSAU-based business that started out more than 20 years ago as a one-man operation repairing sails, and grew into a full marine canvas and awning manufacturing company, is now expanding on shore through high-end casual furniture.

"Opening Oasis, Chic Living is a natural outgrowth of what we have learned over more than two decades of working with materials in the marine industry," said Larry Phillips, president of Phillips Sailmakers & Awning Manufacturers, and the new entity, Oasis.

"The hot, humid climate that makes the Bahamas a haven for visitors wreaks havoc on outdoor furniture and upholstery, yet yachts know how to deal with it because fabrics we use in the marine trade are built to withstand the ultra-violet rays of the sun.

"They are also mildew and water-resistant. We've been working with those fabrics for years. Now we are able to combine our financial incentives as a licensed manufacturer with our marine grade treatments to offer what we firmly believe is the best in high quality casual furniture in Nassau."

Mr Phillips said while he had often wondered about the wisdom of the way outdoor furniture was being covered, even very expensive furniture, two things inspired him to put his knowledge to work and expand.

"The first suggestion came from a supplier who said with the quality of work he saw us produce, we were foolish not



EMPLOYEES of the new Oasis, Chic Living

to be applying that knowledge and experience to an industry that was growing so fast," said the sailmaker-turned-entrepreneur.

The second motivation hit closer to home. "My wife and I bought fairly high-priced outdoor furniture last year as a Christmas present to each other, and in less than three months, a red chaise lounge cushion had faded so much it was almost pink."

The store that supplied the cushion, along with the other teak furniture, frequently refers clients to Phillips Sailmakers for re-covering when customers return because cushions or umbrellas have

faded, and Mr Phillips hopes the store will consider Oasis complementary.

### Industry

"All we are doing is taking what has been working for the yachting industry, where the demands on cloth and sewing treatments are rigorous, and applying it to the outdoor living market in the Bahamas," he said.

As for launching a new business during tough economic times, Mr Phillips said those challenges could work in the company's favour. "Challenging times mean people who are spending are

doing so wisely," he added. "These times have made us less of a throwaway society. It is no longer acceptable to pay good money for something that lasts a year when there is an option close by to pay less for something that lasts many, many years."

Oasis, Chic Living opened at Phillips Sailmakers plant on East Shirley Street this week and will host a soft opening on Saturday from 8 am to 3 pm.

"We could not have done this without our status as a licensed duty-free manufacturer," said Mr Phillips "and now there is more work for about 14 employees. Successive governments have made this possible and I hope we have helped to demonstrate the value of the legislation and policy."

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## Bahamian firm wins top award for Caribbean

DAMIANOS Sotheby's International Realty has won *The Best Real Estate Agency - Caribbean* at the International Residential Property Awards 2009.

Having gained this recommendation at the ceremony, which was held in association with CNBC in San Diego last month, Damianos Sotheby's International Realty is entitled to display the Americas Property Awards' logo.

Entries were judged by a panel of 52 independent professionals. This year's judges include Ben Wood, industry head property markets of Google UK; Peter Bolton King, group chief executive of the National Federation of Property Professionals; Intiaz Farookhi, chief executive of the National House Building Council; Christopher Hall, president elect of FIABCI; Wilhelm Harnish, Master

Builders of Australia (MBA); Thijs Stoffer, International Consortium of Real Estate Agents Association (ICREA); Helen Shield, editor-in-chief of International Homes magazine; and Gillian Farr, head of design of Laura Ashley Home.

All in all, there were 36 different categories and only the top scoring winners from 100 countries were nominated to represent the finest property companies from across globe.

Virginia Damianos, vice-president of Damianos Sotheby's International Realty, said of winning the award: "In this increasingly competitive property market we are proud to be the recipient of this prestigious award. It reaffirms our company's dedication to being nothing short of the best. It's a very exciting honour after 65 years of hard work."

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BUSINESS

# Hotel room inventory expansion is 'critical'

FROM page 1B

more diversified tourism base, having made greater inroads into the European market for the Bahamas, while both destinations had relatively cheaper input costs, aided by the fact they produced more goods domestically for consumption in the hotel industries.

"I think Jamaica and the Dominican Republic are totally different from us," Mr Sands told Tribune Business. "They've actually had growth in hotel room inventory in recent times, in particular the last 18 months, and that has given them greater marketing opportunities."

The increase in room inventory, making both Jamaica and the Dominican Republic more accessible to US and other visitors, made year-over-year arrivals comparisons with the Bahamas some-

what misleading, Mr Sands added, given that this destination had not experienced similar growth.

He said the collective occupancy levels being achieved by Bahamian, Jamaican and Dominican Republic hotels would provide a more meaningful comparison of their relative performance, adding: "Whenever you see new inventory in any destination, it realises a spike in the number of arrivals at the front end, notwithstanding the current economic condition we find ourselves in."

However, Mr Sands acknowledged that it was "critical" for the Bahamas to grow its own hotel industry room inventory, given that this has seen minimal growth since the mid-1980s - despite the arrival of high-end products such as Atlantis, Sandals and Superclubs Breezes.

Although Atlantis's arrival in the 1990s produced some room inventory growth, what expansion there has been has largely been negated by other hotels, or a portion of them, being taken off-line.

"I think that we've seen some growth in that area, and seen some additional rooms come on line two years ago, although we have lost ground," Mr Sands told Tribune Business.

"We're projecting to see some additional growth in the next two to three years, if everything goes according to plan."

That is likely to be a reference to Baha Mar's proposed \$2.6 billion Cable Beach redevelopment, whose progress appears to hinge on the successful completion of negotiations with the two Chinese state-owned entities, China State Construction and China Export-Import Bank.

Mr Sands did not go into heavy detail about the status of the talks between the two and Baha Mar, although the latter was "certainly" working to complete negotiations by 2009 year-end.

On the need for the Bahamas to expand its hotel room inventory, Mr Sands said: "I think it's critical. It's the only way we're going to see real growth and viability

to absorb labour.

"We need labour-intensive industries to absorb the large amounts of people looking for work at this point in time. The reality is that if the economic situation gets better, and the anticipated number of rooms comes on line, the timing could not be better."

Successive Bahamian governments had been keen to ensure continued economic expansion, especially if the country is to continue absorbing the annual 5,000 school leavers - some 3,000 (a perhaps conservative estimate) join the workforce.

"I can't say it's held us back," Mr Sands said of the relative lack of growth in the Bahamian hotel industry's room inventory. "It's caused a narrowing of our market share pie over the years."

While the Bahamas emphasised both stopover and cruise tourism, Jamaica and the Dominican Republic both had a different market mix, and benefited significantly

from returning friends and family who lived abroad.

"I would say that both of those destinations have a high level of all-inclusive packages, and in this environment that tends to be a better choice for consumers. Hotels can price the product at very attractive rates," Mr Sands told Tribune Business.

Jamaica and the Dominican Republic also held "very distinct advantages over places like the Bahamas, as they have cheaper costs, like labour, much less than the Bahamas."

"They are also able to utilise more of what they produce in their tourism infrastructure as well. These are all mitigating factors that have to be viewed when analysing these particular points."

"But the Bahamas remains very competitive, and will continue to be competitive. There are issues we will continue to work on to help us maintain market share going forward."



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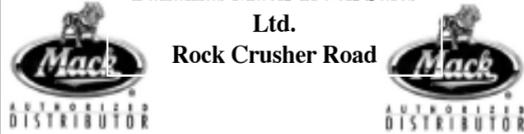
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AND NOTICE is hereby given that all persons indebted to the Estate are required to make full settlement of the same on or before the date aforesaid.

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## NOTICE OF ANNUAL GENERAL MEETING

To all Ordinary Shareholders of ABDAB

Please be advised that a meeting of the Shareholder of the above company will be held on Wednesday, December 16th, 2009 at 4:00 PM at the offices of Burns House, 16 John F. Kennedy Drive, Nassau, Bahamas.

Members may appoint a proxy to attend and vote in their stead, the proxy need not be a member.

Barry Newman  
Company Secretary  
November 24th, 2009

## NOTICE

INTERNATIONAL BUSINESS COMPANIES ACT  
(No 46 of 2000)

**GLOBAL EQUIPMENT LEASING CORPORATION**  
IBC N° 135,648 B  
(In Voluntary Liquidation)

NOTICE is hereby given that in accordance with Section 138 of the International Business Companies Act No. 46 of 2000, **GLOBAL EQUIPMENT LEASING CORPORATION** is in Dissolution.

Any person having a Claim against the **GLOBAL EQUIPMENT LEASING CORPORATION** is required on or before January 31, 2010 to send their name, address and particulars of the debt or claim to the Liquidator of the Company, or in default thereof they may be excluded from the benefit of any distribution made before such claim is approved.

Sovereign Directors Limited of Suite 205, Saffrey Square, Bank Lane & Bay Street, P.O. Box N-4244, Nassau, Bahamas is the Liquidator of **GLOBAL EQUIPMENT LEASING CORPORATION**.

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## NOTICE

NOTICE is hereby given that **ANELUS EXANCIA OF QUINTINE ALLEY, NASSAU, BAHAMAS** is applying to the Minister responsible for Nationality and Citizenship, for registration/naturalization as a citizen of The Bahamas, and that any person who knows any reason why registration/naturalization should not be granted, should send a written and signed statement of the facts within twenty-eight days from the 4<sup>th</sup> day of **December, 2009** to the Minister responsible for nationality and Citizenship, P.O. Box N-7147, Nassau, Bahamas.

## NOTICE

NOTICE is hereby given that **EVELYN AUGUSTIN OF WILLIAM STREET, P.O. BOX N-1453, NASSAU, BAHAMAS** is applying to the Minister responsible for Nationality and Citizenship, for registration/naturalization as a citizen of The Bahamas, and that any person who knows any reason why registration/naturalization should not be granted, should send a written and signed statement of the facts within twenty-eight days from the 4<sup>th</sup> day of **December, 2009** to the Minister responsible for nationality and Citizenship, P.O. Box N-7147, Nassau, Bahamas.

## NOTICE

NOTICE is hereby given that **Nixon Orelhomme, of Garden Hills, P.O. BOX N-10326, NASSAU, BAHAMAS**, is applying to the Minister responsible for Nationality and Citizenship, for registration/naturalization as a citizen of The Bahamas, and that any person who knows any reason why registration/naturalization should not be granted, should send a written and signed statement of the facts within twenty-eight days from the 4<sup>th</sup> day of **December, 2009** to the Minister responsible for nationality and Citizenship, P.O. Box N-7147, Nassau, Bahamas.

## NOTICE

NOTICE is hereby given that **PHILOMENA DESAMOURS SAUNDERS OF YELLOW ELDER, P.O. BOX N-805, NASSAU, BAHAMAS** is applying to the Minister responsible for Nationality and Citizenship, for registration/naturalization as a citizen of The Bahamas, and that any person who knows any reason why registration/naturalization should not be granted, should send a written and signed statement of the facts within twenty-eight days from the 4<sup>th</sup> day of **December, 2009** to the Minister responsible for nationality and Citizenship, P.O. Box N-7147, Nassau, Bahamas.

## NOTICE

INTERNATIONAL BUSINESS COMPANIES ACT  
(No.46 of 2000)

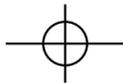
**AMBROSE HOLDINGS LIMITED**  
IBC N° 128346B  
(In Voluntary Liquidation)

NOTICE is hereby given in accordance with Section 131 (2)(a) of the International Business Companies Act, (No. 46 of 2000), **AMBROSE HOLDINGS LIMITED** is in Dissolution

Any person having a Claim against the **AMBROSE HOLDINGS LIMITED** is required on or before 19th January 2010 to send their name, address and particulars of the debt or claim to the Liquidator of the Company, or in default thereof they may be excluded from the benefit of any distribution made before such claim is approved

Mr. Nathan Santos of Suite 2B Mansion House 143 Main Street Gibraltar is the Liquidator of **AMBROSE HOLDINGS LIMITED**.

Liquidator



BUSINESS

# Go-ahead for Judicial Review of \$105m plant

FROM page 1B

clients had a "legitimate expectation of full and proper consultation" on the Wilson City project and its impacts, but the Government, BEC and other relevant agencies failed to do this.

"In this case, the health and economic well-being of the inhabitants of Abaco are at stake," he argued in his submissions to the Supreme Court. "Their rights and interests are affected, and they should have had the opportunity to make representations."

"The Prime Minister himself admitted on 30 October, 2009, that consultation should have taken place at an earlier stage. Further, such consultation as there was inadequate and ineffective, as the EIA had not been made publicly available to enable the applicants to make representations based on a full appreciation of the relevant facts. By withholding the EIA and failing to take proper consultative steps, the Government has not acted in a procedurally

fair manner but has prejudiced the rights and interests of the applicants."

Mr Smith alleged that by the time the Government first consulted Abaco residents on the project at the September 10, 2009, Town Meeting, construction at Wilson City had already begun.

"At that meeting it was made plain that: the current power plants could not be 'patched up'; it was too late to look for green alternatives; and it was too late to look for alternative sites, or even the use of an alternative fuel. This was not consultation but an attempt to force the residents of Abaco to become resigned to a decision which had long since been taken," Mr Smith alleged.

"Work on the site had even started as early as September 2008, when part of the site was cleared. The fact that work started prior to the EIA even being produced (in October 2008) demonstrates that the EIA, too, was window dressing - it was clearly intended that the plant would be built at Wilson City regard-

less of its environmental impact."

Alleging that BEC had been granted "retroactive" permits for work already started, Mr Smith argued: "The damage to the reputation of the Bahamas, and the consequent economic consequences if the Government is permitted to ignore the rule of law and obtain relevant permissions wrongly and retrospectively without penalty, will deter financial investment in the Bahamian economy and deter second home owners from buying property in, and contributing to the economy of, the Bahamas."

As a result, in citing his grounds for a Judicial Review he alleged that the decision to go ahead with Wilson City was "irrational on any proper consideration of the environmental, economic and public health impacts", and some decisions were "not in the best interests of the Bahamas".

Returning to the argument that construction permits required were BEC were granted retroactively, after

construction on Wilson City had begun, Mr Smith alleged that the Ministry of the Environment had "conflicting portfolios" - relations with BEC and the petroleum industry on one hand, and the environment on the other.

To support his arguments for Judicial Review, Mr Smith alleged that the Environmental Impact Assessment (EIA) for the Wilson City power plant, completed in October 2008 by Florida-based KES Environmental Services, was only made public on Novem-

ber 6, 2009, following public pressure. And he claimed that the separate EIA for the three-mile pipeline between the plant and the Sea of Abaco was only published in recent days.

Mr Smith also alleged that the EIA failed to identify residential areas close to the proposed power plant, such as Little Harbour only three miles away. And the plans for a new National Park in eastern Abaco also appeared not to have been taken into account.

## INSIGHT

For the stories behind the news, read *Insight* on Mondays



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### STAFF VACANCY

Applications are invited from suitably qualified persons for the following position:

**Part-time Coordinator, Abaco**, responsible for assisting the Office of Outreach with the operations of the Abaco Centre; contributing to the development of strategies to attract new interest groups for enrollment and collecting demographic information on prospective and former clients to determine education and training needs.

Specific duties and responsibilities include assisting with the planning, development, marketing and implementation of course/programme offerings in North and Central Abaco; responding to enquiries regarding programmes, courses, seminars, and workshops; liaising with the Planning Office to conduct public surveys to ascertain interest and needs for offerings and assisting with the recruitment of students.

Applicants should possess a Bachelor's Degree or equivalent AND at least five (5) years post-qualification work experience at the AS-2 level. For a detailed job description, visit [www.cob.edu.bs/hrapply](http://www.cob.edu.bs/hrapply). Interested candidates should submit a detailed resume and cover letter of interest no later than Friday, December 11th, 2009 to: Associate Vice President, H.R., Human Resources Department, The College of The Bahamas or email: [hrapply@cob.edu.bs](mailto:hrapply@cob.edu.bs).



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BUSINESS

**42% of small hotels lacking own website**

Ms Walkine said visitor testimony has branded Bahamas.com a successful destination site. And she cited rich media, such as video, pictures and audio, as the dynamic experience that visitors are looking for in a virtual visit.

These things, she argued, were necessities in the ultimate decision made by online vacation destination shoppers.

"However, Bahamas.com cannot be all things to all people," said Ms Walkine.

She said online credit card bookings were becoming an essential part of any hotel's booking platform, and insisted that Bahamian small hotels take advantage of the opportunities opening up on the Internet.

While the development of virtual media was a top priority for the Ministry of Tourism, its highly-regarded toll free call centre, located in the US, is moving back to the Bahamas next year.

According to Ms Walkine, the placement of local Bahamians in the call centre will enhance the authenticity of the experience for guests.

She said because of the Bahamas' online presence and open communication links to the outside world, this is one of relatively few countries that consistently knows what its visitors are saying about it.

And she said that while the Bahamas may have a geographic advantage compared to the rest of the islands in this region, it can not always be assumed that it will always be the advantage.

Many have been concerned that when Cuban dictator Fidel Castro dies, Cuba will become a tourism mecca and absorb the Bahamas' market substantially.

Ms Walkine alluded to the diversification of Bahamian tourism through the development of niche products, such as sports tourism and medical tourism.

She added that placing much more emphasis on connecting with the customer and delivering a high quality of service, as well as increasing airlift to the Family Islands, will assist in increasing small hotel occupancies and overall success.

# Bahamians own 30% of room inventory

By **CHESTER ROBARDS**  
Business Reporter  
crobards@tribunemedia.net

THE PRESIDENT of the Bahamas Hotel Association (BHA) said yesterday that Bahamians own 30 per cent of this country's aggregate room inventory in the form of small hotels, contrary to popular belief.

Robert Sands, who is also Baha Mar's vice-president of external affairs, said small hotels, which are defined as 74 or fewer rooms, represent 4,957 of the 15,552 aggregate rooms in the Bahamas.

According to Mr Sands, more than 80 per cent of the small hotels in the Bahamas are owned by Bahamians.

"This has become a national development initiative of great significance," he said. "We knew that there were special small properties throughout our islands. We didn't



ROBERT SANDS

know the extent to which owners and operators were throughout the country."

Mr Sands said the BHA, along with the Bahamas Sustainable Tourism Entrepreneurial Management & Marketing (STEMM) Project and the Inter-American Development Bank, have been undertaking an initiative to develop a sustainability plan for small hotels in the Bahamas, and have themselves learned lessons about the operations of the properties in the pursuit of the information.

"It became apparent to us that we were not just undertaking a tourism development project, but a national development project," he said.

Mr Sands added that during the project, the extent of the challenges faced by small hotels across the Bahamas became apparent.

"We took a deliberate approach to get to know you," said Mr Sands.

Since the BHA began the task of discovering and assisting small hotels, it has "catalogued and digested" vast findings. And they have sought to develop a plan to assist those hotels in being successful.

According to Mr Sands, there are 281 licensed hotels in the Bahamas, 241 of which are small hotels.

"It's a significant sector," he said. "Too often we hear that Bahamians do not own a piece of the tourism pie, but it's time to speak out and say that we do own a slice of that pie."

Mr Sands said the BHA, the Ministry of Tourism and the various promotions boards are in their fourth year of a development project for small hotels.

"We are trying to organise and engage the small hotels," he said. "We created a support programme based on what you've told us and what we need."

## No restoration for non-paying IBCs

FROM page 1B

plaintiffs, was carried out by the defendants in such a way that it stripped the Fund Companies of their monetary assets, which primarily went by way of payment fees to the defendants, their servants and agents."

The Hawthorne Sterling group has a much more interesting history than Justice Neville Adderley recorded in his judgment, its mastermind, Ian Renert, having seen the Securities & Exchange Commission (SEC) obtain a 2004 default judgment against him.

The US regulator had accused Renert of using Hawthorne Sterling and its funds to conduct a "fraudulent" \$22 million offering of shares in the fund entities.

Justice Adderley noted that the Hawthorne Sterling Family of Funds was struck off the IBCs register for non-payment of fees on August 31, 2002. The company commenced its action on April 7, 2004, three months before it was returned to the register on June 7, 2004.

"However, the IBC Act 2000 contained no express provision, nor does it contain one now, for the Registrar to restore a company to the register if

struck-off for non-payment of fees," Justice Adderley recalled.

### Parliament

While agreeing that Parliament had amended several "absurdities" in the IBC Act 2000 over the years, Justice Adderley said there was nothing "implied" in that legislation that allowed the Registrar General, acting as the Registrar of Companies, to restore an IBC after it was struck-off for non-payment of fees.

The Supreme Court's job, Justice Adderley added, was to ascertain Parliament's intention in passing a

law based on the words in the statute, "not substitute its will for that of the legislation"

As a result, Justice Adderley said Hawthorne Sterling's restoration was "a nullity", as the Registrar had no power to do so. This meant Hawthorne Sterling had no power to sue or bring the action.

"I find that since the repeal of the 1989 IBC Act, the Registrar ceased to have the power to restore a company that had been struck-off the Register for non-payment of prescribed fees and any such purported restorations by him are null and void," Justice Adderley ruled.

## 'Serious damage' from Quieting Titles deficiency

FROM page 1B

and as a result "serious damage is done to the Bahamas".

He explained: "Investors become reluctant to invest in a country with an inadequate system of land ownership."

Mr Lightbourn recalled one such case on Rum Cay, where a developer had sold the entire parcel of land he had obtained to unsuspecting international buyers for around \$2 million, who were "going to get nothing from it".

"You only have to look at the Internet to see the number of people criticising the Bahamas for" the problems with land ownership, he added.

Security of land ownership/tenure is one of the most critical means of economic empowerment, and Quieting Titles actions have, over the years, negatively impacted hundreds of Bahamians and families who felt they had security of property ownership only for their world to seemingly fall apart.

Tracing the Act's history, Mr Lightbourn said the Quieting Titles Act, which was modelled on Canadian law, had been enacted to allow petitioners to acquire land through adverse possession, meaning that they had lived on it or used it for a minimum of 20 years. The Act was also designed to allow landowners to perfect gaps in the documentary chain of title where a particular set of deeds was missing.

Mr Lightbourn said the Act had been especially designed to deal with the large tracts of land granted by the Crown to settlers who had emigrated elsewhere, leaving no heirs or will behind. It had been thus designed as a tool to free up these lands for economic activity once again.

"To some, it's regarded as a licence to steal land," Mr Lightbourn said, although "The Act was established with a legitimate purpose in mind.... It is open to abuse, and a cadre of land sharks are especially adept at using the system, assisted by some attorneys."

The main complaints, Mr Lightbourn said, had come when persons petitioned the courts for Certificate of Title, under the Act, but provided only "flimsy" evidence to show they had been in adverse possession for 20 years or more.

He cited one case where a woman had managed to acquire a Certificate of Title to 1,000 acres on a Family Island, adding: "How can one old lady claim 1,000 acres via adverse possession by farming when everyone knows it's not possible? She could nev-

er have enclosed those 1,000 acres. Nevertheless, a judge gave her a Certificate of Title."

Mr Lightbourn said some of the deficiencies in the Quieting Titles Act could be cured by bringing into law the 1969 amendments, which never received assent. Some suspected this never happened because the Department of Lands and Surveys did not have the adequate resources to map the entire Bahamas.

Among the most critical amendments in the 1969 reforms was Section 8, Mr Lightbourn added, where a surveyor or other qualified professional would inspect the land subject to a Quieting Titles petition and file an affidavit dealing with how the land had been used, and whether there was evidence to support an adverse possession claim.

"This, in my view, would be a major help to the court and prevent many abuses," Mr Lightbourn said. "Many judges are reluctant to inspect land, because they then become witnesses. A surveyor would be able to discover such evidence when inspecting the land, including the presence of others."

If the Bahamas moved to a land registration system, Mr Lightbourn said the UK's Land Registration Act 2002 would be "the one the Bahamas has to look towards when changing our laws". And, he argued, a properly reformed Quieting Titles Act could be the mechanism for resolving disputes under this legislation.

Apart from the use of a surveyor, Mr Lightbourn said all Quieting Titles Act petitions should reference current land features and names, as descriptions that were vague or used old names had often been used to disguise the land subject to these actions.

He recalled seeing one petition for an area described as Milburn Tract, thinking nothing of it, only to then be tipped by a contact that the land in question was Yamacraw Beach Estates, and had been known as that for 50 years.

"It's frightening when someone can do that," Mr Lightbourn said, adding that a similar situation had arisen when a petition used an old name to describe land that the Eleuthera Island Club subdivision was sitting on in Eleuthera.

The McKinney, Bancroft & Hughes partner urged that another reform should be the issuance of a Notice informing persons who had an ownership claim to land subject to a Quieting Titles petition that they had to perform certain things within a timeframe or else their claim would be struck out.



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