

LEGISLATIVE COUNCIL

(Constituted under the British Guiana
(Constitution) (Temporary Provisions)
Order in Council, 1953)

FRIDAY, 11TH JUNE, 1954.

The Council met at 2 p.m., His Honour the Speaker, Sir Eustace Woolford, O.B.E., Q.C., in the Chair.

PRESENT :

His Honour the Speaker, Sir Eustace Gordon Woolford, O.B.E., Q.C.

Ex-Officio Members:—

The Hon. the Chief Secretary, Mr. John Gutch, C.M.G., O.B.E.

The Hon. the Attorney-General, Mr. G. M. Farnum (Acting).

The Hon. the Financial Secretary, Mr. W. O. Fraser, O.B.E.

Nominated Members of Executive Council:—

The Hon. Sir Frank McDavid, C.M.G., C.B.E. (Member for Agriculture, Forests, Lands and Mines).

The Hon. P. A. Cummings (Member for Labour, Health and Housing)

The Hon. W. O. R. Kendall (Member for Communications and Works).

The Hon. G. A. C. Farnum, O.B.E. (Member for Local Government, Social Welfare and Co-operative Development).

The Hon. G. H. Smellie.

The Hon. R. B. Gajraj.

The Hon. R. C. Tello.

Deputy Speaker:—

Mr. W. J. Raatgever, C.B.E.

Nominated Officials:—

Mr. W. T. Lord, I.S.O.

Mr. J. I. Ramphal.

Nominated Unofficials:—

Mr. T. Lee.

Mr. W. A. Phang.

Mr. C. A. Carter.

Mr. E. F. Correia.

Rev. D. C. J. Bobb.

Mr. H. Rahaman.

Miss Gertrude H. Collins.

Dr. H. A. Fraser.

Lt. Col. E. J. Haywood, M.B.E., T.D.

Mr. R. B. Jailal.

Mr. Sugrim Singh.

Clerk of the Legislature—

Mr. I. Crum Ewing.

Assistant Clerk of the Legislature—

Mr. H. H. Tross (acting).

Absent:—

Mr. L. A. Luckhoo, Q.C.

Mr. W. A. Macnie, C.M.G., O.B.E.

Mrs. Esther E. Dey.

The Speaker read prayers.

The minutes of the meeting of the Council held on Friday the 4th of June, 1954, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

LEAVE TO MR. GAJRAJ AND MRS. DEY

Mr. Speaker: I have to announce that the hon. Mr. Gajraj has been granted leave as from June 12. He is on public business to attend the Oils and Fats Conference in Barbados.

Mrs. Dey, I should also state, has asked to be excused from attendance today, as she is indisposed.

REPORTS AND DOCUMENTS

The Financial Secretary laid on the table the following documents:

The Report of the Directors of the New Widows' and Orphans' Fund for the year 1952.

The Member for Labour, Health and Housing (Mr. Cummings) laid on the table the following document:

The Report of the Department of Labour for the year 1952.

CORRECTIONS IN B.G. CREDIT CORPORATION BILL

Mr. Speaker: Before proceeding with the Order of the Day, I would ask the hon. Mover of the Credit Corporation Bill to move that certain minor imperfections which appeared in the Bill and were only discovered after the third reading had been taken, be made clear. As we all should be aware, after the third reading of a Bill has been taken it is not possible to effect alterations, but I think that ruling only affects questions of policy. No alteration

should be made in the text of these instruments in so far as it affects policy, after they have passed the third reading. These are merely verbal errors, however, such as the substitution of one word for another and so on. If hon. Members would look at the nature of the corrections when they come up, they would see that no harm could be done by passing them. It would mean that the Bill might have to be scrapped and be re-introduced if they are not made. I would therefore ask the hon. Mover of the Bill to move that these alterations be allowed. Has the hon. Member got them?

Sir Frank McDavid: I have got them, Sir. I am entirely in your hands as regards the "constitutionality" of the procedure. May I ask whether I should move the suspension of the Standing Orders and take this as a motion?

Mr. Speaker: There is no rule, so far as I know, governing this subject.

Sir Frank McDavid: I know that a bill cannot be re-introduced within six months. In accordance with your Honour's advice I wish to draw to the attention of the Council a statement which sets out certain verbal alterations which are necessary in this Bill which was passed at the last meeting. I am going to ask the Council to make a note of them and approve of these amendments being made in the printed Bill. I hope that that record would be adequate.

Mr. Speaker: I would like you to allow a short interval of time to elapse in order that we might check the alterations. I think you had better do that.

Sir Frank McDavid: I am sure hon. Members do not wish to question Your Honour's ruling on the necessity for these minor amendments which, in some cases, are merely verbal.

Mr. Speaker: I think that you might formally move that the Council go into Committee to consider them. It is quite possible that some Member might question one or more of them later.

Sir Frank McDavid: I thought that having approached this matter by drawing the attention of the Council to the alterations and indicated that these changes will be made in the printed Bill, that would have been sufficient. Indeed, I would have no cause to move that the Council resolve itself into Committee to consider them, but I shall ask Your Honour's approval merely to indicate that these alterations will be made in the printed Bill.

Mr. Speaker: Suppose somebody wants to protest against the spelling of the word "Chairman" with a common "c", for instance? It is not necessary to take the vote on things like these, however.

Sir Frank McDavid: We cannot, Sir. I ask Council to accept the suggestion that these alterations be made in the printed copy of the Bill.

Mr. Speaker: I will put that to the Council. Those in favour of the alterations being made in the printed Bill will say so.

Question put, and agreed to, the alterations being as follows:—

In Clause 2(1) The words "chairman" and "deputy chairman" to commence with capital instead of common letters.

The figure "2" to be substituted for the word "two" in the second line of the definition of the term "statutory claims".

In clauses 8(10), 14(2), (3), (4), (4) (a), 15, 16(1), 17, 19(1), (2), 21(1), 23, 24(b), 24(c) (iv), 31(2), 49(a), (d), 52(1), 54, 53(1) (a), 20(1) (g) and (h).

Substituted—the word "its" for the word "their."

In Clauses 12(2), (3), 23, 25, 27(a), (b), 28(a), 31(b).

Substituted—the word "it" for the word "they".

In Clause 12(3), 14(4) (a), 16(1), 21(1), 24(a), (b), 27(a).

Substituted—the words "the Corporation" for the word "them".

In Clauses 32, 36.

Substituted—the words "the Corporation" for the word "they".

In Clauses 12(2), (3).

Add "s" to the word "think".

FRIENDLY SOCIETIES (AMENDMENT) BILL

COUNCIL IN COMMITTEE

Council resolved itself into Committee to consider the Bill intituled:

"An Ordinance further to amend the Friendly Societies Ordinance."

Clause 3.—*Amendment of Section 10 of the Principal Ordinance.*

Mr. Bobb: It is suggested that there should be an amendment to this clause by the addition of the words "with the approval of the Registrar." The idea behind this suggestion is that there are some societies which will come under this legislation, namely, the Ancient Order of Foresters, which have special forms, and it is wondered whether the intention is to make any drastic change in the forms. It is thought that, with the approval of the Registrar, those organizations may continue to use their forms and still satisfy the requirements of that section of the Ordinance. I do not know whether the hon. Chief Secretary will approve of the addition of the words suggested.

The Chief Secretary: I think I can set the hon Member's mind at rest,

[The Chief Secretary]

If the forms referred to are considered suitable by the Registrar their continued use would be permitted. I can give the hon. Member that assurance on behalf of the Registrar—that he will allow forms to continue to be used as long as he is satisfied that they are proper.

Mr. Bobb: I am quite satisfied with that assurance.

Clause 3 agreed to.

Clause 4.—*Amendment of Section 12 of the Principal Ordinance.*

The Chief Secretary: As hon. Members will notice, the Bill has been badly printed. The next paragraph, which is not numbered, should be numbered clause 4—the clause we are now considering. I would like to move an amendment by the insertion of the words “and which they desire should be so registered” after the word “Ordinance” and the comma in the third line. I am afraid hon. Members will find it very difficult to follow the amendments, because they have not copies of the Principal Ordinance, but I will do my best to make them clear. Section 12 of the Principal Ordinance reads:

“12.—(1) Where any number of persons not less than seven have established or intend to establish a society which may be registered under this Ordinance, and which they desire should be so registered, they shall make application in writing to the registrar for that purpose.”

That is clearly only appropriate to voluntary registration, but since we are now introducing compulsory registration that section will be altered, if this amendment is accepted, and will then read:

“Where any number of persons not less than seven have established or intend to establish a society to which this Ordinance applies, and which they desire should

be so registered, they shall make application in writing to the registrar for that purpose.”

Clause 4, as amended, agreed to.

Clause 4, as printed, renumbered 5.—*Insertion of new section 12 A in Principal Ordinance.*

The Chief Secretary: Clause 4, as printed, will now become clause 5. There are some slight amendments proposed on page 2. In sub-clause (6) the word “it” has been omitted between the words “and” and “shall” in the seventh line, and in the third line from the end of that sub-clause the words “and Supervision” should be deleted, because later on in the Bill we are proposing that this fund should not be called an Audit and Supervision Fund. Objection has been taken to the words “and Supervision.” It should be just an Audit Fund. With all due respect to the legal draughtsman I would suggest that the words “not exceeding such sum” at the end of the sub-clause should be deleted.

Clause 5, as amended, agreed to.

Mr. Speaker: I take it that all the remaining clauses will be renumbered in consequence of the renumbering of clause 4 as printed.

The Chief Secretary: It is not quite that. After clause 11, as printed, which of course will become clause 12, I propose to insert a new clause 13. So that clause 12, as printed, will become clause 14.

Clause 6, renumbered 7.—*Amendment of section 26 of the Principal Ordinance.*

Mr. Sugrim Singh: Paragraph (e) (iv) provides that a society shall “keep a separate account of the expenses of management of the society and of all

contributions on account thereof." In the case of the Ancient Order of Foresters, a fraternity of over 80 years standing, and controlled by a central body, there is a prescribed form of keeping accounts. I do not know if the hon. mover would consider a proviso to exempt them from this provision.

The Chief Secretary: I believe the position is that both the District and the Courts of the particular organisation do keep such accounts. Therefore this clause will not impose any hardship on them, or put them out of order.

Mr. Sugrim Singh: With that undertaking I will not say anything more.

Paragraphs (b) and (c) of the re-numbered clause 7 were deleted and the following paragraph (b) was substituted:

"(b) by the substitution for subparagraph (a) of the following subparagraph—

- (vi) once in every year, before the first day of May, submit to the Registrar or any other person appointed to audit a general statement (to be called "the annual return") of the receipts and expenditure, funds and effects, of the Society, and the statement shall show separately the expenditure in respect of the several objects of the Society, and shall be made out to the thirty-first day of December then last inclusively;"

Clause 7, as amended, agreed to.

Clause 7 as printed, renumbered 8.

Clause 8—*Insertion of new sections 26A, and 26B in the Principal Ordinance.*

The Chief Secretary: In 26B (1) the word "of" has been left out in the printing between the words "out" and "the". I move that the word "of" be inserted there. I would like to put in a comma after the word "Registrar" in

(d), and in (f) the word "registry" in the sixth and seventh lines should read "registration." The word "registry" is all right, but it is archaic. Also I would like to put in a comma after the word "stand" in the eleventh line, and in (2) (a) I would like to put in another comma after the word "meeting", and to take out the comma after the word "thereafter" in the nineteenth line.

Question put, and agreed to.

Amendments adopted.

The Chief Secretary: The word "Registrar" in 26B (1) (d) should have a small "r".

Mr. Speaker: The Registrar is an official and the word should be written with a capital "R".

The Attorney-General: In the definition section of the principal Ordinance the expression "registrar" has a small "r".

Mr. Speaker: I think that should be altered.

The Chief Secretary: It has been there since 1893.

Mr. Correia: Section 26B (1) (a). reads:

"For the purpose of this section every society shall establish and maintain a Reserve Fund."

I would like the hon. Mover, if he can, to explain what would be the position of benevolent and charitable societies in regard to this clause.

The Chief Secretary: The hon. Member, Mr. Smellie, had raised this question before. Subject to what my learned friend on my right (The Attorney-General) may say, (b) states:

"When a society declares in any year the payment of a bonus..."

[The Chief Secretary]

I do not think benevolent and charitable societies declare bonuses, and therefore they are not subjected to what follows in the clause. This business of setting up a Reserve fund only applies to a society which declares bonus. There is no question of benevolent and charitable societies declaring a bonus; they collect funds for charitable purposes and distribute them.

Mr. Speaker: Do you want the clause recommitted?

Mr. Correia: No, Sir.

The Chief Secretary: My attention has been drawn to (c) which reads:

"Where in any year the society does not declare a bonus it shall out of the excess of revenue over expenditure in such year credit such Reserve Fund with a sum not less than five per centum of such excess."

I do not know whether that may cause any difficulty in the benevolent societies or whether any of them is in a position to have an excess of revenue over expenditure, but I am quite prepared to delete that provision. I understand the Registrar would not be opposed to such deletion.

Mr. Smellie: Which is the clause?

The Chief Secretary: I am on 26B (1)(c). I have just told the House that I thought the benevolent societies were in no danger under this clause.

Mr. Smellie: I think, if the hon. Mover is prepared to delete (c) the benevolent societies would be saved a lot of trouble.

The Chief Secretary: The Registrar assures me it would not weaken the operation of the Ordinance in any way.

Clause recommitted and (c) of 26B (1) deleted.

Clause 9.—*Limitations of office-holders.*

Miss Collins: Relative to the Treasurer, I am asking that what applies to the Secretary should be allowed to apply to him—to hold office in more than one society. In my opinion it is quite undemocratic, if I am in more than one society and the members of all those societies desire to have me as their Treasurer, to deny me that right. I should be allowed to apply to the Governor in Council for permission to hold those offices. I would ask this honourable Council to provide for an appeal to the Governor in Council in the case of a Treasurer holding office in more than one society. If he is an honest man and the members of more than one society want him as Treasurer of their societies he should be able to hold those offices.

The Chief Secretary: I am afraid I cannot catch what the hon. Member has said, but as she had been to see me on the subject I suspect I know what she has to say.

Miss Collins: I am asking that a Treasurer be allowed to hold such office in two or three or four societies. The members of a society should have the right to elect as their Treasurer whom they want, and I feel that it is undemocratic for us to deny them that right by having this provision: "*No person shall hold the office of Treasurer in more than one society*". He may be a member of three or more societies, and as the result of being a conscientious worker and discharging his duties honestly the members of these societies elect him as their Treasurer. I am asking this Council to have inserted in the clause a provision that he can apply

to the Governor in Council for permission to hold such offices.

Mr. Tello: Mr. Speaker, from what the last speaker has said, she seems to be seeking to move the deletion of 29A (2).

The Chief Secretary: I do not know if any other Member intends to speak on this point. This provision has excited a considerable amount of controversy and, much as I would like to meet the representations which have been made on this point, it is a very fundamental point and one which was stressed very strongly by Mr. and Mrs. Wells who carried out the survey. I will read the relevant paragraphs of their report. Paragraph 114 states:

"A noteworthy phenomenon is the practice of holding more than one office in the same society, or an office in more than one society. We came across this in almost every colony. The cause lies partly in the ignorance and apathy of ordinary members and their unwillingness to come forward and stand for office, or to take any continuous interest in the affairs of their societies. This has two consequences. In the first place, it leads to a shortage of officers. In the second place, the prevailing lack of supervision frequently makes it possible for, say, a Treasurer to obtain improper advantages from his office and therefore to find it profitable to hold more than one".

I may say that that is the burden of many of the representations addressed to me—a shortage of officers. In paragraph 118 they go on to say:

"The practice of holding more than one office in the same society is particularly to be deprecated, especially where the offices involve the holding of cash. We came across one large society which had recently suffered the loss of several thousand pounds through falsifications of an ex-Treasurer. One of the contributory causes was that this Treasurer was also a Collector for the same association. A Collector is an official whose duty it is to receive contributions

from members and to hand them over to the Treasurer. The holding of two such offices by the same individual invites fraud."

Then they go on to say in paragraph 121:

"In some colonies legislation, in force or projected, has made some effort to prevent abuses of this kind. The Trinidad Ordinance forbids a person to hold the office of Secretary and of Treasurer in the same society, or of Treasurer in more than one society. This was copied in the Grenada Bill of 1941."

I must regard this as a really fundamental point. I appreciate the difficulties of some of the societies in finding officers to fill these posts. The mere fact that there is a shortage of people to fill these posts is due to the prevalence of this practice of persons holding the same offices in more than one society. Mr. and Mrs. Wells did recommend that the immediate provision should be what we have got here in (2) and (3) of 29A. That is to say;

"(2) No person shall hold the office of Treasurer in more than one society . . ."

It does not matter so much the holding of the offices of President and Treasurer at the same time, and that is why we found it possible to make the concession that has been made in (1).

Mr. Bobb: I just want to refer to the last point made by the hon. Mover, and that is the acceptable concession of making it possible to have one person as both the President and the Treasurer in a society. Consequent upon that, I should like to refer to a situation in which a certain person who was President and Treasurer of the same society, had to take up an appointment as President and Treasurer of another society. Those were Church societies. The Minister I have in mind had to act for someone else and had, automatically, to act as President and Treasurer of the

[Mr. Bobb] other society. I am just wondering if such a situation were to arise again, how would it affect the operation of those societies? A man might be elected to be President and Treasurer of society "A" and, if he has to take an acting appointment, he automatically—under the rules of the Church—becomes the President and Treasurer of society "B". How will he become President and Treasurer of the two societies? If the intention of the hon. Mover is to allow this concession to operate for the future benefit of these societies, I wonder whether he would not consider the insertion of the words "with the permission in writing of the registrar", in clause 29A (3), as has been done in clause 29A (1).

This permission will have to be granted after very careful investigation, and I can see the force of the relevant argument that a person should not be allowed to hold the posts of President and Treasurer in more than one society. Consequently, in the case of the Secret Order known as the Ancient Order of Foresters, the Court has always been a branch of the District and the Treasurer of the District may well be the Treasurer of the Court. In other words, the Court is quite apart from the District. It is located in a certain area for the convenience of operations, and I think we should permit that practice to continue since there are other conditions to ensure that no malpractice will be overlooked. Here again we might consider the insertion of the same phrase in order to make it possible for these two situations to exist without doing violence to the spirit of the Ordinance. The paragraph—29A (1)—will read:

"No person shall hold both the offices of president and treasurer or secretary and treasurer of the same society thereof, without the permission in writing of the registrar."

Mr. Sugrim Singh : I wish to say that as regards clause 29A. (2), I agree with the hon. Mover that it is fundamental, and that is supported by the report which really covers the situation. In supporting the argument of my hon. Friend (Mr. Bobb) I would say that this clause, in preventing a person from holding the offices of president and treasurer in more than one society, would create a definite hardship on this fraternity—the Ancient Order of Foresters. My hon. Friend has also pointed out that in this fraternity there is a local governing body known as the District, and then there are Courts which are branches of the District. They are registered independently under the Friendly Societies Ordinance, but they are, in fact, one society. It is required that the Treasurer and the Secretary should sign a bond in each case of registration, and very often the Treasurer of a Court is also the Treasurer of the District—the main body.

In certain legal documents one might find himself signing in two different capacities—as Treasurer of a Court and also as Treasurer of the District. Therefore, this clause, fundamental as it is, might create a hardship on a body like the Ancient Order of Foresters. I do not know whether the hon. Mover of the Bill will accept the amendment (suggested by Mr. Bobb) and allow an exception in a case where a Court is a branch of the District. Otherwise, this provision would preclude the treasurer of a Court from holding the post of treasurer of the District. It would be a denial of a democratic right.

Mr. Ramphal: The hon. the Chief Secretary accepts the fundamental importance of this clause and, as regards the Ancient Order of Foresters, I am pretty positive that they are far more capable of finding alternative officers

than the friendly societies that will be affected also. Therefore, if there is any disadvantage it would not be on the side of the Foresters. While I am on my feet, I would like to refer to another point made by the hon. Member (Mr. Sugrim Singh) when he referred to this clause as creating a denial of a democratic right by imposing a restriction of this kind. I just want to say that restrictions are not always a denial of democratic rights. In some cases they are really a demonstration of the highest principles of democracy. In this case due precaution is being taken to preserve the principles of democracy.

The Chief Secretary: I should like to say that I have studied the representations made by the secret societies very sympathetically indeed, and they have caused me some anxiety over a long period. As the last speaker has said, it is reasonable to believe that these secret societies draw their membership from among people who are more well-to-do than members of some of the other societies, and for that very reason I feel that they are in a position to fill these posts more easily than the other societies. I do not think there is any difficulty in their case, and I wish I could think of a nicer word for what is behind their objection than that of "prestige". I do hope however that it will not be felt, that I am criticising them in any way.

We all have these things which we are not anxious to give up. If the Treasurer of a Court has a prospect of becoming the Treasurer of the District, he would not be anxious to give up the office of Treasurer of a Court, but that does not seem to me a strong enough argument for amending these provisions in the law which it is proposed to introduce. Once you

start to make exceptions, you weaken the provisions of the law fundamentally, and you end up by defeating the full purpose you set out to achieve, which is to protect the money belonging to the members of the society.

The hon. Member, Mr. Bobb, was arguing in the interest of the Churches but, as the matter stands, it will be seen that we have gone some of the way to meet him by amending clause 29A. (1). I do not think we can go any further than that. Where a Minister who is President and Treasurer of one society has been appointed to act in another area and would thus hold similar posts in another society, then other arrangements would have to be made by the authorities concerned, since he could not hold the posts of President and Treasurer in two societies. I am not suggesting that there would be defalcations or anything of the kind, but it is a question of undermining or weakening the provisions of the law by making exceptions. As my hon. Friend has just pointed out, we are in the same position here as the people in Trinidad and other places, and I hope that hon. Members will not press me further on this point. As I said at the start, it is a fundamental point.

Mr. Speaker: I cannot quite appreciate whether the hon. Member, Miss Collins, handed over her amendment. She has been trying to get an explanation of the printed clause.

Miss Collins: Yes, Sir. I have submitted an amendment.

Mr. Speaker: You are getting all the protection of the statute and you should agree to this.

Miss Collins: I am asking for an amendment of clause 29A.

Mr. Speaker: As far as I can gather the hon. Member, Miss Collins, has moved the addition of the words "except with the approval of the Governor-in-Council" at the end of subparagraph (2).

The Committee divided on clause 9 as amended and voted:

For *Against* :

| | |
|---------------------|-----------------|
| Mr. Jailal | Mr. Singh |
| Lt. Col. Haywood | Miss Collins |
| Dr. Fraser | Mr. Correia |
| Mr. Rahaman | Mr. Raatgever—4 |
| Rev. Bobb | |
| Mr. Carter | |
| Mr. Phang | |
| Mr. Ramphal | |
| Mr. Lord | |
| Mr. Tello | |
| Mr. Gajraj | |
| Mr. Smellie | |
| Mr. Farnum | |
| Mr. Kendall | |
| Mr. Cummings | |
| Sir Frank McDavid | |
| Financial Secretary | |
| Attorney-General | |
| Chief Secretary—19 | |

The Chief Secretary: With regard to paragraph 29B. (3) I think the sentence "A person shall be disqualified for being elected..." should read "... disqualified from." Apparently, "for" is legal English.

Mr. Speaker: My view is that "from" is the proper word. A person is qualified *for* but disqualified *from*.

The Attorney-General: In the Trinidad Ordinance the same legal English is used. It has been approved by the Secretary of State's legal advisers.

Mr. Speaker: It is a matter for the Council.

The Chief Secretary: I think I must accept the advice of my learned colleague in the matter.

Mr. Speaker: The sub-clause will stand as printed.

The Chief Secretary: I am not acquiescing in the idea that in the matter of English we must follow Trinidad.

Clause 9, as amended, agreed to.

Class 10, renumbered 11.—*Amendment of section 45 of the Principal Ordinance.*

The Chief Secretary: I move the deletion of the words "and supervision" in the ninth line of sub-clause (b) (2).

Clause 11, as amended, agreed to.

Clause 11, renumbered 12.—*Inspection of societies' premises.*

The Chief Secretary: I move the insertion of the word "temporarily" after the word "office" at the end of paragraph (a) of clause 45C (1) in order to make it clear that as soon as a society is in position to do so it could replace a temporary officer with another of its own choice.

Clause 12, as amended, agreed to.

New Clause 13.—*Amendment of section 21 of the Principal Ordinance.*

The Chief Secretary: I propose the insertion of a new clause to be numbered 13, as an amendment of section 51 of the Principal Ordinance. This is merely to fill a hiatus in the existing Ordinance in which something was left out in error in 1893. Section 51 reads:

"51.—(1) Any officer of a registered society, or any person on behalf of a registered society, who—

- (a) uses any seal purporting to be the seal of the society, whereon its name is not so engraved as hereinbefore provided; or
- (b) issues or authorises the issue of any notice, advertisement, or other official publication of the society, or signs or authorises to be signed on behalf of the society any bill of exchange, promissory note, indorsement, cheque, or order for money or goods; or
- (c) issues or authorises the issue of any bill of parcels, invoice, receipt, or letter of credit, of the society, wherein its name is not mentioned in manner aforesaid..”

The words “wherein the name of the society is not mentioned” have been left out in paragraph (b), therefore anybody who signed anything on behalf of a society has up to now been committing an offence. An offence should only be committed when a person signs without the name of the society being mentioned in the manner provided. I move the insertion of a new clause 13 which reads:

Section 51 of the Principal Ordinance is hereby amended by the substitution for paragraphs (b) and (c) thereof of the following paragraph:—

“(b) issues or authorises the issue of any notice, advertisement, or other official publication of the Society, or of any bill of parcels, invoice, receipt, or letter of credit, of the Society, or signs or authorises to be signed on behalf of the Society any bill of exchange, promissory note, endorsement, cheque, or order for money or goods, wherein the name of the Society is not mentioned in the manner hereinbefore provided.”

Clause 13 agreed to.

Clause 17—*Audit and Supervision Fund.*

Mr. Correia: I am very anxious about this clause and its effect on Ben-

evolent and Charitable Societies. The proposed section 62 (1) reads:

“There shall be constituted a fund to be known as the Friendly Society’s Audit and Supervision Fund, and every society shall, when called upon to do so by the registrar, make annually a contribution to such fund.”

If this section is passed as it is, the Benevolent and Charitable Societies would be compelled to have their books audited and to contribute to this Audit Fund. I do think there should be an amendment to allow the Benevolent and Charitable Societies to be excluded from this clause.

The Chief Secretary: This clause only says that Friendly Societies shall, when called upon to do so by the Registrar, make an annual contribution to such fund. The Registrar has assured me that where a benevolent society has already made arrangement for the audit of its accounts by some suitable person, there would be no question of making it contribute to this fund, provided the arrangement meets with his satisfaction he would allow that society to continue as it is now doing. Most of the benevolent and charitable societies get someone to audit their accounts voluntarily and, provided the Registrar is satisfied that the arrangement made is appropriate, he would not call upon them to contribute to this fund.

Mr. Correia : I am satisfied with the hon. the Chief Secretary’s statement that the Registrar will not insist on the application of the clause to the Benevolent and Charitable Societies.

The Chief Secretary: The words “and Supervision” should be taken out of the clause and the marginal note. I want to assure all hon. Members that the Registrar is not out to impose addi-

[The Chief Secretary]
tional expenses on the societies if it can be avoided. He is out to help them in every way. There is no question of making benevolent societies contribute to this audit fund.

I propose the insertion in section 64 of the words "subject to the approval of the Registrar" between the words "and the rules" in the fourth line.

Amendments put, and agreed to.

Clause as amended passed.

Council resumed.

The Chief Secretary: With the consent of Council I beg to move that this Bill be now read a third time and passed.

The Attorney-General seconded.

Question put, and agreed to.

Bill read a third time and passed.

At this stage—4 o'clock—the Council was adjourned to Thursday, 17th June, 1954, at 2 p.m.