

THE  
PARLIAMENTARY DEBATES

OFFICIAL REPORT

[VOLUME 1]

PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE  
FIRST LEGISLATURE CONSTITUTED UNDER THE  
BRITISH GUIANA (CONSTITUTION)  
ORDER IN COUNCIL, 1961

*2nd Sitting*

*Friday, 3rd November, 1961*

**SENATE**

*The Honourable Senate met at 8.30 a.m.*

*Prayers*

**[The President in the Chair]**

*Present:*

*Appointed under Article 47 (2) (a):*

**His Honour the President, Senator Ashton Chase.**

**Senator the Honourable H. J. M. Hubbard**, Minister of Trade and Industry

**Senator the Honourable C. V. Nunes**, Minister of Education and Social  
Development

**Senator C. V. Christian**

**Senator M. Khan**

**Senator C. S. Persaud**

**Senator Christina Ramjattan**

**Senator H. Thomas**

*Appointed under Article 47 (2) (b):*

**Senator Anne Jardim**

*Appointed under Article 47 (2) (c):*

**Senator A. G. Tasker, O.B.E.,**

**Senator C. V. Too-Chung.**

Mr. I. Crum-Ewing—Clerk of the Legislature

Mr. E. V. Viapree—Assistant Clerk of the Legislature.

## ANNOUNCEMENTS BY THE PRESIDENT

## PAPERS LAID

### BILLS FROM THE LEGISLATIVE ASSEMBLY

**The President :** I have to announce to Members of the Senate that I have received from the Speaker of the Legislative Assembly a letter requesting us to consider two Bills which have been passed by that Assembly. The Bills are, firstly, a Bill intituled: "An Ordinance to amend the Interpretation Ordinance", and, secondly, a Bill intituled: "An Ordinance to regulate the receipt, control and disbursement of public moneys, to provide for the audit of the accounts in relation thereto, and to provide for other matters connected with or incidental to the purpose aforesaid".

These Bills were passed by the Legislative Assembly at its meeting on the 1st November, 1961, without amendment. The first Bill, the Interpretation (Amendment) Bill, will be introduced by the hon. Minister of Education and Social Development, Senator Nunes, and the second Bill, the Financial Administration and Audit Bill, will be introduced by the hon. Minister of Trade and Industry, Senator Hubbard.

## PRESENTATION OF PAPERS AND REPORTS

### THE GOVERNOR'S ADDRESS

**The President:** I have pleasure in laying before Members of the Senate the Address by His Excellency the Governor on the occasion of the opening of the Legislature on Friday, 6th October, 1961. Copies of the Address have already been circulated to Members of the Senate. I shall instruct the Clerk, on our behalf, to write His Excellency the Governor and thank him for the Address.

The following Papers were presented:

Report of the Directors and Statement of Accounts of the British Guiana Rice Development Company, Limited, for the year ended 31st August, 1960.

Report of the Trustees of the Mitchell Trust Fund for the year 1960, together with the Financial Statements and the Director of Audit's Certificate thereon.

Fisheries (Manatee Control) Regulations, 1961 (No. 13).

Annual Report of the Commissioner of Local Government for the year 1960.

Annual Report of the British Guiana Fire Brigade and Ambulance Service for the year 1960.

Report of the Director of Audit on the Accounts of the Lethem Trade Store for the years ended 6th January, 1959, 6th January, 1960 and 6th January, 1961.

Report of the Director of Audit on the Accounts of the Kamarang Trade Store for the year ended 31st December, 1960.

Reports of the Georgetown Planning Commissioners for the following periods :

1st February, 1959 to 31st July, 1959.

1st August, 1959 to 31st January, 1960.

1st February, 1960 to 31st July, 1960.

1st August, 1960 to 31st January, 1961.

1st February, 1961 to 31st July 1961.

Report and Statement of Accounts of the Trotman Trust Fund for the year 1960, together with the Director of Audit's Certificate thereon.

Annual Report of the Comptroller of Customs and Excise for the year 1960.

Report of the Director of Audit on the Accounts of the British Guiana Post Office Savings Bank for the year ended the 31st December, 1960.

Report of the Supreme Court and Deeds Registry for the year 1960.

[Minister of Trade and Industry].

**The President:** These Reports have been duplicated and are available to Members of the Senate at any time at the office of the Legislature.

## PUBLIC BUSINESS

### CONTINUANCE OF COMMISSIONER OF TITLE (ADDITIONAL POWERS) ORDINANCE

#### MOTION

"Be it resolved: That the Commissioner of Title (Additional Powers) Ordinance, 1960, shall continue in force for a period of one year up to and including the 4th November, 1962".

[Minister of Trade and Industry].

**Senator Hubbard, (Minister of Trade and Industry):** The work of the Commissioner of Title has extended beyond the period originally contemplated, and since this work is considered essential, it is desirable that the powers of the Commissioner should be extended. I therefore move:

Whereas the Commissioner of Title (Additional Powers) Ordinance, 1960, was enacted on the 3rd November, 1960 and came into force on the 5th November, 1960, by publication in the Official Gazette;

And Whereas section 4 of the said Ordinance construed in accordance with section 20 of the British Guiana (Constitution) Order in Council, 1961, provides that the Ordinance shall have effect for a period of one year from the date of its coming into force, and may, prior to its expiration, be extended by resolution of the chambers of the Legislature for a further period not exceeding one year;

And Whereas the said Ordinance will continue in force until the 4th November, 1961;

And Whereas it is considered desirable that the said Ordinance shall be continued in force for a further period of one year:

Now, Therefore, Be It Resolved that the Commissioner of Title (Additional Powers) Ordinance, 1960, shall continue in force for a period of one year up to and including the 4th November, 1962.

**Senator Tasker:** I am sure that none of us will quarrel with the object of this Motion. I would like to record, however, the hope that in this new Legislature we are going to be on our guard against what has been in the past almost automatic renewal year after year of certain of these Ordinances. The hon. Minister has told us that the work of the Commissioner of Title has taken longer than expected, and therefore provision needs to be made to continue him in office. This is fair enough. What one asks, however, is how much longer is he likely to be needed for? May he, perhaps, not be needed indefinitely? May there not be a place in the proper laws of our country for a title of this sort; in which case should not the Government be invited to bring forward, in advance of the next period, more solid legislation, or else abandon it? That is the point I wish to make, and I personally have nothing but congratulations for the work which has been done. But I do feel there is a strong question of principle involved, which this Senate should consider very carefully on every occasion that it is invited to continue an Ordinance automatically, as it were, for any period.

8.40 a.m.

**Senator Hubbard:** Sir, the Government will certainly take note of the question of principle raised by the hon. Senator, Mr. Tasker. I think, though, that we should, in considering this Motion, distinguish between the original powers of the Commissioner of Title and the extraordinary powers which the Additional Powers Ordinance gives him.

This Motion is merely to continue his extraordinary powers until such time as they are no longer necessary. I, myself, am fully in agreement with the points made by the hon. Senator and I can assure him that I believe that my colleagues are in agreement also. I, therefore, give the assurance that wherever it is necessary we will take steps to make legislation permanent.

**The President:** Senators, I shall put the Motion to the House, which is:

“Be it Resolved, that the Commissioner of Title (Additional Powers) Ordinance, 1960, shall continue in force for a period of one year up to and including the 4th November, 1962”.

*Question put, and agreed to.*

*Motion carried unanimously.*

### ADJOURNMENT

**Senator Hubbard:** I beg to move that this House do now adjourn to 2 p.m. on Thursday next when the hon. Minister of

Education and Social Development (Senator Nunes) will introduce his Motion on Independence.

**The President:** It is proposed by the hon. Minister of Trade and Industry that we adjourn to Thursday next to consider a Motion which the hon. Minister of Education and Social Development will introduce. The hours of sitting next Thursday will be from 2 p.m. to 4 p.m. with a half-an-hour break; and from 4.30 p.m. to 6.30 p.m. and, if necessary, from 8 p.m. to 10 p.m. At the break from 4 p.m. to 4.30 p.m. tea will be served.

*Adjourned accordingly at 8.50 a.m.*