

LEGISLATIVE COUNCIL

THURSDAY, 31ST OCTOBER, 1946.

The Council met at 2 p.m., the Hon. E. G. Woolford, O.B.E., K.C., Deputy President, in the Chair.

PRESENT

The Deputy President, the Hon. E. G. Woolford, O.B.E., K.C., (New Amsterdam).

The Hon. the Colonial Secretary, Mr. W. L. Heape, C.M.G.

The Hon. the Attorney-General Mr. F. W. Holder.

The Hon. the Colonial Treasurer, Mr. W. O. Fraser (acting).

The Hon. C. V. Wight (Western Essequibo).

The Hon. H. N. Critchlow (Nominated).

The Hon. Dr. J. B. Singh, O.B.E., (Demerara-Essequibo).

The Hon. J. Gonsalves, O.B.E., (Georgetown South).

The Hon. Peer Bacchus (Western Berbice).

The Hon. C. R. Jacob (North-Western District).

The Hon. T. Lec (Essequibo River).

The Hon. C. P. Ferreira (Berbice River).

The Hon. T. T. Thompson (Nominated).

The Hon. G. A. C. Farnum (Nominated).

The Hon. H. Rahaman (Nominated).

The Hon. J. A. Veerasawmy (Nominated).
The Clerk read prayers.

The minutes of the previous meeting of the Council held on the 25th October, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

ACQUISITION OF PLNS. CANE GROVE AND LA BONNE MERE

The COLONIAL SECRETARY (Mr. Heape) communicated the following Message :—

MESSAGE No. 11.

Honourable Members of the Legislative Council.

The Council's attention is invited to the situation arising out of the decision of Messrs Booker Bros., McConnell and Company, Limited, to discontinue sugar production at Plantation Cane Grove, East Coast Demerara, and to dispose of that property and of the adjoining plantation of La Bonne Mere.

2. On the 21st February, the firm informed Government of its intentions in order that consideration might be given to the urgent question of providing for the resident and dependent population of the area, and in consequence a Survey Committee, comprising Mr. C. H. B. Williams (Chairman), Mr. G. O. Case, and Mr. F. St. M. Gerrard, was appointed to report on the matter. After visits to the area, consultations with the owners and with a representative body of local residents, and studying the results of surveys of the population, land levels, etc., the Committee has reported that:

With the cessation of sugar production at Plantation Cane Grove, the area, if left to itself or allowed to fall into the hands of undesirable landlords, would deteriorate rapidly; some 2,700 persons to whose livelihood estate wages contributed a quarter million dollars in 1945 would be reduced to the verge of destitution; the drainage of Virginia Village would be crippled, and that of the neighbouring Mahaica-Helena-Supply area endangered.

Accordingly, the Committee recommended that Government should:

- (a) purchase Plantations Cane Grove and La Bonne Mere,
- (b) recondition the drainage and irrigation to provide gravity drainage for 3,187 acres of residential and arable land and 4,229 acres of pasture, and
- (c) establish a land settlement in accordance with the principles approved by the Legislative Council in December, 1943.

The Committee also advised that a portion of the area should be reserved for the establishment of a branch of the

Government Stock Farm, and that with the provision of a pasture area as in (b) above, it would be unnecessary, at present, to proceed with the proposal to effect pasturage improvements in the Mahaica-Clonbrook area with funds provided from the Local Development Trust Fund.

3. Messrs. Booker Bros., McConnell and Company, Limited, are agreeable to disposing of Plantation La Bonne Mere (1,000 freehold acres together with the erections thereon) for \$60,000. In addition, the firm has offered to hand over Plantation Cane Grove cum annex (3,984 freehold acres) to Government for the nominal purchase price of \$100. This offer does not include any of the buildings or plant or drainage equipment or machinery on the plantation, but does include the labourers' ranges and cottages and the hospital; the items excluded are, however, available for acquisition by Government at a valuation to be agreed on. The additional areas held by the firm under lease and licence of occupancy bring the total acreage to be transferred and capable of utilisation to 7,410 acres, including 78 acres freehold land in Virginia Village which are to be brought within the scheme.

4. The Consulting Engineer's branch of the Public Works Department estimates that gravity drainage capable of disposing simultaneously of 2 inches of rainfall per day from 3,187 acres of arable land and 1 inch per day from 4,223 acres of pasture land can be established at a cost of \$303,000. It is therefore estimated that for a total outlay of \$363,100 Plantations La Bonne Mere and Cane Grove can be acquired, the drainage reconditioned, the main pasture area fenced, and the necessary cattle bridges erected. Later, an estimate of the cost of other buildings, equipment, etc., which may be required will be prepared.

5. It is proposed that as much of this sum of \$363,100 as possible should be provided from the local Development Trust Fund and the balance thereof and any other sum required for completing the layout for land settlement estimated at \$240,000 to be obtained from the general revenue of the Colony.

6. I now invite the Council to approve of the preliminary proposals here outlined, and of expenditure from the local Development Trust Fund as proposed in paragraph 5 above.

GORDON LETHEM,

Governor.

GOVERNMENT HOUSE,
British Guiana,
25th October, 1946.

GENERAL ELECTIONS.

The ATTORNEY-GENERAL (Mr. Holder) : Mr. Deputy President, I have an announcement to make in connection with the General Elections. Government has now received information from the Government Printers that it will not be possible to complete the printing of the Voters' Lists before December at the earliest. This must postpone inevitably the dates of the Elections, and as soon as possible an Amending Bill will be introduced.

Government has been considering the question of sending the Voters' Lists for printing to Trinidad or Barbados, but there are very serious objections to such a course. The Lists will have to be revised, and Members will have to appreciate the acute difficulty of carrying out such revisions when the printers are in another Colony. After most careful consideration in Executive Council, it is the unanimous advice of Members that the Lists should be printed by the Government Printers in this Colony, and further that the printing of the urgent legislation which is now in their hands, such as Workmen's Compensation, Factories, Landlords and Tenants, etc.,—Bills of some length—should not be interfered with. I hope Members will endorse this position.

I may also add for the information of Members that I have received the full number of returns in connection with claims laid with the Registering Officer. Hon. Members will recollect that there were three Lists outstanding when I last gave the information, and they were : Eastern Demerara—6,444; Demerara River—5,716 and Demerara-Essequibo—2,732, making the total of the claims laid in all the Electoral Districts of the Colony, 59,369.

The Voters' Lists for the North-Western District, Essequibo River and New Amsterdam have been printed, revised and returned to the Printers for final striking off. The List for Berbice River is now being delivered to the Printers. The remaining Lists will be handed over to the Printers who, as I have already announced, have stated that they are unable to complete the printing before December.

I may also add that in the meantime the Elections Officer has been getting in all

the lists of probable polling stations required for each district. It will be appreciated that some of these polling stations will require more than two or three booths, and the Public Works Department is already engaged in making ballot boxes and booths.

The DEPUTY PRESIDENT: There is a feeling in some quarters that the Government or other persons, who may or may not be interested as those people think, are keeping back or in some way are hindering the publication of the Voters' Lists. That declaration is made to disprove that. Every effort is being made to fix the date for the General Elections, but it is absolutely necessary that the Lists be brought up to date. I again wish to remind not only Members but the general public that even when the Lists are published there may be objections on the part of electors which will mean a revision by the Revising Barrister and the objections carefully considered. One can never anticipate what may happen. When Government announced that it intended to hold the General Elections in February, that was conditional on these other matters which have to be done under the law. I am glad that Government has stated that and I hope Members of Council agree with the course that is being taken.

PAPER LAID

The COLONIAL SECRETARY laid on the table the following document:—

The Twenty-Sixth Annual Report of the Imperial War Graves Commission.

GOVERNMENT NOTICES

ACQUISITION OF PLNS. CANE GROVE AND LA BONNE MERE

The COLONIAL SECRETARY gave notice of the following motion:—

"That with reference to the Governor's Message No. 11 of the 25th October, 1946, this Council approves of the proposals outlined therein and of provision of a sum of \$365,100 as set out in paragraph 5 of the Message."

NOTICE OF QUESTIONS.

D'URBAN PARK FOR HOUSING SCHEME

Mr. G. A. C. FARNUM gave notice of the following questions:—

1. Is it a fact that the land known as

D'Urban Park was a gift to the inhabitants of the Colony?

2. Is it a fact that Government has leased D'Urban Park to the Demerara Turf Club Ltd.? If the answer is in the affirmative, please state: (a) date lease will expire; (b) whether lessors have the right of renewal.
3. Whether Government considers D'Urban Park a suitable site for a housing scheme for persons of the working classes, due to the largeness of area wherein a larger number of buildings could be erected, and its proximity to existing amenities.

ORDER OF THE DAY.

QUARANTINE BILL, 1946.

Council resumed consideration in Committee of a Bill intitled:—

"An Ordinance relating to quarantine and similar matters".

The ATTORNEY-GENERAL: Mr. Deputy President, as Hon. Members will recollect, the Quarantine Bill was introduced in this Legislative Council on the 6th June and was read the first time on that day. On the 20th June it was read a second time and all the clauses passed in Committee. On my suggestion the Bill was allowed to remain in Committee so that the views of the Secretary of State for the Colonies might be obtained before the Bill was finally passed. The Secretary of State has communicated his comments on the Bill which is now in the Committee stage, and in consequence of those comments I shall ask leave to move that the Council resolve itself into Committee to consider the Bill and deal with the amendments suggested.

Question put, and agreed to.

COUNCIL IN COMMITTEE

The ATTORNEY-GENERAL: The amendments by the Secretary of State which we have received are not very many. I have not circulated them to Members as they are rather consequential. The first one is in the Bill itself. It is only a printer's error in clause 5 (2)—the word "matters" being spelt with three t's. We have to exercise care in our printing. The second amendment is in the First Schedule after the Bill itself in the Interpretation

clause—definition of “deratisation certificate.” The regulations now are not 27 and 28. That should be amended to read “regulations 26 and 27”. Regulation 18, it has been suggested, should be deleted along with Schedule D and, therefore, I ask leave to delete Regulation 18. Consequential on the deletion of Regulation 18, the Regulations from 19 to 54 will have to be re-numbered as Regulations 18 to 53. Then in the marginal note to Regulation 29 as printed and in the Regulation itself substitute “Schedule E”. In Regulation 45 as printed substitute “36” for “37” and “38 or 41” for “39 or 42”. Those are consequential on the re-numbering. After the Schedule to the Declaration in the First Schedule.—Schedule A, on page 20—it is suggested in the comment of the Secretary of State that the Instructions be added. I have printed the Instructions for the benefit of Members and I may read them. They are :—

“The master of a ship coming from a port outside the Colony must ascertain the state of health of all persons on board, and fill in and sign the Declaration of Health in the foregoing pages. The master should send an International Quarantine Message either direct to the Visiting Officer or through the agent. The message may be in “clear” or in “code” and must be sent within the time specified in the Code.

“The message must contain such of the items as are appropriate of the Standard Quarantine Messages (included in the Medical Section) of the 1931 Intercolonial Code of Signals (pages 229 to 232 British Edition.)

“If the ship is not fitted with wireless, the appropriate signal must be hoisted on arrival.

“The master should take all steps necessary to ensure that no persons other than a pilot and his leadsmen shall board or leave the vessel without the permission of the Health Officer until pratique has been granted.”

Those are the Instructions which we have been advised should be included in the Bill. Further amendments consequential on the deletion of Regulation 18 are the deletion of Schedule D, as I have said before, the re-numbering of Schedule E as Schedule D, and the substitution of Regulations 2, 26, 27 and 28 for Regulations 2, 27, 28 and 29 in the marginal note. Then

there is one last amendment with regard to the Second Schedule,—the insertion in Regulation 23 (c) between the word “persons” and the word “suspected” of the following :—

“(other than persons holding a valid yellow fever certificate) who are”.

The CHAIRMAN : We will proceed with the Bill clause by clause. This is an international matter and so we will have to accept what we are told to do.

Clause 5 — Power to make Rules.

The ATTORNEY-GENERAL : The word “matters” is spelt with three t.’s in the fourth line of subclause (2) and I move the deletion of one “t”.

Question put, and agreed to.

Clause 5 passed as amended.

Part IV — Provisions as to ships departing.

The ATTORNEY-GENERAL : I have already indicated that it is proposed to delete Regulation 18 and I beg to move that that be done.

Amendment put and agreed to.

Regulation 18 deleted.

Part V—Miscellaneous provisions as to ships arriving and in Port.

The ATTORNEY-GENERAL : There are certain amendments consequential on the deletion of Regulation 18, and I beg to move that they be made as follows :—

(a) Regulations 19 to 54 re-numbered as regulations 18 to 53;

(b) In marginal note to regulation 29, and in the regulation, for “Schedule E” substitute “Schedule D”;

(c) In regulation 45, for “37” substitute “36”, and for “39 or 42” substitute “38 or 41”.

FIRST SCHEDULE, SCHEDULE A.

After the Schedule to the Declaration, add—

“INSTRUCTIONS”

The master of a ship coming from a port outside the Colony must ascertain the state

of health of all persons on board, and fill in and sign the Declaration of Health in the foregoing pages. The master should send an International Quarantine Message either direct to the Visiting Officer or through the agent. The message may be in "clear" or in "code" and must be sent within the time specified in the Code.

The message must contain such of the items as are appropriate of the Standard Quarantine Messages (included in the Medical Section of the 1931 International Code of Signals (pages 229 to 232, British Edition).).

If the ship is not fitted with wireless, the appropriate signal must be hoisted on arrival.

The master should take all steps necessary to ensure that no persons other than a pilot and his leadsman shall board or leave the vessel without the permission of the Health Officer until pratique has been granted."

(d) First Schedule: Schedule D—deleted.

(e) First Schedule: Schedule E—

(a) re-lettered as Schedule D;

(b) in marginal note, for "regulations 2, 27, 28 and 29" substitute "regulations 2, 26, 27 and 28".

Second Schedule : regulation 23 (c) :

Insert the following words between the words "persons" and "suspected"—

"(other than persons holding a valid yellow fever certificate) who are".

Amendments put and agreed to.

Council resumed

The ATTORNEY-GENERAL : I beg to move that this Bill be now read the third time and passed.

Mr. CRITCHLOW seconded.

Motion put and agreed to.

Bill read the third time and passed.

WORKING CLASS HOUSING BILL.

Council resolved itself into Committee to resume consideration of a Bill intitled :—

"An Ordinance to make provision with respect to the housing of the working class and the purposes connected therewith".

The CHAIRMAN : Those Members who were not here and who wish to see the two amendments that are to be moved into the Bill, would find that they are incorporated into the Minutes of Friday, October 25, so that on looking at them they would be able to follow the proposed amendments. If hon. Members have not got copies the Clerk might be able to give you a copy. The hon. Member for Essequibo River moved an amendment to clause 4 and if you look at the Minutes confirmed on October 25 you will find it there. The amendment reads :—

Sub-clauses (2) and (3)—delete and substitute the following therefor :—

"(2) The Chairman shall be elected from the Members of the Legislative Council and such person shall hold office as Chairman and as a Member during the Governor's pleasure.

"(3) The Governor shall appoint

(a) 4 fit and proper persons and

(b) the other six members shall be elected from the Elected Members of the Legislature and shall hold office for five years or during such time as they shall remain Members of the Legislature".

Now that we understand the position, we will continue the debate.

The ATTORNEY-GENERAL : There were four clauses which were deferred, and those are clauses 4, 47, 49, and 75. With regard to clause 49 the postponement was requested by the hon. Member for North Western District because he wanted to see that the audit which is required to be carried out should be done by a Government auditor. Consequently, he suggested the deletion of the words "or such other auditor as may be approved by the Governor in Council." Government is prepared to accept the suggestion of the hon. Member.

With regard to clause 4 the position is that Government is prepared to agree that two of the members of the Central Authority should be the Mayor of Georgetown and

the Mayor of New Amsterdam, because these two bodies would be concerned with housing and other matters which this Bill seeks to deal with. I think that would recommend itself to hon. Members. It would be appreciated that, as I pointed out on the last occasion, many of the matters which would be dealt with under the provisions of this Bill would be of a highly technical nature and, consequently, officers in the Service who have that technical knowledge would be able to serve on this Central Authority and would bring the benefit of their technical experience to bear on the several matters which they have to deal with. I think the hon. Member in his deliberations got as far as four—as the number he would require—but he omitted one or two who would be necessary for the purposes of this Bill. It has been pointed out that we do not want too large a body, and I would suggest that eleven is a good number for the composition of the Central Authority. The Chairman, as the hon. the Colonial Secretary has pointed out, would most likely be an officer of the Service. Secondly, the point that he would remain as Chairman during the Governor's pleasure would be appreciated because, if he is a Government Officer, he would obviously be subjected to the directions of the Governor. The hon. Member for Essequibo River and, I think, the hon. Member for North-Western District also agreed that it would be necessary to have four members for technical purposes, but I suggest that it would be necessary to have a fifth. Whether it is the Director of Agriculture or a legal member, I think a fifth is necessary. Then, we are providing that the three other members should be three Unofficial Members of the Legislative Council. Therefore, I think the points of the hon. Member are being met as fully as possible and as would be consistent with the successful working of a Bill of this nature.

Mr. LEE : I do not know whether Government would accept this view. The hon. Member for Georgetown South suggested that the Central Authority should include four Members of the Legislative Council to be appointed by the Governor, but we say let us have five such Members along with the Mayor of Georgetown and the Mayor of New Amsterdam, and four

Governor. If we decide that the Members of the Legislative Council should be Nominated Members, then I think Government should accept that. My suggestion makes room for the appointment of four technical officers as originally suggested, and also for the appointment of the Mayor of Georgetown and the Mayor of New Amsterdam, along with five Members of this Council, all of whom the Governor would have the right to nominate. I think Government should appoint the Chairman of the Central Authority from among these eleven members. Whether the Mayor of Georgetown is an Elected Member of this Council or not, he would be a responsible person who would have the confidence of the Georgetown Town Council. The same thing applies to the Mayor of New Amsterdam, and therefore the representation necessary for such a big project would be obtained. If Government accepts that view I would withdraw my amendment.

Mr. JACOB : I think the hon. Member for Georgetown South should have no objection to this view and that after careful consideration he would be prepared to substitute five Members of the Legislative Council for four. I think he would be substantially in accord with the suggestion of the hon. Member for Essequibo River, because if we take the Mayors of Georgetown for the last few years we would find that they have always been Elected Members of the Legislative Council and have always had a Wight or a Gonsalves as Mayor, and I think that would continue for some years if we go on working as we are doing now.

The CHAIRMAN : Do you mean because they bear a certain name

Mr. JACOB : As long as we go on working as we are doing now, we would find this state of affairs continuing. We have always had a Wight or a Gonsalves as Mayor for the last 10 years or more.

The COLONIAL SECRETARY : If I may interrupt for a while, I would say I think it is a great pity that the hon. Member always resorts to personalities.

Mr. JACOB : I am not regarding personalities at all in this matter. My point is that we should have Elected Members on

all these Authorities and Boards. I think if the hon. Member for Georgetown South accepts the change from four to five Members of this Council—to be members of the Central Authority—there would be general agreement. I do not think there are many other controversial points in this Bill.

The CHAIRMAN : Just one other matter : We have had three amendments by hon. Members—one by the hon. Member for Essequibo River, one by Mr. Roth, and then one by the hon. Member for Georgetown South. Now, where there are three amendments like that, I have to put the words in the original Bill first. The danger in doing that is that the clause might stand as printed. Mr. Roth is not here, but the hon. Member for Georgetown South is here and if he does not mind I would ask him whether he agrees with the suggested amendment to his amendment. I think we should try and co-operate to avoid a decision being taken which would give the Legislative Council Members a majority in the constitution of this Central Authority which I think we are all anxious to see formed. I do not know if I have made myself clear.

Mr. GONSALVES : As I said when I moved the amendment, I was quite agreeable to making it four or five Members of the Legislative Council. My amendment says four, but if the general feeling is that it should be five I would be agreeable. What influenced me in saying four was the idea of leaving the number at eleven. I understood there were going to be four Government Officials apart from the Town Planner or Architect, but if he is going to be the fourth then we could have five Members of the Legislative Council. I am quite prepared to accept that.

The CHAIRMAN : The Governor, I think, is anxious that in the composition of the Central Authority room should be left for the appointment of certain technical Officers.

Mr. LEE : There is provision in this Bill for co-opting other Officers, but they would not have any power to vote. The Central Authority, for instance, can call in an expert to review and report on the plans, but why should he have a right to vote ?

You will have the Director of Medical Services, the Director of Public Works and the Colonial Treasurer as members of the Authority, and you may also have the Town Planner. Then you will have from this Council, Nominated Members who represent the villages, and they would know what is necessary for the villages.

The COLONIAL SECRETARY : Surely the Commissioner of Local Government should have the right to give advice in a matter of this kind. The hon. Member says that he might be co-opted, but it may be that he would have to be in the Chair. I want to make that quite clear.

Mr. LEE : I have no objection to the Commissioner of Local Government, but I am only putting forward what I think would meet the wishes of everybody in the community. Government would have their responsibility, Members of this Council would have their responsibility, and the two Mayors would have their responsibility. If they want assistance from any particular person they would have the power to co-opt him.

The ATTORNEY-GENERAL : The hon. Member is losing sight—if I may be permitted to say so—of the fact that it is not only on the question of voting strength that this matter is being considered. It is a question of getting on the Central Authority those who have the necessary technical knowledge with regard to the various matters which would have to be dealt with in future, so as to ensure the successful carrying out of the provisions of the Ordinance. When hon. Members reflect in their minds the nature and the implications of the Bill it would be realised how much work there is to be done. It would not be a question of members going to one meeting and not going to others. It is a question of solid spade work—getting down to it—and I wonder whether hon. Members can spare the time to devote to the work which would be undertaken by this Central Authority. Then again, it is not only the question of funds which we are using by way of loan. There are certain other funds in view as will be seen from paragraph 2 of the Objects and Reasons which reads :—

“No grant under the Colonial Development and Welfare in respect of

slum clearance schemes will be approved unless and until the legislation has been enacted."

You are spending Colonial Development and Welfare funds. Therefore the Members who belong to this Council—those Unofficial Members—would act as liaison officers—if I may use the term—between the Council and the Central Authority. But on the other hand, the Official Members, to whom the hon. Member referred and who are limited to four with their technical knowledge which must be exercised, will be available to ensure that we get the best results in this matter. There are all sorts of things to be considered in this matter. You want to achieve results and results in keeping with the standard and appreciation of this Council for membership on Boards and Committees, etc. That is all right; we appreciate that, but at the same time back of the whole thing is the endeavour to achieve success in any scheme that will be brought forward. Having regard to the hon. Member's point of having four technical members, I suggest that five will be required.

Mr. PEER BACCHUS : I am pleased that the hon. the Attorney-General has made it clear that it is not a question of voting only. If that is so, then I think his argument has fallen to the ground, because I feel certain that if the Committee requires assistance in so far as technical knowledge is concerned any Government Officer would be available to the Committee. I think the Official Members can more give their time to any scheme of this sort. On the other hand, if you do not have persons outside of the Service on the Committee they may be reluctant to go in and give advice and service whenever it pleases the Committee to call them, but that would not be the case with a Government Official. Therefore, I say, the question of having a technical officer of Government as a member of the Committee does not carry the argument further, because the knowledge of that Government Officer will always be available to the Committee.

The CHAIRMAN : I think we should get this question as to who should be Chairman out of the way. The hon. Member for Essequibo River has suggested that the Chairman should be elected from the Members of the Legislative Council.

Mr. LEE : Mr. Deputy President, I have asked my hon. Friend, the Member for Georgetown South, to accept the amendment for five Members of the Legislative Council.

The CHAIRMAN : I am dealing with the position of Chairman.

Mr. LEE : I am coming to that. I am accepting his amendment.

The CHAIRMAN : His amendment is—"The Governor shall appoint a member of the Central Authority to be Chairman".

Mr. LEE : I withdraw all my amendments to clause 4.

Mr. GONSALVES : As regards my amendment, as I see it, when the amendments are put if the hon. Member for Essequibo River desires to carry his point he might move in his amendment to my amendment (a), that the Members of the Legislative Council be five instead of four and to (d) that the number be four instead of five.

The CHAIRMAN : If you care you can move it.

Mr. GONSALVES : I do not want to move it.

The ATTORNEY-GENERAL : just rise to say this : Are Members accepting the first point, that two of the members of the Central Authority shall be the persons who are for the time being Mayor of Georgetown and Mayor of New Amsterdam respectively ? They are accepting (a), the Chairman as provided in the Bill; and (b), the Mayor of Georgetown and the Mayor of New Amsterdam to be members of the Authority.

Mr. JACOB : The amendment of the hon. Member for Georgetown South is that there shall be eleven members of the Authority, and he has enumerated them. The Chairman is not to be appointed by special election but is to be selected from among the eleven by the Governor. In other words, the hon. Member's amendment is to be substituted for the original printed clause in the Bill.

The ATTORNEY-GENERAL : Mr. Deputy President, all I was trying to do was

to simplify the views of hon. Members. In other words, first of all, they are accepting (a)—that there shall be a Chairman. The hon. the Colonial Secretary has intimated the mind of Government, which is that the office is to be held by a Government Official. As I understand it, you have an acceptance of the appointment of two members—the Mayor of Georgetown and the Mayor of New Amsterdam. The hon. Member says the Chairman should be selected from among the hon. Members. The hon. the Colonial Secretary said the Chairman would be appointed by the Governor as set out in the Bill, but Hon. Members do not seem to accept that.

Mr. GONSALVES: To a point of explanation! I understood that the Chairman to be appointed would be one of the eleven members of the Authority. Put it in the hon. the Attorney-General's way or in my way and the result would be the same.

The CHAIRMAN: What the hon. Member for Georgetown South is suggesting amounts to the same thing. The Governor will select as Chairman of the Authority a member of the Authority, but the hon. the Colonial Secretary has intimated that the Chairman will probably be a Government Officer. So the position will be the same, the number will be the same and we need not argue that. The hon. the Attorney-General wants to draft the amendment in accordance with the decision of the Council.

The ATTORNEY-GENERAL: Thank you, Mr. Deputy President, for saying what I was trying to get at. Hon. Members have approved of three members of the Central Authority—the Chairman and the two Mayors. There are then eight members outstanding. The question is whether you will have five fit and proper persons appointed as members. It was suggested by the hon. Member for Essequibo River that the number should be four. That leaves four other members to be agreed on. Having reduced the question down to this point, all that is outstanding between us is that hon. Members want five members elected from the Legislative Council and we are suggesting that it should remain at five fit and proper persons so as to enable

technical officers of Government to remain on the Central Authority. That is all we have urged.

The CHAIRMAN: I do not know what the hon. Member for North-Western District meant to say, but I rather fancy he had it in his mind that we should not designate appointees as "The Mayor of Georgetown", and "The Mayor of New Amsterdam", because it may be that the holders of those offices may be Members of the Legislative Council also.

Mr. JACOB: No, sir; my whole object is to have the elected principle established. I have no serious objection to the Mayor of Georgetown and the Mayor of New Amsterdam being on the Authority because it establishes the elected principle.

The CHAIRMAN: I may ask hon. Members, especially the hon. Member for Georgetown South, to consider if they should insist on members of the Authority being appointed by virtue of their office as Mayor of Georgetown or Mayor of New Amsterdam. It may happen that both of these offices may be filled by Members of the Legislative Council.

Mr. FERREIRA: I think we have talked around this matter enough. What about a division?

The CHAIRMAN: Mr. Laing, would you like to say something about the composition of the Committee?

Mr. LAING (Commissioner of Local Government): I would like to say that the best constitution of the Central Authority would be one where the forces of Government and the forces of Unofficials are equally represented with an official Chairman. There would be five Unofficials and five Officials with an official Chairman. That seems to me to be the best composition. Whether the Unofficial Members of this Council would desire to have seven Members of the Legislative Council and not the two Mayors or, alternatively, five Members of the Legislative Council and the two Mayors, is a matter to be decided. It seems to me better to have five Members of the Legislative Council on the Central Authority, and as far as the official representation is concerned I am anxious to have the techni-

cal knowledge of Government Officers available to us at all times. This would not only provide the Central Authority with technical advice which will be essential at all times, but will provide continuity of policy. This is not an *ad hoc* Central Authority, but one which will go on for many years planning the development of the urban and rural areas. I think it is necessary that there should be continuity of policy and, therefore, it is essential that the public officers who are technical officers should be appointed to the Authority by virtue of their offices so that their advice would be available to the Central Authority at all times.

I certainly think the Central Authority, if it is to be successful, must work as a team with members from this Council together with the Mayors of Georgetown and New Amsterdam and an equal number of officials. Those are my views. I think the best composition would be either three Members of the Legislative Council, the two Mayors of Georgetown and New Amsterdam, five Officials and an official Chairman, or five Members of the Legislative Council and five technical officers of Government and an official Chairman. It seems to me that you will then have a balanced Authority working as a team with technical knowledge available to it at all times, and you will have continuity of policy which, I think, is extremely essential.

The CHAIRMAN: In order to get on with the Bill clause 4 (3) can be amended to read—“(a) five fit and proper persons”, so as to include a complement of technical men and “(b) five Members of the Legislative Council” instead of “five fit and proper persons who are not officers in the public service”. Is not that a good compromise?

Mr. JACOB: May I just review the position in respect of these amendments? The hon. Member for Essequibo River has withdrawn his amendment. I take it, the amendment by the hon. Nominated Member, Mr. Roth has fallen and likewise that by the hon. Nominated Member, Mr. Raatgever. Therefore, the only amendment is that by the hon. Member for Georgetown South, and he states that he is satisfied to substitute “five Members of the Legislative Council to be appointed by the Governor” as (a) of his amendment.

The CHAIRMAN: He has not accepted it, but says that when the time comes the hon. Member for Essequibo River can move that amendment to his. The hon. Member for Georgetown South suggested the appointment of the Mayor of Georgetown and the Mayor of New Amsterdam on the Authority and, I think, the majority accepted that. There are one or two other details suggested by him. I think there is a majority opinion in favour of five Members of the Legislative Council and four other fit and proper persons. That is the main objection now that I see.

The ATTORNEY-GENERAL: I may emphasize what Mr. Laing has said. It is a reasonable composition to have an official as Chairman, five Members of the Legislative Council and five public officers, as thereby you are ensuring, as Mr. Laing said, continuity of team work and everything that makes for success. It is necessary to have proper technical advice on the Authority. It is the strongest argument in favour of “five fit and proper persons”. The hon. Member for Essequibo River desires that it should be four, but from Government's point of view it is necessary to have five. If hon. Members wish representation to remain with the Legislative Council, very well and good, then have five Members of the Legislative Council on the Authority.

Mr. JACOB: The weakness of that argument is in this respect. The Mayor of New Amsterdam will hardly be a Member of this Council. That is why I make the point that the Mayor of Georgetown has been a Member of this Council for a long period.

The ATTORNEY-GENERAL: I have a recollection that Mr. Eleazar was a Mayor of New Amsterdam and also Mr. E. A. Luckhoo.

Mr. FERREIRA: He was only Mayor for two short periods.

The CHAIRMAN: I think the idea is that the urban areas should be represented, but I cannot conceive Government omitting representation of the two Town Councils.

Mr. GONSALVES: In connection with the Wortmanville Scheme it was the recognized principle and the Governor

appointed the Mayor of Georgetown as Chairman of the Committee. He did not take an Official and make him Chairman because Government money was being spent on the scheme.

Mr. FARNUM: What has struck me is this: Why should the Mayor of Georgetown and the Mayor of New Amsterdam have places on this Authority while representation of the rural areas is being left out? To my mind, most of the money is going to be spent in the rural areas. Why not give representation to them? It seems the correct thing, however, to have five Members of the Legislative Council on the Authority.

Mr. GONSALVES: I can answer that by saying that the villages or Local Authorities are represented in this Legislative Council by one of the hon. Members here and if he is appointed on that Authority the villages would be represented on the Authority.

Mr. FERREIRA: I do not understand the statement that if you have five Members of the Legislative Council on the Authority you would not have continuity of policy, but if you have four you would. It appears to me that you would have continuity of policy. We agree that the Governor should elect the Chairman and that the Chairman should be a Government Official. I take it, that is to ensure that we have continuity of policy. You are to have three other Government Officers on the Authority. I am sure then that Government realises that the Elected Members would represent the rural areas. The Mayor of New Amsterdam has not very often been a Member of the Legislative Council and that Town Council should be represented on the Authority. The Mayor of Georgetown should be also on it to represent his Council. The time has come when we should definitely have an elected majority on these committees. If we are working towards self-government we should be given a chance to prove our worth.

The CHAIRMAN: Would the hon. Member for Georgetown South move his amendment?

Mr. GONSALVES: I formally move my amendment which I indicated on the

last occasion.—Delete the words “eleven members” in sub-clause (1) and in sub-clauses (2) and (3) substitute the following:—

- “(a) Four Members of the Legislative Council to be appointed by the Governor.
- (b) The Mayor of Georgetown.
- (c) The Mayor of New Amsterdam.
- (d) Five other fit and proper persons to be appointed by the Governor.
- (2) The Governor shall appoint a member of the Central Authority to be Chairman.”

It would be quite competent for the Governor to appoint a Nominated Member of this Council who represents the rural districts here to be on the Authority. The hon. Nominated Member, Mr. Farnum, raised the question why Kitty and other rural areas should not be represented on the Authority, but the hon. Nominated Member, Mr. Thompson, is the Member of this Council representing those Authorities.

The CHAIRMAN: Let me explain to hon. Members: The amendment by the hon. Member for Georgetown South embraces both sections of the Legislative Council—Elected and Nominated. I do not think there need be further discussion. I would ask the hon. Member for Essequibo River if he still wishes to move his amendment now for four fit and proper persons and six Members of the Legislative Council.

Mr. LEE: I move that my amendment be the same as that of the hon. Member for Georgetown South.—

The ATTORNEY-GENERAL: I do not accept that. As I indicated to hon. Members, what I am prepared to accept is this: Five Unofficial Members of the Legislative Council, two of those Members to be persons who for the time being are the Mayor of Georgetown and the Mayor of New Amsterdam, respectively. In other words, five Unofficial Members of the Legislative Council, or the two Mayors and three Unofficial Members of the Legislative Council. I am giving hon. Members a clear indication of the view of Government.

The CHAIRMAN : I am going to put the question. There are two amendments and the question by the Chair is that the clause as printed stand part of the Bill. This phraseology means that if the question is carried it would negative all the amendments. I cannot but put it in that way. The question is that the words of the clause stand as in the original motion. That means, in simple language, that the clause as printed stands part of the Bill.

The COLONIAL SECRETARY : May I make this clear? — that those who want to vote in favour of the hon. Member's amendment should say "no".

Mr. GONSALVES : Those who are willing to have my amendment carried would say "no". Isn't that it?

The CHAIRMAN : I have already indicated that.

The Committee divided and voted as follows :—

For : Messrs. Veerasawmy, Farnum, Thompson, Critchlow, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—7.

Against : Messrs. Rahaman, Ferreira, Lee, Jacob, Peer Bacchus, Gonsalves, Dr. Singh and C. V. Wight—8.

Motion lost.

The CHAIRMAN : Now we have to take the amendments.

The ATTORNEY-GENERAL : May I put my amendment now? It reads—

Mr. LEE : To a point of order, I want to find out whether that amendment can be put now.

The ATTORNEY-GENERAL : Of course it can be put. The question has been already put and that is lost. The amendment which relates to sub-clause 4 (3) reads as follows :—

(3) The Governor shall appoint—

- (a) five fit and proper persons, and
- (b) five Unofficial Members of the Legislative Council—

to be the ten other members of the Central Authority."

Mr. GONSALVES : I would like to have a ruling on this point: I understood the Chairman to say that if we voted on the question and it was not carried the clause as it stands goes and all the other amendments would be taken.

The CHAIRMAN : I am giving permission for this amendment to be moved. The Attorney-General was getting the feelings of Members and he did not offer it up, but I am allowing him to move it now.

The COLONIAL SECRETARY : It is rather unusual, but I am quite sure that those—including myself—who said "aye" during the division should, naturally, vote in favour of the Attorney-General's amendment.

Mr. JACOB : I am a stickler for law and order. Once the Council has taken a division on a question there should be no further speeches and so on.

The CHAIRMAN : We cannot do it here. One of these days we might have to leave it there and come back.

The ATTORNEY-GENERAL : Again I would like to call attention to the text of my amendment.

Mr. GONSALVES : With all due respect, the Attorney-General is not in order. The motion was defeated just now. The Attorney-General by some ingenuity is endeavouring to get sub-clause 4 (2) in again, but it has been already rejected.

The CHAIRMAN : You can vote against it.

Mr. GONSALVES : We would like to know whether we are doing things right or not.

The CHAIRMAN : I will put the Attorney-General's amendment to the vote.

Amendment put, the Committee dividing and voting as follows :—

For : Messrs. Veerasawmy, Farnum, Critchlow, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—6.

Against: Messrs. Rahaman, Fernandes, Lee, Jacob, Peer Bacchus, Gonsalves, Dr. Singh and C. V. Wight—8.

Did not vote: Mr. Thompson—1.

The CHAIRMAN: The amendment is therefore lost. We will now vote on Mr. Gonsalves's amendment. Again I say that this amendment should have been in writing. I allowed the Attorney-General the concession of not submitting his amendment in writing because he could not frame it before.

Mr. GONSALVES: My amendment reads:—

- "4. (1) The Central Authority shall consist of—
- (a) Four Unofficial Members of the Legislative Council to be appointed by the Governor;
 - (b) The Mayor of Georgetown,
 - (c) The Mayor of New Amsterdam, and
 - (d) Five other fit and proper persons to be appointed by the Governor.
- (2) The Governor shall appoint a member of the Central Authority to be Chairman."

The CHAIRMAN: To this amendment Mr. Lee has moved an amendment to the effect that there should be "five Unofficial Members of the Legislative Council" in (a), and "four other fit and proper persons" in (d). Is that right?

Mr. LEE: Yes, sir.

Mr. JACOB: The other amendments having been put and lost, this one is automatically carried.

The CHAIRMAN: Oh no. I am putting the amendments in inverse order.

Mr. FERREIRA: What would be the position if this amendment is lost also?

The CHAIRMAN: The first amendment by the Attorney-General has been lost. The next amendment is Mr. Lee's and I will put it to the vote.

The COLONIAL SECRETARY: May I make it quite clear again? Those in favour of Mr. Gonsalves's amendment say

"no" and those in favour of Mr. Lee's say "aye".

Amendment put, the Committee dividing and voting as follows:—

For: Messrs. Rahaman, Ferreira, Lee, Jacob, Peer Bacchus and Dr. Singh—6.

Against: Messrs. Veerasawmy, Farnum, Thompson, Gonsalves, Critchlow, C. V. Wight, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—9.

Amendment lost.

The CHAIRMAN: I will now put Mr. Gonsalves's amendment.

Amendment put and agreed to.

Clause 4, as amended, passed.

The ATTORNEY-GENERAL: The principle having been decided, I desire to ask for an opportunity to make the consequential amendments.

Mr. GONSALVES: I think I indicated that consequential amendments would be necessary.

The ATTORNEY-GENERAL: I am asking leave to move the insertion of a new sub-clause—(10)—to read:—

"(10) The Central Authority may act notwithstanding any vacancy among the members of the Central Authority."

That is merely a precaution so that if there is any vacancy the work of the Central Authority would not be held up.

Motion put and agreed to.

Mr. JACOB: Is there any provision for a quorum of the Central Authority? It does not appear so.

The ATTORNEY-GENERAL: I will make a note of that.

The CHAIRMAN: What is the next clause to be dealt with?

The ATTORNEY-GENERAL: Clause 47; it was deferred at the request of the hon. Member for North Western District.

Mr. JACOB: Sub-clause 47 (7) (b) reads:—

“(b) the appointment of a member of the Central Authority to sign cheques where the Chairman is temporarily not available so to do.”

The ATTORNEY-GENERAL : The hon. Member's point is that this should be done by two members of the Central Authority instead of one.

Mr. JACOB : That is so.

The ATTORNEY-GENERAL : It is to be borne in mind that if the Chairman is not available—he might be travelling in the country for the purposes of this Bill—somebody else would have to act in his place. If reference is made to sub-clause (6) the position would be explained.

Mr. JACOB : I would still put another member in paragraph (b), temporarily.

The ATTORNEY-GENERAL : I have explained that if the word “or” is changed into “and” in the second line of sub-clause (6) it would meet the position.

Mr. JACOB : I will accept the change.

Amendment put and agreed to.

Clause 47, as amended, passed.

Clause 49—Report and audited accounts to be forwarded annually to the Governor.

The ATTORNEY-GENERAL : I beg to move my amendment which is for the deletion from sub-clause (1) of the words “or such other auditor as may be approved by the Governor in Council”.

Amendment put and agreed to.

Clause 48, as amended, passed.

Clause 75—Expenditure by Committee to be defrayed by Central Authority.

The ATTORNEY-GENERAL : The hon. Member for North Western District pointed out that there should be two signatories and, therefore, I suggest that the words “of the Committee” at the end of the clause

be deleted and the words “and another member of the Committee” be substituted therefor.

Mr. JACOB : I will accept that.

The COLONIAL TREASURER : Does that mean that two people would sign a voucher for the expenditure of money? It is not usual and I do not think it is necessary.

The ATTORNEY-GENERAL : The clause says that any expenditure incurred by the Committee would have to be defrayed by the Central Authority. There must be some signature on the certificate and the signature required is that of the Chairman of the Committee so that the Central Authority would have something coming out to it in the form of a certificate. That would be the document of which they would take notice.

Mr. JACOB : I interpret this clause to mean that if the Committee approves of expenditure the certificate of the Chairman alone would be sufficient to show that the money has been spent. Therefore, in the same way as expenditure by cheque would be signed by two persons, I was thinking that a certificate of expenditure should also be signed by two persons.

The ATTORNEY-GENERAL : The clause says :—

“Any expenditure incurred by the Committee shall be deemed to have been incurred on behalf of the Central Authority and shall be defrayed by the Central Authority on the certificate of the Chairman of the Committee.”

The expenditure would not be paid by the Committee itself. The Committee would go into matters like slum clearance and things of that kind, and any expenditure approved would be defrayed by the Central Authority.

Mr. JACOB : Very well, the clause could be left as it is.

Clause 75 passed.

The ATTORNEY-GENERAL : I should like to point out, in answer to the hon. Member for North Western District, that clause 8 (5) provides for a quorum as regards meetings of the Central Authority.

Clause 66—Closing orders and dwelling

houses unfit for human habitation.

The ATTORNEY-GENERAL : In clause 66 there is an additional word, "owner", to be taken out in the proviso to sub-clause (4). I ask that the clause be recommitted and that additional word be deleted.

Clause recommitted and printing error corrected.

The CHAIRMAN : Hon. Members, I would like you to think of the position that is being created by that clause making the compensation to be made on the 1939 valuation. Whilst I appreciate the intention of Government that the Authority should be able to acquire property for Government purpose by the fixing of the year of valuation, I have asked several persons about it and the opinion expressed in this Council is that it is going to be exceedingly difficult. I think, perhaps, if the words "the appraised value of the property in 1939" or "the appraised value prior to September, 1939" are used it would be all right. There is such a thing in existence as a Register of the appraised value of properties in so far as Georgetown and New Amsterdam are concerned. There is also a basis for appraisal. It is an idea worth considering. It would make for a minimum valuation. I am not pressing it. I am only pointing it out.

The COLONIAL SECRETARY : We may thrash that out, but let the clause stand as passed and if necessary we can ask that it be amended. We have debated this clause at some length and we have spent a whole afternoon on it. A vote has been taken and a decision reached. Let us then see how it works. Do not recommit it and consider it again.

The CHAIRMAN : I do not propose to recommit it. I am just pointing it out to Members.

Mr. C. V. WIGHT : I cannot support any idea to have the appraised value in 1939 when we are dealing with assessed value now and all the Ordinances deal with assessed value. Leave it as it is and if we make any mistake at all it would work itself out. I am still of the opinion that it should not be based on the 1939 valuation. I have

had expressions of opinion of people who have experience in land values and appraisalment.

The ATTORNEY-GENERAL : I beg to move that the Council resume and that further consideration of the Bill be deferred.

Question put, and agreed to.

Council resumed.

Mr. JACOB : May I move that the Council be adjourned ?

The ATTORNEY-GENERAL : We can take the second reading of the Town and Country Planning Bill.

The COLONIAL SECRETARY : I am opposed to an adjournment. My desire is to get on and on with these Bills. Let us move the second reading of the Town and Country Planning Bill.

TOWN AND COUNTRY PLANNING BILL, 1946.

The ATTORNEY-GENERAL : I beg to move the second reading of a Bill intitled :—

"An Ordinance to make provision for the orderly and progressive development of land, cities, towns and other areas whether urban or rural, to preserve and improve the amenities thereof, and for other matters connected therewith."

This Bill, as I remarked in the course of the second reading of the Housing Bill, is complementary to the Housing Bill, as will be seen from the long title. It is very comprehensive and deals with the planning of all areas of the Colony for the purpose of a general layout. Having regard to the needs of industry, commerce, communications, agriculture, forestry and social amenities both from the individual and the community points of view, the planning will indicate the areas best suited to the various matters with which planning on such a scale would be concerned, as for example, housing, zoning and the various types of houses. This Bill is to introduce into the Colony the provisions of the Town and Regional Planning Ordinance, Chapter 37, No. 3 of Trinidad, with such modifications as local circumstances have rendered necessary, and it has been approved, in principle, by the West Indian Conference of 1944. There are certain features of the Bill to which I might

refer. Reference to clause 2 (1) will show the definition of "Local Authority". It means —

"The Mayor and Town Council of Georgetown and the Mayor and Town Council of New Amsterdam within their respective jurisdictions and any other Authority which the Governor in Council shall by Order published in the *Gazette* declare to be a Local Authority for the purposes of this Ordinance, and within the area and to the extent specified in such Order;"

"Regional Scheme" means —

"A planning scheme for an area which is not a city or town under this Ordinance."

"Scheme" means —

"A scheme under this Ordinance and includes a town planning scheme, a regional scheme, a supplementary scheme and a scheme varying or revoking an existing scheme."

"Town Planning Scheme" means —

"A planning scheme for the city of Georgetown as defined in the Georgetown Town Council Ordinance, or for the Town of New Amsterdam as defined in the New Amsterdam Town Council Ordinance, or for any area approved by the Governor in Council as being a town for the purposes of this Ordinance."

Sub-clause (2), it will be noticed, reads :

"A scheme may be made under this Ordinance with respect to any urban or rural area, whether there are or are not buildings thereon, with the general object of controlling the development of the land comprised in the area to which the scheme applies, of securing proper sanitary conditions and conveniences, and the co-ordination of roads and public services, of protecting and extending the amenities and of conserving and developing the resources of such area."

The duty of carrying out the provisions of this Ordinance, as will be seen from clause 3 includes the due execution and enforcement of any scheme in accordance therewith and —

"shall (subject to the limitations and conditions hereinafter contained) be vested in the Central Housing and Planning Authority (in this Ordinance referred to as the Central Authority) established under the Housing Ordinance, 1946, and the provisions of sections three to ten inclusive, paragraph

(a) of subsection (1) of section fifty-five, and section fifty-six, of that Ordinance shall *mutatis mutandis* have effect as if they formed part of this Ordinance."

I may emphasize the importance of a Central Authority with which we had been so much concerned a moment ago in the Housing Bill. Hon. Members will see in considering this Bill the importance of the Central Authority and the importance of the duties that Authority will be required to undertake. It will be seen by reference to some of the clauses in the Housing Bill which are incorporated into this Town and Country Planning Bill. As was pointed out in the course of the consideration of the personnel or formation of the Central Authority and as will be seen from the Second Schedule, Parts I to VII, the duties of the Authority are primarily of a technical nature and as a consequence require a highly technical personnel to make decisions of a highly important nature. I hope hon. Members have read the Schedules carefully. The First Schedule deals with matters in relation to which Regulations are to be made. The Second Schedule deals with matters to be dealt with by Schemes. Part I deals with Roads, Part II with matters relating to Buildings and other structures, Part III with Community planning, Part IV with General Amenities, Part V with Public Services, Part VI with Transport and Communications, Part VII with Miscellaneous Matters. The Bill is very comprehensive and among the matters in Part II hon. Members will observe the Central Authority will regulate and control —

- "(a) the size, height, spacing and building line of buildings;
- (b) the objects which may be affixed to buildings;
- (c) the location of buildings, the extent of yards, gardens and curtilage of buildings;
- (d) the purposes for and the manner in which buildings may be used or occupied including, in the case of dwelling-houses, the letting thereof in separate tenements;
- (e) the prohibition of building operations on any land, or regulating such operations."

Part III which deals with Community Planning provides that the Authority will regulate and control the layout of housing areas (including the density, spacing, grouping and orientation of houses in relation to roads, open spaces and other buildings) and the provision and siting of community facilities (including shops, schools, churches, meeting halls, play centres and recreation grounds) in relation to the number and siting of houses.

Part IV which deals with general amenities provides for the zoning of land in town and country areas and for the preservation of views and prospects and of the amenities of places and features of natural beauty or interest, and of buildings and objects of artistic, architectural or historical interest and the preservation or protection of forests, trees, shrubs, plants and flowers.

Part V of the Bill which is important, deals with Compensation and Betterment. It is to be observed that in clause 30 provisions are set out as to the compensation for injurious affection, and clause 31 provides for the cases where no compensation shall be payable in certain classes of cases. It is a very long list and I hope hon. Members have studied it. Then clause 33 provides for the recovery of betterment from owners of property where there has been resultant increase in the value. Sub-clause (1) reads :

"Where by the coming into operation of any provision contained in a scheme, or by the execution of any work under a scheme, any property within the area to which the scheme applies is increased in value, the Central Authority, if they make a claim for the purpose within three years after the date on which the provision came into operation, or within three years after the completion of the work, as the case may be, shall be entitled to recover from any person whose property is so increased in value an amount not exceeding one half of the amount of that increase."

That is called the betterment value. Sub-clause (2) reads :

"Any sum recoverable under this section shall be paid by annual instalments over a period of not less than twenty years and not more than thirty years as shall be fixed by the Central Authority together with interest at the rate of three and one half per centum

per annum chargeable on the aggregate amount of the instalments for the time being outstanding

Provided that the person from whom such instalments are due may, on giving not less than six months' notice in writing to the Central Authority of his intention so to do, pay to them the whole of any outstanding instalments, together with any interest accruing due thereon to the date of payment."

With regard to clause 34, it provides for the making of claims for compensation or betterment arising in clause 30. Sub-clause (1) reads :—

"A claim under this Ordinance for compensation or in respect of an increase in the value of any property shall be made by serving upon the Central Authority or person from whom the amount alleged to be payable is claimed a notice in writing stating the grounds of the claim and the amount claimed."

Then there is the provision for the procedure. Clause 35 provides for special assessment recovery of expenses. It reads :—

"(1) A Scheme may provide that the cost or a portion of the cost of any works to be executed as part of the scheme shall be a special charge upon the property within a particular area to the exclusion of the rest of the area to which the scheme applies, and the Central Authority may fix and apportion the amount of the special charge thereon and the persons and times by whom and when the same shall be payable.

"(2) Whenever a scheme provides for a special assessment under subsection (1) hereof, no claim shall be made by the Central Authority for betterment against the owners of property situate within the particular area to which the assessment relates."

Part VII of the Bill deals with Miscellaneous Matters such as Receipts and Expenditure of the Central Authority, the recovery of amounts due to or by the Central Authority, Summary Procedure, Service and notices, etc., on the Central Authority and on other persons, and also, as in the last Bill, Protection of statutory undertakers. I hope hon. Members appreciate the term "undertakers" in that connection. Power is given in clause 43 to

public departments to make agreements in connection with schemes, and in clause 44 power is given for the Central Authority and owners to enter into agreements restricting the use of land. In clause 45 provision is made for public enquiry. It reads :—

“Whenever power is conferred on the Governor in Council by this Ordinance to approve any scheme, or order, or other matter, or to take any other action, he may before exercising such power cause a public enquiry to be held into the matter.”

Then there is provision for the protection of the Central Authority and other persons acting under the Ordinance afforded by the Justices Protection Ordinance. The Bill itself is of a comprehensive nature and complementary to the Housing Bill which has been engaging the attention of hon. Members within the last week or so. I am sure hon. Members will appreciate the necessity for a Bill of this nature to go hand in hand with the Housing Bill which has just passed the Committee stage of this Council. I need hardly say that in a matter of this nature it is not necessary for me to emphasize the desirability of passing this legislation. Without any further observation, I beg to move that this Bill be now read a second time.

Mr. CRITCHLOW seconded.

Mr. JACOB : I just want to make one observation on the title of this Bill—“An Ordinance to make provision for the orderly and progressive development of land, cities, towns and other areas whether urban or rural, to preserve and improve the amenities thereof, and for other matters connected therewith.”

We have only one City in this Colony and one town, and, I think, it would be better to change the title to read actually what we have.

The ATTORNEY-GENERAL : I hope the time will come when we will have cities and towns, when Mabaruma, Bartica, Mackenzie will be towns and will come within the terms of this Bill.

Mr. JACOB : I do not think we are quite in order to allow the word “cities”. There may be towns. I suggest that the words “City of Georgetown” be put in and

not “cities”. I hope Mabaruma will be a town and possibly some part of the Rupununi. I do not think it is quite appropriate to have the word “cities” when actually we have only one City. That is the only observation I wish to make. I trust the Bill will be passed so that Government will have no excuse for not doing any progressive work.

Motion put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee to consider the Bill clause by clause.

COUNCIL IN COMMITTEE

Clause 2—Interpretation.

The ATTORNEY-GENERAL : In the definition of “hedge” the word “shrub” is wrongly spelt with the letter “t” for the letter “h” and in the definition of “scheme” the word “varying” is also wrongly spelt, the letter “y” being left out. In the marginal note column the figure “85” should be “86” and the words “Central Authority” should be removed from opposite sub-clause (3) and placed opposite clause 3. I move that the errors be corrected.

Question put, and agreed to.

Clause 2 passed as amended.

Clause 4—Regulations as to procedure and in relation to matters in the First Schedule.

The ATTORNEY-GENERAL : In the marginal note the word “Regulation” should be “Regulations”. I move that the clause be amended accordingly.

Question put, and agreed to.

Clause 4 passed as amended.

Clause 6—Preparation of schemes by Local Authority or Joint Committee.

The ATTORNEY-GENERAL : I move that the following marginal note be inserted :—“Preparation of schemes by a Local Authority or a Joint Committee”.

Question put, and agreed to.

Clause 6 passed as amended.

Clause 31—No compensation in certain classes of cases.

Mr. C. V. WIGHT : This clause, to my mind, repeals and will have a serious effect on the Building By-laws and the whole of the Town Council Ordinance. In sub-clause (1) it says :—

“(1) No compensation shall be payable in respect of any building the erection of which was begun after the material date unless such erection was begun under and in accordance with a permission from the Central Authority.”

What is going to happen in a case where permission has been given by the Town Council? Is it the idea that the Central Authority should have the full control of all building in the city of Georgetown? If that is so, then it becomes necessary to repeal the Building By-laws which we have had for a number of years, and also certain sections of the Town Council Ordinance.

The ATTORNEY-GENERAL : This legislation, as I have already pointed out, is comprehensive. These two Bills which are being taken together are all-embracing and the Central Authority which is the Authority under the Housing Bill will also be the Authority under this Bill and will have representation, as proposed in the amendment, from the Town Council of Georgetown and the Town Council of New Amsterdam.

Mr. WIGHT : There is no question as to what would happen here. It seems to me that the minute this clause comes into force—on its publication in the *Gazette*—the functions of the Town Council with regard to buildings would cease. That is going to be the practical effect.

Mr. VEERASAWMY : I would ask that serious consideration be given to the remarks of the last speaker and that some safeguard be given by amending this clause. It says here that no compensation should be given, but supposing somebody was given authority to build then the Central Authority should be given discretion to meet a case

where there has been no deliberate flouting of the Central Authority.

The ATTORNEY-GENERAL : I would refer to clause 1 (2) and then see the meaning of the term “Local Authority”. It says :—

“Local Authority” means the Mayor and Town Council of Georgetown and the Mayor and Town Council of New Amsterdam within their respective jurisdictions and any other Authority which the Governor in Council shall by Order published in the *Gazette* declare to be a Local Authority for the purposes of this Ordinance, and within the area and to the extent specified in such Order..”

For “Local Authority” in clause 2 one should read “Town Council of Georgetown” or “Town Council of New Amsterdam”. Sub-clause (3) of this clause reads :—

“(3) The Central Authority shall consider any objections or representations received by them in pursuance of this section, and shall give full opportunity for such Local Authority to be heard by the Central Authority, and in submitting the scheme to the Governor in Council for approval shall forward copies of all such objections or representations which have not been met or withdrawn.”

In other words, one can see that the idea is to give the fullest opportunity for representation to be made to the Central Authority on any point which arises; and again, that there is the idea of co-operation among the central bodies, so far as is practicable. This clause under consideration now deals with the question of compensation, and it only sets out what matters should not be taken into account. Sub-clause (2) says :—

“(2) No compensation shall be payable in respect of any of the following provisions in an approved scheme..”

That is why I referred to clause 11 which deals with the schemes. It will be seen that there is running through this clause the idea that this is being done in the general interest of the community and, consequently, if anyone asked for his land to be sub-divided in a specific way, he cannot come along and say “I must be com-

pensated because I have lost 50 yards of ground." In other words, the basic consideration is the general interest of the community.

Mr. C. V. WIGHT : It sounds very nice indeed, because we (the Town Council) would have to keep very many books.

The ATTORNEY-GENERAL : I have not got to keep any.

Mr. WIGHT : The first part of the City we should go into and clean up is Albouystown, and that is a Ward in which the majority of the property-owners are small persons—very small persons—many of them owning about \$600 worth of property on leased land. I am not going to hold out any hope under this clause and I think we would have to come back later for an amendment on this question of compensation. Let us say that block A is going to be removed and is going to be a part of the scheme; what is going to happen to block B under this clause when the Bill comes into force? A person in block B would be unable to build without permission from the Central Authority. The minute this Bill comes into force the whole of the Building By-laws of the Town Council would go by the board and the Central Housing Authority would have to come in and take over, if necessary, what has been provided by the Town Council in relation to buildings, and building plans and so on. Plans would have to be submitted, otherwise we would find ourselves running into a difficult situation. Either the Local Authority and its functions must go, otherwise there would have to be some proviso which would allow a concurrent jurisdiction in the Town Council and the Housing Board.

Mr. JACOB : I do not think I can follow the hon. Member for Western Essequibo at all. Surely, I think this Authority should have the right to say what should be built and what should not be built upon, so as to avoid paying unnecessary compensation. It is quite clear from this clause that :

“(1) No compensation shall be payable in respect of any building the erection of which was begun after the material date unless such erection was begun under and in accordance with a permission from the Central Authority.”

Surely, this Authority should have control and say what should be built, because they would have to go around and inspect and decide what should be done and what should not be done. I cannot see the objection at all, unless it is that certain people are to look for compensation and should be given compensation if even they are told not to build. I do not agree either that the Authority should go to Albouystown first. I think the first thing to do is to build a number of suitable houses before we begin to break down even the worst that we have. We should not begin to pull down and pay compensation without providing a number of houses with suitable accommodation for the working class people.

The ATTORNEY-GENERAL : I think it was pointed out to the hon. Member in the course of the debate on the Housing Bill that there was provision in that Bill along those lines.

Mr. VEERASAWMY : I take it that “the material date” referred to in this clause—31—refers to an approved scheme under clause 11, so that this really refers to clause 11.

The ATTORNEY-GENERAL : Under clause 20 it would be seen that :

“(1) The Central Authority may, with the approval of the Governor in Council, assign to a Local Authority so named in a scheme, duties and functions (including the execution of any public work or the undertaking of any public service) in relation to the enforcement and carrying out of such scheme, and specify the time within which such duties and functions shall be undertaken and completed.”

It does not say that you are going to ride rough-shod over the Local Authority, or anything of that sort. The idea is, as you will see from the clause to which I have just referred, to use available organisations to assist in carrying out the work of the Central Authority.

Mr. VEERASAWMY : I do not want to say that the Attorney-General does not understand what he has said, but I know what the hon. Member's point is and I am in agreement with him. He thinks that there must be a safeguard as regards compensation to any person who builds with the

permission of the Central Authority. I am quite prepared to accept the explanation if the Attorney-General says that this refers to a scheme of which sufficient notice has been given by a Local Authority. Where such notice has been given the Local Authority has to inform anybody who asks for permission to build. If any person builds without the permission of the Local Authority, then it would be quite right for the Central Authority not to pay compensation. As long as sufficient notice has been given to the Local Authority, I am satisfied that clause 30 is sufficient.

The ATTORNEY-GENERAL: An approved scheme is a scheme approved by the Central Authority after it has been submitted by a Local Authority.

Mr. C. V. WIGHT: I am not concerned with the standard of intelligence being exhibited by any Member of this Council who cannot understand what I am saying, because I think I do speak the English language and am able to express my thoughts. There is no good in holding to the words "approved scheme". The hon. Nominated Member, Mr. Veerasawmy, is quite right. The words "material date" have an important meaning. We are dealing with block A and block B, and I can only say that I am not concerned with the demolition of buildings unless you provide houses for the people to live in. When we deal with block B it may be under an approved scheme, but block A might be done in the normal course and might not be an approved scheme. Block A might not be available for two or three years and there might be vacant lands there. By whom must permission be given to build—the Central Authority or the Town Council? I ask again whether there is going to be concurrent jurisdiction or not?

I am speaking here not as Mayor of Georgetown, but as the Member for Western Essequibo. Surely, we should know at once whether we are going to have this clause entirely over-riding the functions of the Town Council and the Local Authorities, or whether we are going to have concurrent jurisdiction along with the Central Authority. We know there is going to be co-operation. This country is known for its co-operation—we are full of co-operation—but in England and other places there has been conflict over the

same point between the Local Authorities and the Central Authorities, because of the jurisdiction being not interwoven but concurrent. The Deputy President has been Mayor of this City and I feel sure that having occupied that position he would appreciate the point that has been raised. What you said during the debate on the last Bill, sir, only makes the point more forceful. I quite agree that compensation, *per se*, only affects approved schemes and if the Central Authority says "these are all the approved schemes we are going to have" then there would be no difficulty, because every applicant would be apprised of the approved schemes and know that he would otherwise be deliberately building against the decision of the Authority.

The ATTORNEY-GENERAL: As hon. Members would realize, this Bill is "to make provision for the orderly and progressive development of land, cities, towns and other areas whether urban or rural, to preserve and improve the amenities thereof, and for other matters connected therewith."

The CHAIRMAN: Does any Member wish to move an amendment?

Mr. JACOB: I think this hinges on the previous Bill which has not yet been passed. I understand the question would be raised there about compensation again.

The ATTORNEY-GENERAL: No; I do not know that.

Mr. JACOB: I see that the idea is to take up time until tomorrow, and I will give my hon. Friend an opportunity to come and say the Mayor and Town Council is planning some progressive work. I do not think that body has been doing much.

Clause 31, as amended, passed.

Clause 42—Protection of statutory undertakers.

The ATTORNEY-GENERAL: In sub-clause (2) the word "undertaker" in the fourth line should be "undertakers", and I move that the amendment be made.

Amendment put and agreed to.

Clause 42, as amended, passed.

Council resumed.

The DEPUTY PRESIDENT: I adjourn the Council until 2 p.m., tomorrow.