

THIRD SESSION

1956 - 1957

MINUTES of the Proceedings of a meeting of the Legislative Council of the Colony of British Guiana under the British Guiana (Constitution) (Temporary Provisions) Order in Council, 1953, held in the Chamber of the Legislature at the Public Buildings, Georgetown, Demerara,

AT 2.00 P.M
on

THURSDAY, 13TH JUNE 1957.

PRESENT:

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

Ex-Officio Members

The Honourable the Chief Secretary, Mr. M.S. Porcher (Ag.)
The Honourable the Attorney General, Mr. A.M.I. Austin.
The Honourable the Financial Secretary, Mr. F.W. Essex.

Nominated Members of Executive Council

The Honourable Sir Frank McDavid, C.M.G., C.B.E.,
(Member for Agriculture, Forests, Lands and Mines).
The Honourable W.O.R. Kendall,
(Member for Communications and Works).
The Honourable G.A.C. Farnum, O.B.E.,
(Member for Local Government, Social Welfare and
Co-operative Development).
The Honourable R.B. Gajraj
The Honourable R.C. Tello.

Nominated Unofficials.

Mr. W.A. Phang.
Mr. L.A. Luckhoo, Q.C.
Mr. C.A. Carter
Mr. E.F. Correia
Mr. H. Rahaman
Miss Gertie H. Collins.
Mrs. Esther E. Dey
Dr. H.A. Fraser
Mr. Sugrim Singh
Mr. W.T. Lord, I.S.O.

Clerk of the Legislature - Mr. I. Crum Ewing.
Assistant Clerk of the Legislature - Mr. E.V. Viapree

Absent

The Honourable P.A. Cummings, (Member for Labour, Health & Housing)
Mr. J.I. Ramphal.
Mr. T. Lee - on leave.
Rev. D.C.J. Bobb - on leave.
Mr. R.B. Jailal - on leave.

The Speaker read prayers.

CONFIRMATION OF MINUTES

The Minutes of the Meeting held on Wednesday, the 12th of June, 1957, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTSLeave

The Speaker announced that leave had been granted to Mr. R.B. Jailal from that day's meeting.

INTRODUCTION OF BILLS

- (i) The Chief Secretary gave notice of the introduction and first reading of the following Bill:

REPRESENTATION OF THE PEOPLE (AMENDMENT)
BILL, 1957.
(Bill No. 23/1957 published 15.6.57).

- (ii) The Chief Secretary on behalf of the Member for Labour, Health and Housing, gave notice of the introduction and first reading of the following Bill:

ANIMALS (CONTROL OF EXPERIMENTS) BILL, 1957.
(Bill No. 21/1957 published 15.6.57).

PUBLIC BUSINESS
ORDER OF THE DAY

BILLS - First Reading.

- (i) REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 1957 - Bill No. 23/1957.

The BILL intituled AN ORDINANCE TO AMEND THE REPRESENTATION OF THE PEOPLE ORDINANCE AND TO PROVIDE FOR THE INCLUSION OF CERTAIN AREAS AS REGISTRATION AREAS FOR THE PURPOSES OF THAT ORDINANCE was read a first time.

- (ii) ANIMALS CONTROL OF EXPERIMENTS) BILL, 1957 - Bill No. 21/1957.

The BILL intituled AN ORDINANCE TO REGULATE THE PRACTICE OF EXPERIMENTS ON LIVING ANIMALS, AND MATTERS IN CONNECTION THEREWITH was read a first time.

BILL - Withdrawal.

Item 1 - LOCAL GOVERNMENT AMENDMENT NO. 3) BILL, 1956.- Bill No. 56/1956.

The Member for Local Government, Social Welfare and Co-operative Development informed the Speaker that in terms of Standing Order No. 55(1), he had received instructions to withdraw the BILL intituled AN ORDINANCE TO AMEND THE LOCAL GOVERNMENT ORDINANCE.

Accordingly, the Bill was withdrawn.

BILL - Committee.

Item 2 - PAWNBROKING (AMENDMENT) BILL, 1957 - BILL No. 14/1957.

On a motion by the Financial Secretary seconded by the Member for Agriculture, Forests, Lands and Mines, Council resolved itself into a Committee to resume consideration of the BILL intituled AN ORDINANCE TO AMEND THE PAWNBROKING ORDINANCE.

In Committee

Clause 8 - was re-committed and the following new clause substituted therefor:

"Repeal and re-enactment of section 16 of Cap. 336.

8. Section 16 of the Principal Ordinance is hereby repealed and the following substituted therefor -

'Surplus balances from sales of pledges to be paid to Public Trustee.

16. (1) Where any pledge which has been pawned for above five dollars is sold for more than the amount of the loan and profit and charge for insurance due at the time of sale, the pawnbroker shall pay the surplus to the Public Trustee on behalf of the pawner not later than two months after the date of sale:

Provided that if at any time before it is paid to the Public Trustee the holder of a pawnticket demands the surplus, the pawnbroker shall pay it to him on delivery of the pawnticket.

(2) The Public Trustee shall, not later than three months after the receipt of any surplus balances under the provisions of subsection (1) of this section, publish in one daily newspaper circulating in the Colony a list of the names of the persons on behalf of whom he is holding surplus balances under the provisions of subsection (1) of this section.

(3) Where upon the application of any person, the Public Trustee is satisfied that such person is the pawner of an article in respect of which the Public Trustee is holding any surplus balance, the Public Trustee shall pay such surplus balance to such person.

4.

(4) The Public Trustee shall pay into the general revenue of the Colony any surplus balances in his possession for more than three years.

(5) The Public Trustee shall keep copies of the lists published under the provisions of subsection (2) of this section, and such lists shall be open to inspection by any person whose name appears thereon.

Cap. 48 (6) The provisions of subsections (1) and (2) of section 13 of the Public Trustees Ordinance shall not apply to the Public Trustee in regard to the duties under this section.' "

Clause 8 as substituted was passed.

The First Schedule as substituted was re-committed and was amended as under and passed:-

In the conditions to be printed on Form 2, Pawn-Ticket B, and Form 4, Special Contract, the words and commas ", unless claimed from the pawnbroker," were inserted between the words "Any surplus produced by the sale shall" and the words "be paid to the Public Trustee".

Title and Enacting Clause - were passed as printed.

Council resumed.

At this stage further consideration was deferred.

BILL - Second Reading.

Item 3 - ELECTRICITY BILL, 1957 - Bill No. 20/1957.

On a motion by the Member for Communications and Works seconded by the Member for Local Government, Social Welfare and Co-operative Development, the BILL intituled AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF A CORPORATION TO BE KNOWN AS THE BRITISH GUIANA ELECTRICITY CORPORATION AND FOR THE EXERCISE AND PERFORMANCE BY THE CORPORATION OF FUNCTIONS RELATING TO THE SUPPLY OF ELECTRICITY AND CERTAIN OTHER MATTERS was read a second time and was thereafter taken through the Committee stage and passed with the following amendment:-

Clause 6 - Sub-clause (5):

The word "be" was inserted between the word "shall" and the word "notified" in the last line of the sub-clause.

At this stage further consideration was deferred.

MOTION

Item 5 - MR. LUCKHOO'S MOTION CONCERNING THE RICE FARMERS (SECURITY OF TENURE) ORDINANCE, 1956 (No. 31).

With Council's consent, the motion at Item 5 was amended to read as follows and as taken at this stage:-

BE IT RESOLVED:

That this Honourable Council recommends to Government that a Committee be appointed immediately to enquire into the operation of the Rice Farmers (Security of Tenure) Ordinance, 1956 (No. 31), and report upon the working of the said Ordinance and its effect on tenants and landlords.

Mr. Luckhoo moved and Mr. Sugrim Singh seconded the motion as amended.

After discussion, the question was put and Council divided and voted thereon as follows:-

<u>FOR</u>	<u>GAINST</u>
Mr. Lord	Miss Collins
Mr. Singh	Mr. Rahaman
Dr. Fraser	Mr. Tello
Mr. Luckhoo	Mr. Gajraj
	Mr. Farnum
	Sir Frank McDavid
	The Financial Secretary
	The Attorney General
	The Chief Secretary

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Motion negatived.


MOTION FOR ADJOURNMENT

In moving the motion for the adjournment, the Chief Secretary informed Council that it was proposed, with Council's consent, to consider the Representation of the People (Amendment) Bill and a few non-contentious Pension Bills at the next meeting.

ADJOURNMENT

At 5.25 p.m. the Speaker adjourned Council to 2.00 p.m. on Thursday, the 20th of June, 1957.

Confirmed,


Speaker.

PUBLIC BUILDINGS,
British Guiana.

20th June, 1957.