

BRITISH GUIANA

SECOND LEGISLATIVE COUNCIL

FIRST SESSION

1957 - 1958

MINUTES of the Proceedings of a Meeting of the Legislative Council of the Colony of British Guiana under the British Guiana (Constitution)(Temporary Provisions) Orders in Council, 1953 and 1956, held in the Chamber of the Legislature at the Public Buildings, Georgetown, Demerara,

AT 2.00 P.M.
on

FRIDAY, 28TH NOVEMBER, 1958.

PRESENT:

His Honour the Speaker, Sir Donald Jackson.

Ex-Officio Members

The Honourable the Chief Secretary, Mr. F.D. Jakeway, C.M.G.,
O.B.E.
The Honourable the Attorney-General, Mr. A.M.I. Austin, Q.C.
The Honourable the Financial Secretary, Mr. F.W. Essex.

Ministers

The Honourable Dr. C.B. Jagan,
Minister of Trade and Industry.
The Honourable B.H. Benn,
Minister of Community Development and Education.
The Honourable E.B. Beharry,
Minister of Natural Resources.
The Honourable Janet Jagan,
Minister of Labour, Health and Housing.
The Honourable Ram Karran,
Minister of Communications and Works.

Elected Members, Majority Party

Mr. F. Bowman
Mr. B.S. Rai
Mr. S.M. Saffee

Other Elected Members

Mr. W.O.R. Kendall
Mr. S. Campbell
Mr. A.L. Jackson
Mr. Jai Narine Singh

Nominated Members

Mr. R.E. Davis
Mr. A.M. Fredericks
Mr. H.J.M. Hubbard
Mr. A.G. Tasker, O.B.E.

Clerk of the Legislature - Mr. E.V. Viapree (Ag.)
Assistant Clerk of the Legislature - Mr. F.A. Narain (Ag.)

Absent

Mr. Ajodha Singh.
Mr. L.F.S. Burnham.
Mr. R.B. Gajraj - on leave.
Mr. R.C. Tello - Indisposed.

The Clerk read prayers.

CONFIRMATION OF MINUTES

The Minutes of the Meeting held on Thursday, the 6th of November, 1958, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

The Speaker announced that -

Leave

(i) Mr. Tello was indisposed and had asked to be excused from that day's meeting.

Acknowledgement of Resolution of Sympathy re death of Senator T.A. Marryshow.

(ii) Letters dated 3rd and 19th November, 1958, were received from the Clerk of the Legislative Council of Grenada and from the Acting Clerk of the Senate of the West Indies, respectively, acknowledging receipt of Resolution No. XLIV of the 22nd of October, 1958, recording Council's condolence on the death of Senator T.A. Marryshow.

PAPERS LAID

(a) By the Minister of Natural Resources:

- (i) Report on the Geological Survey Department for the year 1957.
(GS 58/22/4/9)(Circulated).
- (ii) Report of the Director of Audit on the Accounts of the Government Fish Market and Centre for the year ended 31st December, 1957. (AGR. 201/21/3/3).
- (iii) Reports of the Director of Audit on the Accounts of the Milk Control Organisation for the year ended 31st December, 1956, and for the period 1st January to 31st July, 1957. (AGR. 2/114/2/1).
- (iv) Report of the Director of Audit on the Accounts of the Milk Pasteurisation Plant for the period 1st August to 31st December, 1957. (AGR. 2/114/2/1).

(b) By the Minister of Labour, Health and Housing:

Report of the Workmen's Compensation Advisory Committee. (L: 56/9/1 IX)(Circulated).

ORAL ASKING AND ANSWERING OF QUESTIONSQuestion No. 27

Mr. Fredericks on behalf of Mr. Tello asked the Minister of Labour, Health and Housing the following question:

QUESTION: Does Government propose to invite an International Labour Organisation Expert to study local labour legislation, industrial relations and other relevant matters, with a view to his advising Government on the provision, by legislation, of an enlightened Labour Code for this Colony?

The Minister of Labour, Health and Housing gave the following reply:

ANSWER: The Government does not propose to invite an International Labour Organisation Expert to visit British Guiana with a view to the preparation of a Labour Code.

The Laws of the Colony were only recently revised and all additions and amendments were incorporated to July 1953. While there has been no consolidation in the strict sense of the term, all the laws relating to labour can be easily found in Volumes II and III, Chapters 103 - 120. There is also an advantage in having the Labour Laws in separate chapters as they could be printed and sold separately to those interested in a particular subject.

It does not appear that there is the same need for codification in British Guiana as there was in a West Indian territory whose laws had not been brought up to date, in some cases, for over fifty years.

I also understand that codification (in its purely legalistic definition) tends to make the law rigid. This would not be suitable to a developing country such as British Guiana where laws relating to labour are under constant review and are subject to frequent changes in the light of rapidly changing conditions.

QUESTIONS FOR WRITTEN ANSWERS

No. 4 - by Mr. Rai (copy attached).

PUBLIC BUSINESSORDER OF THE DAY

BILL - Committee and Third Reading.

Item 1 - SHOPS (CONSOLIDATION) BILL, 1958 - Bill No. 30/1958.

The Minister of Labour, Health and Housing moved that the BILL intituled AN ORDINANCE TO CONSOLIDATE AND AMEND THE LAW TO REGULATE THE OPENING AND CLOSING HOURS OF CERTAIN

SHOPS AND THE HOURS OF WORK OF SHOP ASSISTANTS; TO PROVIDE FOR THE WELFARE OF SHOP ASSISTANTS; AND TO PROVIDE FOR OTHER MATTERS CONNECTED THEREWITH be read a third time.

On a motion by Mr. Tasker seconded by Mr. Fredericks, the Bill was recommitted.

Council then resolved itself into a Committee to consider the following amendment moved by Mr. Tasker:-

In Committee

FIRST SCHEDULE - Substitution of the following for the second proviso:-

"Provided further that where the preceding proviso does not apply, shops (other than restaurants, parlours and cookshops, barbers' or hairdressers' establishments) may with the approval in writing of the Commissioner of Police be opened and kept open on Fridays only either between the hours of 9.30 a.m. and 6.15 p.m., or, subject to the provisions of Section 8 of this Ordinance, between the hours of 7.30 a.m. and 6.15 p.m.; and in any such cases the occupier of a shop shall allow to each shop assistant an interval from work of one-quarter of an hour between the hours of 4 p.m. and 5 p.m."

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

<u>FOR</u>	<u>AGAINST</u>	<u>DID NOT VOTE</u>
Mr. Tasker	Mr. Hubbard	Mr. Bowman
Mr. Fredericks	Mr. Jai Narine Singh	
Mr. Davis	Mr. Saffee	
Mr. Jackson	Mr. Rai	
Mr. Campbell	Mr. Ram Karran	
Mr. Kendall	Mrs. Jagan	
	Mr. Benn	
	Dr. Jagan	
	The Financial Secretary	
	The Attorney-General	
<u>6</u>	<u>10</u>	<u>1</u>

Amendment negatived.

The First Schedule was passed as amended at the meeting held on 6th November, 1958.

Council resumed.

On a motion by the Minister of Labour, Health and Housing seconded by the Minister of Communications and Works the Bill was read the third time and passed as amended in Committee.

BILL - Second and Third Readings.Item 2 - TRADE BILL, 1958 - Bill No. 31/1958.

On a motion by the Minister of Trade and Industry seconded by the Attorney-General the BILL intituled AN ORDINANCE TO PROVIDE FOR THE MAINTENANCE AND REGULATION OF SUPPLIES AND FOR OTHER MATTERS INCIDENTAL THERETO AND CONNECTED THEREWITH was read a second time.

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

In Committee

Clauses 1 to 4 - were passed as printed.

Clause 5 - Subsection (1):

Mr. Kendall moved the following amendment:

Deletion of paragraph (d).

After discussion, the amendment was put and negatived.

Clause 5 was then passed as printed.

Clauses 6 to 14 - were passed as printed.

TITLE - was passed as printed.

Council resumed.

On a motion by the Minister of Trade and Industry seconded by the Attorney-General, the BILL was read the third time and passed as printed.

PROROGATION OF THE COUNCIL

There being no further business, the Speaker at 3.25 p.m., intimated that the Council would be prorogued with effect from Saturday, the 29th of November, 1958, and that a new session would be opened on Tuesday, the 9th of December, 1958, at 2.00 p.m.

Confirmed,

Donald Jackson

Speaker.

PUBLIC BUILDINGS,
Georgetown.

9th December, 1958.