

BRITISH GUIANA

FIRST SENATE

FIRST SESSION

1961 - 1962

MINUTES of the Proceedings of the 1st Sitting of the Senate of the Colony of British Guiana under the British Guiana (Constitution) Order in Council, 1961, held in the Chamber of the Legislature at the Public Buildings, Georgetown, Demerara,

AT 9.00 A.M.

on

MONDAY, 22ND OCTOBER, 1962.

PRESENT:

Senator C.V. Too-Chung, Vice-President - In the Chair.

Appointed under Article 47(2)(a):

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

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

Senator M. Khan

Senator C.S. Persaud

Senator Christina Ramjattan

Senator H. Thomas

Appointed under Article 47(2)(c):

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

Clerk of the Legislature - Mr. I. Drum Ewing.

Assistant Clerk of the Legislature - Mr. F.A. Narain.

Absent:

His Honour the President, Senator Ashton Chase - on leave.

Senator the Honourable C.V. Christian,
Minister of Home Affairs - on leave.

Senator Anne Jardim.

PRAYERS

The Clerk read prayers.

ANNOUNCEMENTS

(i) Leave

The Vice-President read a letter from His Honour the President confirming that he would be out of the Colony for about two months from the 6th of October, 1962, to attend the Commonwealth Parliamentary Conference in Nigeria.

The Vice-President announced that Senator the Honourable C.V. Christian, Minister of Home Affairs, had asked to be excused as he was out of town. He had arranged for the Honourable C.V. Nunes, Minister of Education and Social Development to take charge of his business in the Senate.

(ii) Bills from the Legislative

The Vice-President read letters received from the Speaker of the Legislative Assembly forwarding for the consideration of the Senate the following Bills which the Minister of Trade and Industry had expressed his willingness to take charge of:

- (a) DEFENCE BILL, 1962.
- (b) PUBLIC CORPORATIONS BILL, 1962.
- (c) EXCHANGE CONTROL (AMENDMENT) BILL, 1962.

The Bills were read the first time.

PRESENTATION OF PAPERS AND REPORTS ETC.

(a) By the _____ :

- (i) Report of a Commission of Inquiry into Disturbances in British Guiana in February, 1962. (Circulated).
- (ii) Motor Vehicles and Road Traffic (Amendment) (No. 2) Regulations, 1962 (No. 14) made on the 7th of September, 1962, and published in the Gazette on the 15th of September, 1962. (OMS. 2/2/3(9))(Circulated).
- (iii) Government's Comments on the Report of the Public Accounts Committee of the Legislative Assembly on the Director of Airports and Harbours Department for the year ended 31st December, 1960. (H. 1518/50)(Circulated).

(b) By the Minister of Education and Social Development:

- (i) Report of the Trustees of the Mitchell Trust Fund for the year 1961, together with the Financial Statements and the Director of Audit's Certificate thereon. (LEG. 42/53/3 III).
- (ii) Statement of Receipts and Expenditure of the Georgetown Replanning Scheme for the period 1st February, 1962 to 31st July, 1962, together with the Director of Audit's Certificate thereon. (HTP. 342/36/2 II).
- (iii) Annual Report on the Treatment of Offenders for the year 1960. (H.A. Prob. 22/3/1)(Circulated).
- (iv) Annual Report of the Commissioner of Police for the year 1961. (P. 77/11 IX)(Circulated).

INTRODUCTION OF BILLS

The Minister of Trade and Industry intimated that in accordance with the notice given, he proposed at the appropriate time to move the suspension of the relevant Standing Orders to enable him to proceed with the following Bills through their remaining stages:

- (a) DEFENCE BILL, 1962.
- (b) PUBLIC CORPORATIONS BILL, 1962.
- (c) EXCHANGE CONTROL (AMENDMENT) BILL, 1962.

The Minister of Education and Social Development presented the following Bill and intimated that in accordance with the notice given, he proposed at the appropriate time to move the suspension of the relevant Standing Orders to enable him to proceed with its remaining stages:

FIRE BRIGADE (AMENDMENT) BILL, 1962.

The Bill was read the first time.

PUBLIC BUSINESS

MOTIONS

Item 1 - MOTION TO APPROVE REFUND OF STAMP DUTY.

On a motion by Senator Khan, seconded by Senator Thomas, the Senate adopted the following Resolution:

RESOLVED, That the Legislature approves of the remission of the stamp duty of one hundred dollars paid by the Association of Baptist Churches in British Guiana in terms of section 9(33) of the Tax Ordinance, Chapter 298.

Item 2 - MOTION TO APPROVE REFUND OF STAMP DUTY.

On a motion by Senator Too-Choo, seconded by Senator Thomas, the Senate adopted the following Resolution:

RESOLVED, That this Senate recommends to Government the refund to the Bible Protestant Congregational Church of British Guiana of the sum of one hundred dollars paid in terms of the Tax Ordinance, Chapter 298, for the Private Bill intitled "An Ordinance to incorporate the Bible Protestant Congregational Church of British Guiana and for purposes connected therewith".

BILLS - Second and Third Readings.

DEFENCE BILL, 1962 - Bill No. 22 19 2 L.A.

The relevant Standing Orders were suspended to enable the Senate to proceed with the remaining stages of the BILL intitled AN ORDINANCE TO MAKE PROVISION FOR THE DEFENCE OF BRITISH GUIANA BY THE ESTABLISHMENT OF A BRITISH GUIANA ARMY AND OTHER UNITS OF HER MAJESTY'S MILITARY FORCES, AND TO PROVIDE FOR MATTERS CONNECTED THERewith AND INCIDENTAL THERETO.

On a motion by the Minister of Trade and Industry, the Bill was read a second time and was thereafter taken through its remaining stages and passed with the following amendments in Committee:-

Clause 6 - Substituted: The words "The Governor may establish and maintain" for the words "There shall be established and maintained" in subsection (1).

- Clause 7 - Substituted: The word 'may' for the word "shall" after the words "The Governor" in the first line of subsection (1).
- Clause 11 - Substituted: The word may" for the word "shall" after the words "Army Council" in the first line.
- Clause 74 - Substituted: The words "a term not exceeding fifteen y ars" for the words "any term" at he end of the clause.
- Clause 98 - Substituted: The words "in British Guiana" for the words "in England" -
- (i) aft r the words "in civil co ts" in the third line of subsection (1);
 - (ii) aft r the words "civil court" in the sixth line of sub-section (1);
 - (iii) after the words "civil court" in the last line of sub-section (3).
- Clause 99 - Substituted: The words "Supreme Court of British Guiana" f r the words "High Court of Justic in England".

FIRE BRIGADE (AMENDMENT) BILL, 1962 - Bill No. 25/1962 (S).

The relevant Standing Orders were suspended to enable the Senate to proceed with the remaining tages of the BILL intituled AN ORDINANCE TO AMEND THE F E BRIGADE ORDINANCE, 1957.

On a motion by the Minister of Education and Social Development the Bill was read a second time nd was thereafter taken through its remaining stages and pass d as printed.

PUBLIC CORPORATIONS BILL, 1962 - Bill No. 24/1962 (L.A.)

The relevant Standing Orders were suspended to enable the Senate to proceed with the remaining tages of the BILL intituled AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF PUBLIC CORPORATIONS AND FOR PURPOSES ONNECTED THEREWITH.

On a motion by the Minister of Trade and Industry, the Bill was read a second time.

Thereafter the Senate resolved itself into Committee to consider the Bill clause by clause.

In Committee

Clauses 1 and 2 - were passed as printed.

Clause 3 - Senator Tasker moved the following amendments which were put and negatived:

Substitution of the word "five" for the word "three" in the second line of subsection (5);

Deletion of the words "at the pleasure of the Council of Minister" in the last line of subsection (5), and substitution thereof of the words "on the ground of bankruptcy, insanity or gross misbehaviour".

Clause 3 was then passed as printed.

Clauses 4 to 9 - were passed as printed.

Clause 10 - Senator Tasker moved the following amendment which was put and re jected:

Deletion of the word "and".

Clause 10 was then passed as printed.

Clause 11 - Senator Tasker moved the following amendment which was put and re jected:

Deletion of the word "with the approval of a Minister," in the first line.

Clause 11 was then passed as printed.

Clauses 12 to 45 - were passed as printed.

Clause 46 - Senator Tasker moved the following amendment which was put and re jected:

Insertion of the words "approval by resolution of the Legislative Assembly" after the word "order" in the second line of subsection (1).

Clause 46 was then passed as printed.

Clauses 47 to 53 - were passed as printed.

Senate resumed.

Third Reading

On a motion by the Minister of Trade and Industry, the BILL intituled AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF PUBLIC CORPORATIONS AND FOR PURPOSES CONNECTED THEREWITH. was read the third time and passed as printed.

EXCHANGE CONTROL (AMENDMENT) BILL, 1962 - Bill No. 26/1962(L.A.)

The relevant Standing Orders were suspended to enable the Senate to proceed with the remaining stages of the BILL intituled AN ORDINANCE TO AMEND THE EXCHANGE CONTROL ORDINANCE, 1958.

On a motion by the Minister of Trade and Industry, the Bill was read a second time and was thereafter taken through its remaining stages and passed as printed.

QUESTION TO PRESIDENT

Before the adjournment, the Vice-President referred to the notice of question submitted by Senator Tasker on the 8th of August, 1962, concerning the press report that a letter relating to proceedings in the Senate had been addressed by a certain Society to the Senate, and stated that he proposed to give the Senator a reply in private.