

**THE  
PARLIAMENTARY DEBATES  
OFFICIAL REPORT**

**[VOLUME 7]**

**PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE NATIONAL  
ASSEMBLY OF THE THIRD PARLIAMENT OF GUYANA UNDER THE  
CONSTITUTION OF GUYANA**

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**43<sup>rd</sup> Sitting**

**2 p.m.**

**Wednesday, 9<sup>th</sup> October, 1974**

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**MEMBERS OF THE NATIONAL ASSEMBLY**

**Speaker**

His Honour the Speaker, Mr. Sase Narain, J.P.

**Members of the Government – People’s National Congress (50)**

**Prime Minister (1)**

The Hon. L.F.S. Burnham, O.E.,  
Prime Minister

**(Absent)**

**Deputy Prime Minister (1)**

Dr. the Hon. P.A. Reid,  
Deputy Prime Minister and Minister of  
National Development

**Senior Ministers (8)**

The Hon. H.D. Hoyte, S.C.,  
Minister of Economic Development

\*The Hon. S.S. Ramphal, S.C.,  
Minister of Foreign Affairs and Justice (Absent)

\*The Hon. H. Green,  
Minister of Co-operatives and  
National Mobilisation

\*The Hon. H. O. Jack,  
Minister of Energy and Natural Resources

\*The Hon. F. E. Hope,  
Minister of Finance (Absent)

\*The Hon. S.S. Naraine, A.A.,  
Minister of Works and Housing

\*The Hon. K.F.S. King,  
Minister of Economic Development

\*The Hon. G. B. Kennard, C.C.H.,  
Minister of Agriculture

### **Ministers (5)**

The Hon. W. G. Carrington,  
Minister of Labour (Absent)

The Hon. Miss S. M. Field-Ridley,  
Minister of Information and Culture (Absent)

The Hon. B. Ramsaroop,  
Minister of Parliamentary Affairs  
and Leader of the House

\*The Hon. Miss C.L. Baird,  
Minister of Education and Social Development (Absent)

\*Dr. the Hon. O.M.R. Harper,  
Minister of Health (Absent)

### **Members of State (10)**

The Hon. M. Kasim, A.A.,  
Minister of State for Agriculture

### **\*Non-elected Ministers**

The Hon. O.E. Clarke,  
Minister of State – Regional  
(East Berbice/Corentyne)

The Hon. P. Duncan, J.P.,  
Minister of State – Regional (Rupununi)

The Hon. C.A. Nascimento,  
Minister of State, Office of the Prime Minister

The Hon. M. Zaheeruddeen, J.P.,  
Minister of State – Regional  
(Essequibo Coast/West Demerara)

The Hon. K.B. Bancroft  
Minister of State – Regional  
(Essequibo Coast/West Demerara)

**(Absent – on leave)**

\*The Hon. C.V. Mingo,  
Minister of State for Home Affairs

\*The Hon. W. Haynes,  
Minister of State for Consumer Protection

**(Absent)**

\*The Hon. A. Salim,  
Minister of State – Regional  
(East Demerara/West Coast Berbice)

\*The Hon. F.U.A. Carmicheal,  
Minister of State – Regional (North West)

**(Absent)**

### **Parliamentary Secretaries (7)**

Mr. J.R. Thomas,  
Parliamentary Secretary, Ministry of Works and Housing

**(Absent)**

Mr. C.E. Wrights, J.P.,  
Parliamentary Secretary,  
Ministry of Works and Housing

**(Absent – on leave)**

Miss M.M. Ackman,  
Parliamentary Secretary, Office of the  
Prime Minister, and Government Chief Whip

### **\*Non-elected Ministers**

Mr. E.L. Ambrose,  
Parliamentary Secretary,  
Ministry of Agriculture

Mr. S. Prashad,  
Parliamentary Secretary, Ministry of  
Co-operatives and National Mobilisation

Mr. J.P. Chowritmootoo,  
Parliamentary Secretary, Ministry of Education  
and Social Development **(Absent)**

Mr. R.H.O. Corbin, **(Absent)**  
Parliamentary Secretary, Office of the Prime Minister

**Deputy Speaker (1)**

Mr. R.C. Van Sluytman, Deputy Speaker **(Absent)**

**Other Members (17)**

Mr. J.N. Aaron

Mrs. L.M. Branco

Mr. M. Corrica

Mr. E.H.A. Fowler

Miss J. Gill

Mr. W. Hussain

Miss S. Jaiserrisingh **(Absent)**

Mr. K.M.E. Jonas **(Absent)**

Mr. M. Nissar

Dr. L.E. Ramsahoye

Mr. J.G. Ramson

Mrs. P.A. Rayman **(Absent)**

Mr. E.M. Stoby, J.P. **(Absent)**

Mr. S.H. Sukhu, M.S., J.P.

Mr. C. Sukul, J.P.

Mr. H.A. Taylor

Mrs. L.E. Willems

**Members of the Opposition – Liberator Party (2)**

Mr. M.F. Singh, Leader of the Opposition

Mrs. E. DaSilva

## **OFFICERS**

Clerk of the National Assembly – Mr. F.A. Narain

Deputy Clerk of the National Assembly – Mr. M.B. Henry, AMBIM

**PRAYERS****ANNOUNCEMENTS BY THE SPEAKER****Leave to Members**

**The Speaker:** Leave has been granted to the hon. Member Mr. K. Bancroft and the hon. Member Mr. C.E. Wrights for today's Sitting.

**PRESENTATION OF PAPERS AND REPORTS**

The following Papers were laid:

Report of the Ombudsman for the year ended 31<sup>st</sup> December, 1970. [**Mr. Speaker**]

Report on the Operations of the Guyana Credit Corporation for the year ended 30<sup>th</sup> June, 1973. [**The Deputy Prime Minister and Minister of National Development on behalf of the Prime Minister**]

Loan Agreement (Tapakuma Irrigation Project) between Guyana and International Bank for Reconstruction and Development dated June 25, 1974 (Loan Number 1016 GUA). [**The Minister of Economic Development on behalf of the Minister of Finance**]

**INTRODUCTION OF BILLS – FIRST READING**

The following Bills were introduced and read the First time:

New Amsterdam Town Council (Appraisalment) bill 1974 – Bill No. 32/1974 published on 7.10.74. [**The Minister of Co-operatives and National Mobilisation**]

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Dental Practitioners (Temporary Registration) Bill 1974 Bill No. 33 of 1974.  
[The Minister of Co-operatives and National Mobilisation on behalf of the  
Minister of Health]

Stamp duties (Management) (Amendment) Bill 1974 published on 7.10.74 Bill  
No. 34/1974. [The Minister of Economic Development on behalf of the  
Minister of Finance]

### **PUBLIC BUSINESS**

### **BILLS – SECOND READING**

### **UNIFICATION CHURCH (INCORPORATION) BILL**

A Bill intituled:

“An Act to incorporate the Unification Church.” [Mr. Ramson]

**The Speaker:** Hon. Member Mr. Ramson

**Mr. Ramson:** Your Honour, I have undertaken to pilot through this Assembly, the bill standing in my name. During November, last year, I presented to the Assembly a petition by the President and Secretary of the Executive Committee in Guyana of the Unification Church seeking to have introduced in the Assembly a Private Bill to incorporate the Church in Guyana.

Following the leave granted by the Assembly for the promoters to proceed, the Bill was published in the Official Gazette and in the **Daily Chronicle** newspaper of the 3<sup>rd</sup>, 10<sup>th</sup> and 17<sup>th</sup> August, 1974, and was introduced in the Assembly on the 21<sup>st</sup> August, 1974.

I presume, sir, that its pre-requisites have been met and that it is non-controversial.

The Unification Church was founded about twenty years ago and its principles, based on revelations received by its founder Rev. sun Myung Moon, are taught and studied in over fifty nations of the earth and it is significant to note that as recently as the 18<sup>th</sup> September this year in New York there was a crusade where a large number, approximately seventy-five thousand people, were in attendance.

The Guyana Branch of the Church was started just over three years ago and has already mobilized a large membership on its roll.

The Bill before the Assembly seeks to incorporate the Church in Guyana and I now move the Second Reading thereof and commend it to the Assembly.

*Miss Ackman seconded.*

*Question proposed, put, and agreed to.*

*Bill read a Second time.*

*Assembly in Committee.*

*Bill considered and approved.*

*Assembly resumed.*

**Mr. Ramson:** Your Honour, I beg to report that the Unification Church (Incorporation) Bill 1974 was considered in Committee and passed without amendment. I now move that the Bill be read the Third time.



9.10.74  
2.20 p.m.

National Assembly

2.20 – 2.30 p.m.

*Miss Ackman seconded.*

*Question put, and agreed to.*

*Bill read the Third time and passed.*

**LOCAL AUTHORITIES (POSTPONEMENT OF ELECTIONS)  
(AMENDMENT) BILL 1974**

A Bill intituled:

“An Act to amend the Local Authorities (Postponement of Elections) Act, 1972.”

**[The Minister of State for Home Affairs on behalf of the Prime Minister]**

**The Speaker:** Hon. Minister of State for Home Affairs.

**The Minister of State for Home Affairs (Mr. Mingo):** Mr. Speaker, the Bill before the House simply seeks to amend the Local Authorities (Postponement of Elections) Act, 1972 to provide for the postponement of the elections of councilors in all the local authorities in Guyana from 1974 to 1976. Government regrets very much the decision to take action for postponement but must act to ensure the orderly development of local government in Guyana.

In 1970, local government reform was introduced and it is government's policy to bring all unorganized areas under local Government either as a new unit or under the jurisdiction of existing units. There are many areas still to be brought in and preparatory work in this connection is proceeding apace to identify the various unorganized areas and to gather all the relevant data such as titles and boundaries and so on.

It is anticipated that most, if not all of these unorganised areas will be ready to be brought under local government during 1975 or 1976. It is therefore inexpedient to hold elections before this exercise is completed, since it is planned to have one set of elections for the existing councils and the new ones to be established.

Another reason for the postponement of Local Government Elections is that with the transfer of responsibility for regional development to the Ministry of Economic Development, there are very vital decisions to be taken with respect to the establishment of regional boundaries in relation to local authority boundaries. Then, there are new duties and tasks to be attempted. The whole question is being carefully studied and while this is taking place it has been found that it will not be politic to upset the local government structure by holding elections at this point in time.

There are, of course, too, the effects of the fuel and economic crises which have resulted in the steep rise in the cost of equipment, material and labour. It has been discovered that it will be necessary to increase drainage rates. Fuel costs have gone up by 106 per cent; the price of road building material has sky-rocketed. These heavy increases in costs have forced councilors to revise their programmes again and again in an effort to keep within their financial provision while striving to achieve tangible results.

Mr. Speaker, it is only fair that these councilors should be given the opportunity to see things through this special period before giving other persons the opportunity to take over. I wish to submit that from the reasons which I have advanced, it is clear that the postponement of Local Government Elections this year should be undertaken to allow the present councilors to continue in office and to play their part in giving local government its rightful place in the development of Guyana. I commend the Local Authorities (Postponement of Elections) (Amendment) Bill, 1974 to this House and beg that it be read a Second time.

*Question proposed.*

**The Leader of the Opposition (Mr. Singh):** Mr. Speaker, since the enactment on 4<sup>th</sup> November, 1969 of the Local Authorities Elections Act, No. 23 of 1969, now incorporated with the new laws, this country has had Local Government Elections only once. That was in 1970. And so surreptitiously was it done that when the date for elections was announced, notice of less than a period of two days before nomination day was allowed to the other political parties to contest the elections. Of course, the P.N.C. knew all along when the date would be and exactly what would have take place.

In 1970, the United Force refused to contest the second phase of the elections in protest against the short notice of approximately two days. What happened after? The PNC dominated all the local government councils in one way or another. In 1972, we had the first proposal for postponement. Let us remember that 1972 was just before July 1973 when, I am sure, it was known that the government intended to hold the General Elections. So, in 1972, the government came to this honourable House and said: “We must postpone Local Government Elections.” The reason given at the time was that this was a new system, that the councilors needed time to get accustomed to the new system, they needed to be given an opportunity, a fair chance, to work the new system, and the considered opinion at that time was that this extension should apply until 1974. That was the rationale at that time.

**2.30 p.m.**

What is happening now? Now, the proposal is to postpone it to 1976. A different set of reasoning? Not really. Again we are told that they need time to settle in to make the system work and we have been told something about the fuel crisis. That is no excuse. It can never be any excuse for the denial of the people’s democratic rights to select their own regional councils. It can never be a satisfactory reason. In all the crises, other countries are still having elections. In a few days’ time, with the crisis, with all its turmoil, the United Kingdom will be having elections.

[Mr. Singh contd.]

It is now patently clear that the Government is afraid to carry through with Local Government Elections this year. It is seeking a much-needed respite by postponing these elections, by bringing forward this Amendment this year in order to see whether it could devise any new means to retain its position on the various councils of local authorities. Why is it so? Is the Government afraid? Is it because its supporters are so disenchanted that they cannot be relied on to repeat their performances of July, 1973? Is it because it cannot rely on its supporters for their support on this occasion? I say the answer is, Yes. The people have had promises made to them which have gone unfulfilled. They have been living under a Government where there is a high percentage of dissatisfaction even among the Government's own traditional supporters. That is why these elections are being postponed.

We in the United Force believe in parliamentary democracy but this legislation before the House is a negation of wishes of the people. Indeed, it is a denial of the human right of the individual to express his wishes in respect of his representatives. And the Government says that it believes in parliamentary democracy. By all means let us all practice it. What we need in this country is free and fair elections, not postponement of elections.

It is a well-known fact that a large number of the councils of the local authorities are packed with P.N.C. lackeys who hardly even bother to attend the meetings of the local councils. There is a sad lack of interest in the affairs of the local government areas. There is a deficiency of foresight and proper planning in the affairs of a number of the local authorities, and this, to my mind, demonstrates a deteriorating society.

The hon. Minister himself has had cause on various occasions in the past to criticize severely the very same people that he is now advocating should remain in office until 1976. We have had some of them clearing out; we have had legislation whereby, if the list is exhausted, people from right outside, who have never faced an election tape, could be picked to fill the

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2.30 – 2.40 p.m.

vacancies. But we have had criticisms of so many of these local authorities by no less a person than Mr. Hulbert McGowan, himself one of the leaders in local government affairs. He has been caustic on so many occasions of these very same people who, the government says, must remain there until 1976 or whatever other date the Minister decides.

On the last occasion when the local government election legislation for postponement was brought before the House, that was in 1972, I disagreed completely with the proposal and expressed the fear that it was a prelude to further postponements. That my fears have been justified is very evident indeed and, once again, I want to raise my voice to protest vehemently the postponement of Local Government Elections by this present proposal now before this honourable House. We ask, we demand, that there be an end to the denial of the wishes of our people for free and fair elections in this country. We need to change the *de facto* situation in Guyana.

We need to change Guyana's image abroad where we are known as a country of rigged elections, and a suppressed press, as evidenced by something I read only a few days ago, something appearing in the London **Guardian** of Monday, October 7<sup>th</sup>, 1974.

This is what they think about us overseas. Here it is on page 2.

#### **“Burnham Takes Over Press Opponent”**

The Guyanese government has taken effective control of the country's daily press by nationalizing the two leading newspapers, the **Daily** and the **Sunday Graphic**, which have been widely respected in the commonwealth Caribbean for their independence. There has been waged a war of harassment against both papers. Finally, the Thomson Group which owned the papers offered to sell them to the Government. The offer has now been accepted.”

A takeover of the Press in Guyana. That is the kind of reputation we have abroad – rigged elections; a controlled press. Do we want to continue this? Let us have an end the postponement of elections, let us have free and fair elections. Let us have a return to democracy in Guyana.

**The Speaker:** Hon. Minister of State for Home Affairs.

**Mr. Mingo:** All we are trying to do is to ensure the orderly development of local government in Guyana. I wish to quote from the **New Nation**. These are from remarks which were made by Hulbert McGowan, who is the Chairman of G.A.L.A.)

“The Guyana Association of Local Authorities is pleased that there will be no Local Government Elections until 1976.

“As President of G.A.L.A., after visiting areas throughout Guyana, I have no doubt that the P.N.C. would win the Local Government Elections.

But winning an election is not material at this point of time. What is needed is the party’s ability to maintain peace and unity, the essential ingredients for a continued economic progress.”

Mr. Speaker, I do not think there is very much more that I have to say, so, with these words, I wish to commend this Bill to the House.

*Question put, and agreed to.*

*Bill read a Second time.*

*Assembly in Committee.*

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2.30 – 2.40 p.m.

*Bill considered and approved.*

2.40 p.m.

*Assembly resumed.*

*Bill reported without Amendment, read the Third time and passed.*

### **PUBLIC HEALTH (SCHOOL CHILDREN) IMMUNISATION BILL 1974**

A Bill intituled:

“An Act to make provision for the immunization of persons seeking entry into schools and day-care centres against certain communicable diseases, and for other purposes connected therewith.” [The Minister of Co-operative and National Mobilisation on behalf of the Minister of Health]

**The Minister of Co-operatives and National Mobilisation** (Mr. Green): Your Honour, I beg to move that the Public Health (School Children) Immunisation Bill be now read a Second time. This bill, I hope, will not cause my good friends on the opposite side to shout themselves hoarse, “No” because I note with some pleasure that some time ago – in fact, on the 25<sup>th</sup> September last year – the hon. Member on the opposite side, Mrs. DaSilva, did raise certain issues and tabled a motion in this House which, in fact, this Bill attempts to satisfy.

The health of this young nation is of prime importance to this Government and though we have enacted a number of regulations, though we attempt to bolster the size and the efficiency of the health department, I suspect that in a society such as ours we are forced to enact legislation and to make certain things compulsory because human beings, as they are, sometimes need to be

forced. We have had in many other instances and to compel people to do things in their own interest.

**2.40 p.m.**

This Bill simply attempts to make it necessary, before any child can enter a school or a day-care centre, to have the child immunized against certain communicable diseases. I do not think it is necessary at this point to enter into any great detail but the effect of this will be to ensure that quite nigh, all, if not a hundred per cent, of our next generation is immunised against certain diseases.

We attempted to find some measure to ensure that all of our young people were immunized and the Ministry fell upon this mechanism to identify the point of entry into the school as the place and time when we can make it compulsory. Because, unlike most countries, we feel that except, perhaps, in extremely remote areas, every Guyanese child passes through a school or some day-care centre.

The bill, therefore, will ensure that children are immunized against certain diseases so that our plan, our hope to feed, clothe and house the nation, our dream for the new Guyana man and our attempt to create a stronger society both physically and in terms of their resolution to make this country a better place will come through and that this small act of ours will go one step further to ensure that this is a reality, I commend this Bill for acceptance.

*Question proposed.*

**The Speaker:** Hon. Member, Mrs. DaSilva.

**Mrs. DaSilva:** Mr. Speaker, there will be no 'Noes' from this side of the House for this Bill which we of the United Force will give, without any question of doubt, our wholehearted support. The hon. Minister, acting for Minister Harper, did say that back in September, 1973, I tabled a Motion on behalf of the United Force to ask the Government to consider the



implementation of this and to make legislation for it, just what we are here for today. We are very pleased to see that it has been accepted. I thought that the Motion had been pushed into a little corner and forgotten but this is far better than just debating a Motion. It never saw the light of day but now it has come before the House in the form of a Bill which is just, of course, what we want – bringing it to actual reality.

I agree with the hon. Minister, too, in stating that it is necessary, very often, to pass a Bill or propose legislation such as this to make sure that those people who have to be protected in spite of themselves, who do not want to be bothered to take the necessary steps as, say in this case, to protect their children by immunization, will be forced to do so because the child will not be able to get into the school unless the certificate is produced stating that the child has been immunized. Unfortunately, we still have in our country people who feel that there is no point in preventive measures.

Not so very long ago I was speaking with a rice farmer down in Leguan. His little child was not very well and somehow we got around to immunisation and while talking about it I was trying to encourage him to get the child immunized. His reply to me was “Oh no, Mrs. DaSilva, don’t worry with that. What is the point of boring the child, the child *aint* sick.” Until people realise there is a point in having preventive medicine, we will be forced to have this type of legislation.

We expect to hear, too, from some school teachers or day-care supervisors, people who look after the small children, that this is going to cause a lot of work and a lot of trouble. They will have an extra register to keep plus the special register that is required in clause 3 for a child who does not have to have the immunization shots if it is exempt on medical grounds and produces the necessary certificate. WE are going to have complaints from these people saying “Oh it is added burden on the school teacher; it is more work for them. They have more books to keep and so on.” But I do not think that that is worthy of consideration because if a teacher has the interest of the child, its health and its well-being first, and if that is the kind of teacher who is

going to count the little bit of extra trouble and create a rumpus, well the sooner we get rid of that kind of person in the teaching profession, the better.

I would like to take the opportunity, whilst talking about the immunization bill, to ask the hon. Minister to use the immunization centre on Camp Street as an example of how a Government department should be run. People can go there for their shots and I am hoping, when the hon. Minister gets up to reply afterwards, that he will tell this House briefly, for the benefit of the nation, how the government is going about it, what plans it is making, how soon it hopes to start with putting this into effect. It is a big ambitious scheme and obviously it cannot all occur overnight. It would be of interest if the hon. Minister would tell us how the Government is going about it, where it is going to have it done, whether at the Health centres, hospitals or the schools. It will be an opportunity for the hon. Minister to tell the House and the nation. The immunization centre in Camp Street would probably take off a lot of it.

I would like to pay special tribute to that centre, as being one of the well run Government departments. Very often you have to get up here and talk about departments particularly in health, for instance, the Public Hospital, Georgetown and the conditions that exist there. The immunization department in Camp Street is one that stands way out head and shoulders above the others and I venture to say that is because the women who run that centre are disciplined. Everyone knows what she is supposed to be doing. They do it efficiently and everybody is satisfied. I recommend that people go and see it or go there for their shots.

### **2.50 p.m.**

Talking about the immunization centre, it is receiving special praise again. It is very appropriate to this bill now that our National Exhibition is finished. The little booth run by the Ministry of Health, that section dealing with immunization and child care, was only small but it was a very good booth. The organizers made the best use of the space available; they had good

[Mrs. DaSilva continued]

clear pictures and in a small area were able to get across a lot of very valuable information. It shows what careful planning can do.

Going back now specifically to this bill. In this day and age technology is advanced and communications have brought countries nearer, so that a couple of hours one is in another country, in Europe or North America years ago, we used to say: “Well, it does not apply to Guyana, that is the sort of thing people get up North; we do not have it here.” But with transport being so quick and easy, it is very simple for these diseases to be brought into our country overnight. It is very fitting and timely that the Government gets this immunisation Bill passed.

Clause 4, just to deal specifically with one clause, states:

“If any communicable disease becomes epidemic, or if an epidemic of any such disease is threatened the Minister may, notwithstanding the provisions of section 3 (2), by notice –

(A) Suspend persons whose names are recorded in the register in pursuance of section 3 (3) from attending any school or day-care centre.”

This is dealing with special cases. There are not very many children I should imagine who, for medical reasons, cannot be immunized. Therefore, they will present a special certificate to the teacher in charge or the supervisor of the day-care centre saying that they are granted an exemption from immunisation on medical grounds. The teacher also has to have a register and make an entry therein.

If an epidemic is threatened the Minister has the authority to see that these children are kept away from school for whatever period is necessary. This is very good and very

commendable but I should like to add that special stress be used because this programme is going to need a lot of publicity to get across to the parents, teachers and to the children concerned, the necessity and the need to see that it is implemented. It is all very well to say: “Oh yes, it is a law; it has to be done and if a child is not immunized she cannot be accepted by the school”, but naturally if you get the co-operation of the parents and the children, so much the better; it will work all the easier.

We are going to call on the Ministry of Information and we hope the Ministry will be able to disseminate a lot of new on this. It will be very worthwhile for part of their programmes too, that the Ministry of Education, gets across to everybody the need for a child to be immunized.

At the same time, too, I should like to ask the Minister that it be stressed that in the case of any child contracting any communicable disease, that these diseases be notified to the medical officer of health in the region. This is required by law, and this law should be complied with. It is laid down as such in the Public Health Act that a communicable disease must be notified. I understand that the Education Act also provides that the Headteacher or the teacher in the school should notify the authorities. But I feel that this is not done as often as it should be.

We, in Guyana, get away with so many things that maybe if we lived in a cold climate or in a different climate many more people would be dead but we have the sunshine and I think that helps a lot. A lot of these children rush around at the stage when they are infected. They go to school; they mix with other children in the playground and so on and pass on the disease. Enough attention is not paid to keeping these children away from other children when they are contagious and so the disease is passed on.

I should like to urge the Minister – it is taken care of by law in the Public Health Act and in the Education Act – that when the regulations have been drafted special attention be paid to this question of notification. Not because children have been immunized and cannot go into

school unless they are immunized does it mean that they do not get the disease. They still could get the disease. I understand it does not mean that they will get it to a degree as if they were not immunized but they are still open and susceptible to the disease. I would like to ask that it is most important that the need for the observance of keeping these children away when they are at the contagious stage be adhered to.

I hope in his reply the Minister will give us some idea, as I said earlier, of how they are going about implementing this programme. As I said, it is a big scheme with a lot of children and naturally would take some time. Everything cannot happen all at once. I take it that provision will be made on the records that they are going to keep of the children, for recording when they have received their booster shots and that care will be taken to see that everything is kept up to date.

I think that is about all we could say to support this Bill. We wish it every success and assure the Minister that we will give whatever help we can give amongst our people in educating them in the need for this very necessary measure.

**Mr. Green** (replying): Mr. Speaker, we are most grateful for the support by the other side of the House. The only comment I wish to make is to assure my hon. Friend and this honourable House that the Ministry of Health will make every effort to ensure that the programme is successful.

The Ministry will naturally have to call upon the assistance of citizens, institutions and other organisations to ensure that the whole idea of the health of the nation, the concept that the health of the nation is important to development, is put across to all and sundry. In fact, it is little known that the programme has started at all of the health centres, and what is proposed towards the end of 1974 and certainly with the beginning of 1975 is to expand the programme and intensify it so that every corner of Guyana is covered by the programme.

9.10.74

National Assembly

2.50 – 3.00 p.m.

The question of the Education Code and the Public Health Ordinance not being either appreciated by some people and in other cases not implemented is one of concern to the Ministry of Health. The new programme to which I just referred should take care of this and with the assistance of the information media and certainly the official Opposition we should see a successful conclusion to this very useful programme.

*Question put, and agreed to.*

*Bill read a Second time.*

*Assembly in Committee.*

*Clause 1 agreed to and ordered to stand part of the Bill.*

*Clause 2.*

**Mr. Green:** I should like to move an amendment to Clause 2, that the word “persons” be substituted for the word “children”. It should therefore read:-

“(school) means an establishment or institution established mainly for the purpose of providing education suitable for persons who have attained the age of three years, but have not attained the age of eighteen years;”

*Amendment put, and agreed to.*

*Clause 2, as amended, agreed to and ordered to stand part of the Bill.*

**3.00 p.m.**

*Clauses 3 to 8 agreed to and ordered to stand part of the bill.*

*Schedule agreed to and ordered to stand part of the Bill.*

*Assembly resumed*

*Bill reported with an amendment, as amended, considered;*

*Read the Third time and passed.*

### **DEBENTURES (SPECIAL PROVISIONS) BILL 1974**

A Bill intituled;

“An Act to make provision for the issue of debentures by the State in satisfaction wholly or partly of the purchase price of property acquired by the State by purchase.” [The Minister of Economic Development on behalf of the Minister of Finance]

**The Minister of Economic Development (Mr. Hoyte):** In accordance with article 80 (2) of the Constitution of Guyana, I signify that the Cabinet has recommended the Debentures (Special Provisions) Bill 1974 for consideration by the National Assembly.

Mr. Speaker, Government has the authority to acquire property without prior approval of Parliament. However, this power can be exercised only when the property is acquired on a cash basis. If Government wishes to conclude an arrangement whereby that property will be acquired by payment on instalment, the prior approval Parliament becomes necessary.

Within recent years, Government has been entering into a number of commercial-type arrangements whereby property has been acquired under circumstances in which it is right and business-like to pay for that property in the normal business way, that is, on an instalment or annuity basis, the balance of the purchase price being covered by the issue of debentures.

This bill before this honourable House seeks to give the Government the necessary authority to conclude arrangements in which property could be acquired by payment on an instalment basis and the issue of debentures without the prior approval of Parliament. In other words, the Bill seeks to put the two kinds of arrangements, that is, an arrangement in which the payment is made in case and an arrangement in which payment is extended over a period of time, on the same basis.

**3 p.m.**

It will be observed, that under subsection (4) of clause 2 of the Bill, it is proposed, if this bill is passed by Parliament, that the Act should take effect from 1<sup>st</sup> July, 1970. This is to enable the Government to apply the provisions of the Act to the acquisition of Guyana Gajraj Limited and Wrefords Limited, the former proprietors of which businesses have both agreed that payment could be made to them over an extended period, and such sums which may be owing to them could be secured by debentures.

It will be observed too, that under subsection (3) of the same clause 2, a copy of any agreement made in pursuance of this legislation will have to be laid in Parliament. The purpose of this bill, is merely to give the Government a power which has become necessary in the light of present activities of Government in the commercial and economic life of this country. In those circumstances, I commend this bill to this honourable house.

*Question proposed.*

**The Speaker:** The hon. Member Mrs. DaSilva

**Mrs. DaSilva:** Mr. Speaker, we of the United Force, have no objection to this Bill to make provision for the issue of debentures by the State in satisfaction wholly or partly of the purchase price of property acquired by the State. But, sir, there are a few questions we would



like to ask the hon. Minister, and I hope he will favour us with the courtesy of an explanation, as he usually does.

Now, he did more or less in his introductory remarks to this Bill state, and it appears this way to us, that the Government has been acquiring property and making arrangements – he quoted Guyana Gajraj and Wrefords as two examples of this – and that is the reason why this Bill has to be retroactive to 1<sup>st</sup> July, 1970.

So, we would like to ask the Minister: Are there many more acquisitions of property such as this? Has the Government been gaily going on just flouting the law making their arrangements and then suddenly deciding to come to Parliament to have the wrong put right, as it were?

This government has to realise that Parliament is the place where the laws of the country are passed. Parliament is the place that must be consulted first, and not the other way around. We normally have the National Park or the square at Linden where the Government announces to the nation its policy for nationalizing or what have you. For example, what it intends to do for the take over of Reynolds in December. Now, we have the Government making arrangements with Guyana Gajraj and Wrefords, without first having come to this House. We have spoken about this over and over again.

### 3.10 p.m.

One can appreciate and understand a mistake being made and Government coming to this House to put it right, to have it legalized. But when something goes on over and over again, it does not appear to be a mistake any longer. It appears to be that the Government believes that it is supreme and it can do absolutely anything and everything, and then one fine day come to this House and ask to have it put right. We would like to say that we have nothing against this Bill

[Mrs. Dasilva contd.]

but we would urge the Government to conduct its business in a proper manner. If it was private enterprise I do not think it would be done that way.

We are very pleased to see under subclause (8) that a reassurance in relation to security is given to the person to whom the debenture is being issued for the acquiring of property, as it reads:

“All moneys for the payment of interest on debentures issued under this Act or for the redemption thereof and all expenses of or incidental to, the redemption of the debentures are hereby charged on the Consolidated Fund.”

This will give the holders some security and a chance of receiving their interest on the debentures when the time comes. It would not be a long drawn-out procedure, having to come to Parliament, as it has already been settled. So we are very pleased to see that.

Could the Minister tell us what rate of interest it is proposed that these debentures will bear? Will it be in the Agreement which will be laid before Parliament? Will the Minister tell us now or will we be told when the Agreement is laid before Parliament? It would give some reassurance to the persons whose property is being bought if they knew how much interest they would be receiving from it. After all, if it is not sufficient interest, they could put it on a fixed deposit in the bank and they might even earn more interest there. One would hope that the Minister would see the reason behind this of telling the people what rate of interest the debentures would bear.

There is one other point on this. It is with regard to the debentures. We are told they are being issued for acquiring property, but I take it that “property” covers things like tractors, agricultural implements and big bits of machinery and does not apply to houses alone and property as we understand it. We would appreciate the Minister giving some information and

clarification on these points. I think that is all that we have to say on this Bill and we look forward to the Minister's explanation.

**Mr. Hoyte (replying):** Mr. Speaker, I wish to assure the hon. Member that the term, "property", has the fullest legal meaning and is not restricted in any way. I would like to assure the hon. Member, also, that the conclusion she has drawn from Clause 2 subsection (4) of the Bill is quite erroneous. This clause does not seek to validate any wrongful act done by the Government nor does it signify that arrangements in breach of the law have been concluded and Parliament is being asked at this stage to rubber stamp any such agreement.

In both cases which I have mentioned, that is, the Guyana Gajraj case and the Guyana (Wreford) case, Government initially acquired a part interest. What is happening now is that the former owners have agreed to relinquish the remainder of their interest to Government so that in both cases Government will be the sole owner. But out of abundant caution, since in the case of Guyana Gajraj the initial transaction went back to 1<sup>st</sup> July, 1970, it was considered politic, it was considered cautious, to ensure that the entire period of the relationship between the Government and the former owners was covered by this piece of legislation because it may well be that when one comes to hammer out the final details of the Agreement, certain changes in the original position may well be negotiated.

I am not in a position to say what is the rate of interest on the debentures which will be issued to the former owners of Guyana Gajraj and Guyana (Wreford), except that I can say this – now I speak from recollection, I do not wish to give any firm figure that the figure is much lower than the normal debenture interest rate of 7 per cent which Government pays on Government bonds. I am certain about that, but what the exact figure is I cannot recall at the moment. That can be easily ascertained.

**Mrs. DaSilva:** I am sorry, there is one very important point I wanted to ask the hon. Minister --

**The Speaker:** You will do that in Committee.

*Question put, and agreed to.*

*Bill read a Second time.*

*Assembly in Committee.*

*Clause 1 agreed to and ordered to stand part of the Bill.*

*Clause 2*

**Mrs. DaSilva:** My leader and I are fully aware of the answer to the question. It is not that we do not understand what is all about, but I have been amazed that in discussing this generally with people, they are of the opinion that the Government is going to use this as a means of acquiring property by force, so I would like the Minister to take this opportunity to clarify the position. We feel that the stand has been explained to us but there are people outside who do not understand it, what it is all about, and there is that misunderstanding we had during the time of the Surtax Bill. We are giving the Minister an opportunity to explain.

**3.20 p.m.**

**Mr. Hoyte:** Mr. Chairman, there is absolutely no justification for any such fear. As a matter of fact, a very careful reading of this bill will show that it contemplates the acquisition of property by purchase, first of all, by the payment of an initial sum and the payment of instalments over a period, such instalments being guaranteed by the issue of debentures and the debt being charged on the consolidated fund. The whole spirit of the legislation revolves around the concept of payment.

*Claude 2 agreed to and ordered to stand part of the Bill.*

*Assembly resumed.*

*Bill reported without Amendment, read the Third time and passed.*

### **LEGAL PRACTITIONERS (AMENDMENT) BILL 1974**

A Bill intituled:

“An Act to amend the Legal Practitioners Act and to provide for incidental matters.” [The Minister of Energy and Natural Resources on behalf of the Minister of Foreign Affairs and Justice]

**The Minister of Energy and Natural Resources (Mr. Jack):** Mr. Speaker, the Legal Practitioners (Amendment) Bill 1974 seeks to correct a situation which has caused a certain degree of dissatisfaction to occur. As is well known, the legal profession in Guyana is characterized by a very small number of solicitors and a very large number of barristers. As a result of this situation, all the solicitors in Guyana find themselves completely occupied and we have been unable to persuade any solicitor to give up entirely his practice for the purpose of becoming State Solicitor. As a result of that, we have had to make what we have found to be an unsatisfactory arrangement whereby the present holder of the post is employed on a month-to-month basis and is allowed to carry on a certain amount of private practice so long as that private practice does not conflict with his State duties.

What we are attempting to do, therefore, is to change the situation so as to allow barristers who are such a vast majority of our profession to hold the post of State Solicitor. Perhaps, it may have been said that we could have waited until fusion came about, but although we are proceeding apace with fusion, we believe that this is a matter of such urgency that we

should not wait for that event and should bring this measure before the House now. For those who feel more comfortable when they can point to some precedent for practices which take place in Guyana, I may mention that both in England and Hong Kong, similar legislation has been passed to enable barristers to occupy the post of State Solicitor and to carry out the solicitor functions while holding that post.

Apart from that, we have found that the Deputy State Solicitor at the moment cannot carry on the functions of Official Receiver and Public Trustee and this Bill seeks to rectify the situation whereby the Deputy State Solicitor will be allowed to carry on the functions of Public Trustee as well as Official Receiver. Simply put, this is the intent and import of this Bill and I move that this Bill be read for the Second time.

*Question proposed.*

**Mr. M.F. Singh:** Mr. Speaker, we in the United Force wholeheartedly support this Bill before the House. It is to my mind the only sensible thing to do under the existing circumstances.

I have been bothered about the state of affairs in that particular department for some time. When we were discussing this year's Estimates in December, you may recall that I expressed grave fears about the arrears of work in the Office of the State Solicitor, the Official Receiver and the Public Trustee and I also asked the Minister of Justice what was the position as regards the top posts. The Minister did assure me on that occasion that all was well, that the posts did have people in them and that existing personnel would move up into permanent positions in the top positions. Obviously, there are serious problems. I understand the Deputy State Solicitor at that time has now emigrated to Canada and to my mind this Bill can provide the only solution to the problem.

In any case, as the hon. Minister has admitted, it is inevitable that there will be fusion of the two professions, perhaps, he would like to say a little bit more about this. What I do know is that already, nationals who are now studying – and I find this in the fourth Schedule to the Legal Practitioners Act, Chapter 4:01 – would be entitled to admission. It states:

“Any national who prior to 1<sup>st</sup> October, 1972 was undergoing or had been accepted for a course of legal training which would under the provisions set out in Part II of this Schedule have qualified him to practice in Guyana and who satisfied the requirements of such course on or before 31<sup>st</sup> December, 1980.”

That means that unless the man was admitted before the 1<sup>st</sup> October, 1972 and completed his studies before the 31<sup>st</sup> December, 1980, he would not be allowed to practice in Guyana. We have moved towards greater territorial unification. We know of the facilities now existing in the faculty of law at the University of the West Indies. Indeed, our own Dr. Ramsahoye is very much involved in that. So, the new batch of locally qualified lawyers will be out shortly and at that stage they would be entitled to practice as barristers or solicitors. At that stage there must be fusion and we are wondering how far the Government has gone in respect of its time-table for fusion. I am not certain but I think sometime next year the first batch of students may be out – I am subject to correction on that – and it would be enlightening to the legal profession.

We know there are objections from small groups on both sides but I think one has to be practical on this. It is inevitable, it has to come and since it has to come the Government must have a time-table to introduce this legislation. Perhaps I could take the opportunity here of asking what that time-table is like. But we do support this legislation, sir.

**3.30 p.m.**

**Mr. Jack (replying):** Mr. Speaker, I think most of us – at least, we on this side of the House are in favour of fusion and as is known discussions have taken place with this end in view

and discussions will continue but as the Leader of the Opposition has said, there is not yet an identity of view on this question.

This Government has been known to pursue a policy of consultation and to seek for consensus wherever that is possible before the introduction of new measures. For this reason I do not think that it would be very helpful if the Government at this stage were to set out a time table at a time when discussions are still taking place and I doubt that the hon. Leader of the Opposition would want us to adopt an attitude and posture which may lead to a further postponement of what we both consider to be a very desirable end. That is all, therefore, that I would like to say on fusion at this time.

*Question put, and agreed to.*

*Bill read a Second time.*

*Assembly in Committee.*

*Bill considered and approved.*

*Assembly resumed.*

*Bill reported without Amendment, read the Third time and passed.*

## **PUBLIC BUSINESS**

### **MOTION**

#### **CONTRACT BETWEEN GUYANA TIMBER EXPORT BOARD AND IRAQI PORTS ADMINISTRATION FRO THE SALE OF GREENHEART**



“Whereas a contract has been negotiated between the Guyana Timber Export Board and the Iraqi Ports Administration for the sale by the Board of a quantity of greenheart to the Administration at a purchase price of US\$1,018,780.00;

And whereas under the said contract the Board is required to provide the Administration with a Guarantee securing, in the event of the failure of the Board to carry out its obligations under the contract, the refund by the Board of advance payments made by the administration under the contract which will amount to ninety per cent of the purchase price;

Be it resolved that this National Assembly do authorize the Government of Guyana to effect the guarantee in favour of the Iraqi Ports Administration as is required under the contract negotiated between the Guyana Timber Export Board and the Administration.” [The Minister of Economic Development on behalf of the Minister of Finance]

**The Speaker:** Hon. Minister of Economic Development

**(Mr. Hoyte) on behalf of the Minister of Finance:** Mr. Speaker, because of the vigorous efforts of the Government, the timber export trade has been expanding significantly within the past few years. For this year there are contracts worth well in excess of \$10 million, contracts negotiated with countries as far afield as China and Japan, and nearer home with such countries as the Dominican Republic and Cuba.

Recently, the Guyana Timber Export Board has entered into a contract with the Iraqi Ports Administration in respect of the shipment of timber valued at some \$2¼ million approximately. The Iraqi Ports Administration is a para-statal institution which has jurisdiction over certain ports in Iraq. In terms of the agreement between the Timber Export Board and the

Iraqi Ports Administration, the Government of Guyana has agreed to guarantee to the Ports Administration that the timber will, in fact, be delivered.

This guarantee has become necessary because the Ports Administration will pay to the Timber Export Board 90 per cent of the contract price as soon as the timber is loaded at Port Georgetown and will pay the remaining 10 per cent when the timber is delivered at Port Basrah in Iraq. This is a normal commercial requirement of a sensible businessman that having paid such a large sum of money he would like to have some guarantee that the contract will be performed.

The Government of Guyana is fully satisfied that the timber Export Board will, in fact, fulfil its contractual obligations and is prepared to guarantee to the Iraqi Ports Administration that those contractual obligations will in fact be fulfilled.

This Motion standing in my name, seeks to give authority to the Government to effect a guarantee in favour of the Iraqi Ports Administration in the event of the failure of the Guyana Timber Export Board to carry out its obligations under the contract. I commend this Motion for the favourable consideration of this Honourable House.

*Question proposed.*

**Mr. M. F. Singh:** Mr. Speaker, we on this side of the House heartily support this Motion. It is, as the hon. Minister said, a strictly necessary business arrangement.

I have, in this honourable House, said previously that Government Corporations and Government-owned companies should operate on business like lines like any other businesses in the private sector and I have said that they should not get an unfair advantage over the private sector by being propped up by Government guarantees.

I have made this point before. I am happy to say that this is not the case on this occasion in respect of this Motion before this honourable House.

The Guyana Timber Export Board, as I understand it, is operating as an agent for the timber producers in Guyana, co-ordinating the sales of timber with the necessary expertise to land big contracts as they have done in this particular case. The essential point here is that the producers get the benefit of any price negotiated, less expenses.

**3.40 p.m.**

I want here and now to compliment the Guyana Timber Export Board on the very able way in which it seems to be conducting its business. From information I have received, it seems that the greenheart producers in Guyana will get a substantially higher price for the greenheart they supply under this contract than they have been obtaining in other markets. For example, they will get a higher price than they are obtaining in the U.K. market at the present moment. This means that not only the large producer but also the small producer will benefit from this contract and I think the Guyana Timber Export Board should be complimented for this.

A word of warning though. We have been given no details of this particular contract, except the substantial value of it. What kind of contract is it? Is it f.o.b.? Is it c.i.f., or otherwise? There are various types of contracts. The point I want to lead up to is: Who will provide the ships to transport this greenheart? There have been problems before in respect of shipping. Whose responsibility will it be? Will it be the responsibility of the buyer the seller?

If it is the responsibility of the suppliers, then I caution that great care should be taken. We know of the existing shipping difficulties, and let me make an obvious point: the entire benefits of this lucrative contract that I am talking about could be lost if the shipping is not properly tied up. As I have said, there have been problems before. It may well be that there is a time limit in respect of the supply of this greenheart. If there is a time limit in respect of the

[Mr. Singh continues]

supply – if there is a schedule which has to be kept with respect to the supplying – then shipping is very vitally important.

I would therefore ask for some clarification by the hon. Minister, and in any case, warn that great care must be taken in respect of this essential requirement. If it is the buyer who is supplying the ships, there is no problem at all. But, we must make certain that we safeguard the lucrative benefits under this contract for the Guyanese producers of greenheart. We support this Motion and wish the Timber Export Board every success in this contract.

**Mr. Jack (replying):** Mr. Speaker, with regard to the question raised about the ships, what I would like to point out to the hon. Leader of the Opposition is that it is not always in one's interest that the buyer supplies the ship. For instance, there have been occasions in the past where the buyer has supplied the ship. Because he has done that, there has been delay for one reason or another, in the arrival of the ship and since timber when it is cut must be shipped within a certain time, it has occasioned loss here.

In this present contract, however, we have ensured that freight will be paid by the buyer but that we will have control of the shipment out of Guyana of this product. This is why we therefore are in a position to control the time of shipment.

*Question put, and agreed to.*

*Motion carried.*

**9.10.74**

**National Assembly**

**3.40 – 3.45 p.m.**

**[Mr. Singh continues]**

**ADJOURNMENT**

**Resolved, “That this Assembly do now adjourn to a date to be fixed.” [The Minister of Parliamentary Affairs and Leader of the House]**

**Adjourned accordingly at 3.45 p.m.**

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