

SECOND LEGISLATIVE COUNCIL

(Constituted under the British Guiana (Constitution) (Temporary Provisions) Orders in Council, 1953 and 1956)

Thursday, 26th January, 1961

The Council met at 2 p.m.

PRESENT :

Speaker, His Honour Sir Donald Jackson

Chief Secretary, Hon. D. M. Hedges

Attorney-General, Hon. A. M. I. Austin, Q.C.

ex officio

Financial Secretary, Hon. W. P. D'Andrade.

The Honourable Dr. C. B. Jagan	—Member for Eastern Berbice (Minister of Trade and Industry)
" " B. H. Benn	—Member for Essequibo River (Minister of Natural Resources)
" " Janet Jagan	—Member for Western Essequibo (Minister of Labour, Health and Housing)
" " Ram Karran	—Member for Demerara-Essequibo (Minister of Communications and Works)
" " B. S. Rai	—Member for Central Demerara (Minister of Community Development and Education).
Mr. R. B. Gajraj	—Nominated Member
W. O. R. Kendall	—Member for New Amsterdam
„ R. C. Tello	—Nominated Member
„ A. L. Jackson	—Member for Georgetown North
„ S. M. Saffee	—Member for Western Berbice
„ Ajodha Singh	—Member for Berbice River
„ Jai Narine Singh	—Member for Georgetown South
„ R. E. Davis	—Nominated Member
„ H. J. M. Hubbard	—Nominated Member.

Mr. I. Crum Ewing—Clerk of the Legislature

Mr. E. V. Viapree—Assistant Clerk of the Legislature.

ABSENT :

Mr. L. F. S. Burnham, Q.C., — Member for Georgetown Central — on leave

Mr. S. Campbell—Member for North Western District

Mr. E. B. Beharry—Member for Eastern Demerara

Mr. F. Bowman—Member for Demerara River

Mr. A. M. Fredericks — Nominated Member

Mr. A. G. Tasker, O.B.E.—Nominated Member—on leave.

The Clerk read prayers.

MINUTES

The Minutes of the meeting of the Council held on Wednesday, 25th January, 1961, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

LEAVE TO MEMBER

Mr Speaker: Honourable Members, the hon. Nominated Member, Mr. A. G. Tasker, has asked for leave from today's sitting.

ORDER OF THE DAY

BILLS — SECOND READING

ESTATE DUTY (AMENDMENT)
BILL

The Financial Secretary (Mr. D'Andrade): Sir, I beg to move the Second Reading of a Bill intitled:

"An Ordinance to amend the Estate Duty Ordinance"

Section 14 of the Estate Duty Ordinance has always been understood to give the Commissioner of Inland Revenue, and before him the Registrar when the Ordinance was administered by the Registrar, the power to make his own inventory and valuation of an estate for estate duty purposes if he is dissatisfied with the inventory and valuation submitted to him by the taxpayer.

Section 14 (1) provides "that the Commissioner shall, if he is satisfied with the inventory and estimate of value given in the declaration as originally delivered, or with any amendments that are made therein upon his requisition, assess the duty on the footing of the inventory and estimate; but he may, if he is dissatisfied with the inventory and estimate, cause an inventory and estimate to be taken by any assessor or assessors appointed by the Governor, and to assess the duty on the footing of the last-mentioned inventory and estimate, subject to appeal as hereinafter provided."

Section 14 (3) provides that "Any person who is made accountable by this Ordinance and is dissatisfied with any valuation or assessment made by or on behalf of the Commissioner, the sum in dispute in respect of duty on that assessment exceeding one hundred dollars, may, on giving to the Commissioner, within twenty-one days after receiving notice of the valuation or assessment, a notice in writing of his intention to appeal against the valuation or assessment, and, within the further period of twenty-one days, a statement in writing of the grounds of the appeal, appeal by petition accordingly to the Supreme Court."

The reference to "valuation or assessment made by or on behalf of the Commissioner" has always been understood to mean that the Commissioner has the right to make his own valuation and inventory. The law has been administered on this basis in the past, but in a recent decision the Supreme Court has declared that the Section does not bear this interpretation.

The estate duty law in Jamaica, Trinidad, Barbados and in England provides the Commissioner with a similar power to make his own inventories and valuations. This is a necessary power since the Commissioner must be able to criticize and dispute the valuation of the estate submitted to him. The taxpayer, of course, has the right to appeal in any case from the Commissioner's decision.

The Bill now before the Council is designed to establish the right of the Commissioner to make such inventories and valuations. Clause 2 of the Bill provides that "The Commissioner shall, if he is satisfied with the inventory and estimate of value given in the declaration as originally delivered, or with any amendment that is made therein upon his requisition, assess the duty on the basis of the inventory and estimate, but if he is dissatisfied with the inventory and estimate; he shall either make an inventory and estimate himself or cause an in-

ventory and estimate to be made on his behalf by a person named by him, and on the basis of the inventory and estimate so made, he shall have power to assess the duty payable, subject to appeal as hereinafter provided."

Clause 3 is designed to validate acts by the administering authority in the past. The acts were based on the belief that the law, as it now stands, had given the Commissioner the right to make his own inventories and valuations. I propose, at the proper time, to move the Amendments circulated to hon. Members regarding Clause 2 by substituting the word "shall" for "may" in line 6 of the new Section 14 (1) of the Principal Ordinance. This new Clause 3 is designed to make it quite clear that the validation Section under the Ordinance will not, and is not intended in any way to, overrule any previous decisions by the Court.

The Minister of Trade and Industry
(Dr. Jagan): I beg to second the Motion.

Mr. Gajraj: I do not propose to disagree with the idea behind the Bill. I think it is right that the Commissioner should have the power to make his own inventory and assess the estate duty payable, if he is not satisfied with that which has been presented to him by the parties in question. I agree with the hon. Financial Secretary that this power is a desirable one, but what I am worried about is the attempt which is being made to change the interpretation of the particular Section of the Ordinance to meet with the interpretation which the Government Departments and officers have been carrying out for all these years.

It strikes, in my opinion, at a very important root in the rights and privileges of the citizens of this or any country. Because when the Legislature in its wisdom passes laws, those laws are expected to be effective upon all. The same law must be effective upon the Government officers who, perhaps, ad-

minister the provisions of the law, as it would be on the subject who has to carry out his part of the particular Ordinance.

As I understand it, the officers who have been administering this Section of the Ordinance for all these years have understood that they had a certain right. They have been administering it along those lines, but recently, from what I have heard from the Financial Secretary, a decision of the Supreme Court has indicated that the interpretation placed upon it by the officers in question is not possible. If a subject should interpret any law in his own way over a number of years and then it was pointed out to him that he had committed acts which were legally wrong, would it be right to expect Government to come forward with legislation to cover the wrongful acts which had been committed over the years? I venture to suggest not. Such a person would be told by the Court that he had acted contrary to the law and therefore he must abide by the consequences.

So that if a subject has to abide by the consequences of his wrong interpretation of the law, I claim that in all equity the Government, or officers of the Government, must also stand by what they have done wrongly, and should not come to the Legislature and ask us to pass legislation whereby their wrongful acts can be covered up and validated.

The Financial Secretary has referred to the Amendment which he circulated to us yesterday, but that has been done merely to prevent us from being charged with overriding the decision of the Supreme Court. But I claim that the Amendment does not go far enough, because it does speak only of the decision of the Court. How do we know that there may not be even now appeals which have not been heard under this particular Section — appeals against the interpretation which we are now being told is wrong?

[MR. GAJRAJ]

If we were to pass this Amendment as it is, then those appeals which have not been heard would not benefit from the law as it stood then, because litigants would be told by the Court that since no decision of the Court had been made the new Ordinance overrides any right they might have had before. But since an individual has 21 days after an assessment to lodge an appeal there may be some people who have the right today, but will find that right extinguished by our passing this particular Clause.

So I feel that although Government, in its wisdom, feels that it is doing the right thing, when these points are put forward it may be convincing that it may be trampling upon the rights of the subject which we must be very careful that we should not extinguish willy-nilly. If Government maintains its stand and insists that the proposals in this Bill should be carried out, I will not be able to support it because of this particular provision.

The Attorney-General (Mr. Austin): What the hon. Member has said is very important — that we must not take away any rights from any person, certainly without justification. There is a distinction between validating wrongs which are wrongs at any time, and validating acts which were wrong at a certain time but would be right in relation to the law as it was altered. That, in effect, is what we are trying to do, and it is no new thing. Where the law is being altered and certain acts have been performed in the past which were wrong at the time, but which, nevertheless, would have been right had the new law been in force then, it is considered perfectly reasonable to validate those wrongful acts.

In point of fact the Commissioner of Estate Duty operated for many years on an interpretation of the present Section 14(1), that was thought to be cor-

rect, but in an action the Supreme Court has held that it was not right, although it was in accordance with practice everywhere else. Our law was out of step, and what has happened is that since the learned Judge gave his decision in February, 1960, nearly a year ago, the Commissioner of Estate Duty immediately ceased his practice to interpret the law as he had done in the past, and since that time he has been acting in accordance with the judgment of the Supreme Court. Therefore there is no one with any right of appeal who has had his estate assessed by the Commissioner himself in accordance with Section 14 (1) as he had interpreted the law before the judgment.

What this Bill seeks to do is to bring our law into line with what happens elsewhere in corresponding cases, and what we thought was the proper interpretation of our law. But with respect to the Supreme Court and the case that was decided then, and all other cases that have been dealt with in a similar way, those are being left. So that there is no question of taking away any vested rights which have in the meantime accrued to anybody. Indeed, we were sensitive to this objection because the original proviso had the effect, quite unwittingly, of probably overriding the Court's decision.

That point was raised and acknowledged, and in order not to withdraw any right given by the Court, this amendment of a further proviso was made in the law. I give an assurance that the Commissioner has, since that judgment, always carried out the law as interpreted by the Court: that we are merely validating any of his procedural acts that were technically wrong, although, of course, performed in the utmost good faith before.

It has been pointed out to us that we need not do it because the rights of appeal have expired, but it is not a satisfactory thing to do. It is far better

to be open and fair and to validate the technically wrong acts of the Commissioner made in good faith but nevertheless in accordance with what happens elsewhere, and will happen under this new law.

The Speaker: Were the words "make an inventory and estimate himself" ever in the law before?

The Attorney-General: The present law reads as follows:

"14.—(1) The Registrar shall, if he is satisfied with the inventory and estimate of value given in the declaration as originally delivered, or with any amendments that are made therein upon his requisition, assess the duty on the footing of the inventory and estimate; but he may, if he is dissatisfied with the inventory and estimate, cause an inventory and estimate to be taken by any assessor or assessors appointed by the Governor, and to assess the duty on the footing of the last-mentioned inventory and estimate, subject to appeal as hereinafter provided."

Mr. Speaker: So that the words "make an inventory and estimate himself" are new.

The Attorney-General: Yes, Sir, it is new in the law, but since the word "may" was in the law it was interpreted that the Commissioner of Estate Duty could appoint assessors, but alternatively he could assess an estate himself.

Mr. Speaker: How long was that practice in vogue? I think I heard the Financial Secretary say that it was in operation for a long time.

The Financial Secretary: The earliest reference in the file is to Mr. Duke.

Mr. Speaker: I can tell you that is not correct.

The Attorney-General: At least during the time of the present Commissioner of Estate Duty, and I should imagine that is for some years.

Mr. Tello: Mr. Speaker, I feel, after listening to the hon. Nominated Member, Mr. Gajraj, that he has made out a very strong case for withdrawing Clause 3 from this Bill. I think he has made the point clear; and I felt when I saw the hon. the Attorney-General rise, he had done so to thank Mr. Gajraj for his observation and to support him. Although the hon. Nominated Member, Mr. Gajraj, has made such a strong point, I think the Attorney-General has made it even stronger because he said that since the decision of the Supreme Court was made, the Commissioner continued to act in accordance with the true interpretation as was interpreted by the Court. Well, what are we debating? Already, the Commissioner accepted that he erred and, because he erred, he ceased to continue in his error. Then, there is no need for this legislation.

I think if we want to be fair—and Government can be just as fair—we can complete that Clause to make provision to reimburse all those people who had to pay money because of the misinterpretation of the law. Certain people were made to pay some extra duties because the Commissioner misinterpreted the Ordinance and committed certain acts. I think that the Mover of the Bill should accept the suggestion made, and in good faith withdraw the Clause.

The Financial Secretary: In view of what the hon. Nominated Member, Mr. Gajraj has said, I propose to delete the Clause. I should point out, however, that the point made by Mr. Tello, about previous taxpayers being penalized by the law so applied is not really so; because it is open to the taxpayer either to accept the valuation made by the Commissioner or to take his rights to appeal. In some cases he accepted it; in other cases, he took his rights to appeal.

Question put, and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE

Council resolved itself into committee to consider the Bill Clause by Clause.

Clause 1 — Short title.

The Financial Secretary: There is an Amendment to "1960"; instead, it should be "1961."

Question put, and agreed to.

Clause 1 passed as amended.

Clause 2 — Amendment to section 14 of Chapter 301.

The Financial Secretary: I beg to move that the word "shall" be substituted for the word "may" in the sixth line of the new section 14(1).

Question put, and agreed to.

Clause 2 passed as amended.

Mr. Kendall: Before the next Clause is discussed, I would like to know if there are many appeals pending decision, based on the interpretation made by the Commissioner prior to this change?

The Attorney-General: So far as we know, only one which has been decided and, as I said — I do not know whether the hon. Member was in his seat — that decision was given in February, 1960. Since that time, the Commissioner has been assessing estate duties in accordance with that decision. On behalf of my friend, the hon. Financial Secretary, I move that Clause 3 be deleted; but I would like to give an explanation for this.

I do not withdraw a word of what I said in my Second Reading speech. What that Clause seeks to do is really a tidying up operation which is merely academic more than anything else. My hon. Friend, Mr. Tello, asked what does

the Clause seek to validate. The answer is that we sought to validate, as a tidying up operation, the invalid acts of the Commissioner before the judgment was given in February.

The hon. Nominated Member suggested that people who were assessed by the Commissioner before February, 1960, necessarily had to pay more than they would have paid had they been assessed by assessors, but that is not necessarily so at all. I still say that from an academic point of view, it would be better to validate the Commissioner's wrongful acts even though they were in line with what the law is going to be.

Since the feeling of the other side of the Council is so strong on this point and it does not really affect the purposes of the Bill, I feel that the democratic will should be allowed to prevail on this occasion. The point has been made and as it does not go to the root of the Bill, I am prepared to compromise by deleting the validation provision.

Mr. Hubbard: I should like to add a little human interest to this debate. I have had the benefit of the advice of the Commissioner of Estate Duty in another place, and there I learnt that the judgment which has given rise to this Bill, had the effect of penalizing the person who approached the Court on the matter because the Commissioner of Estate Duty had assessed the taxpayer in a certain sum. He objected on the grounds that the Commissioner had no right of assessing him and he went to the Court. The Court found that the Commissioner did not have the right, but the assessors appointed by the Court taxed him in a greater sum than the Commissioner had intended to. So, it is human to err, whether you are a Court or an appellant.

Mr. Gajraj: I would like to say a word or two on this point. As a matter of fact, I want to congratulate the Gov-

ernment for deciding on this matter and agreeing not to press for the insertion of Clause 3 or for the Amendment as proposed because, although I agree with the hon. the Attorney-General that after February, 1960, the Commissioner has been following the interpretation given by the Court, and not the former practice, who can best determine that there has been no case of victimization, in one way or another, which has occurred since?

But I do not fully support the statement which has been made, that people have not been made to pay more than they should because, from the words of the hon. the Financial Secretary himself, one finds that what has been going on is this: if the Commissioner of Estate Duty was not very happy with the inventory and the prices attached to the items, he would then suggest that this thing is bad and would get it raised somewhat; and it has been so, I am sure.

I have no personal interest or experience in this matter, but I can quite appreciate the taxpayer feeling that the Commissioner has not the right to press him some more or negotiate for a figure which would be in excess of that originally stipulated in the inventory. So that, although done legally, the fact is that many persons have paid more than they need to have paid, if this interpretation of the Court had been followed originally. Be that as it may, the Attorney-General has also indicated that in all such cases, the time limit for lodging appeals has long since past.

In short, in accordance with the Ordinance, no one can lodge an appeal at this time. I do not know if some legal adviser could suggest to his clients that they have a case to go to the Court of Equity, that is why I have been interested in finding out whether the right of the subject would not be extended by a Clause like this. If the subject has no right, very well; but my point is: if there is a title of right, let us not extinguish it by this Clause.

Mr. Jackson: I am not so much concerned about the Amendment which has been discussed this afternoon as I am with the statement made by the hon. Nominated Member, Mr. Hubbard. In his brief contribution to the debate he said that, since the appeal was dealt with and a decision handed down, he had a discussion with the Commissioner of Estate Duty who told him that—

The Chairman: That was by the way.

Mr. Jackson: Is it within the purview of the hon. Member to make such inquiries from the Commissioner of Inland Revenue? Has the Commissioner the right to pass on such confidential information to the hon. Member? While we are of the view that the question of income tax should be dealt with secretly and confidentially, we cannot say now that that is the case because we have information to the contrary.

Mr. Hubbard: The information was available to anybody; there was no secret in the matter.

The Chairman: The Question is, that Clause 3 be deleted.

Question put, and agreed to.

Clause 3 deleted.

Council resumed.

The Financial Secretary: Sir, I beg to report that the Bill was considered in Committee with Amendments to Clauses 1 and 2, and the deletion of Clause 3. I now beg to move that the Bill be read the Third time.

Question put, and agreed to.

Bill read the Third time and passed.

DRAINAGE & IRRIGATION (DECLARATION OF AREA) BILL

The Minister of Natural Resources (Mr. Benn): Sir, I beg to move the Second Reading of a Bill entitled:

[Mr. Benn]

"An Ordinance to provide for the declaration of the Cane Grove drainage and irrigation area, the vesting of certain lands and works in the Drainage and Irrigation Board and for purposes connected with the matters aforesaid."

The matter before this Council carries us a step further in Government's declared policy to hand over Cane Grove and other Land Development Schemes to the people who live there for control by a Local Authority.

Government moved out of Cane Grove on the 30th June, 1960. It was hoped that, by using the normal means under Chapter 192, it may have been possible to carry out the various functions of the Ordinance before the area was declared. It has been found, however, that in order to carry out the functions as set out in the Ordinance for objections, investigations, providing plans and holding meetings, etc., things would take too long.

Since it is desirable that this area should be declared a Local Authority as quickly as possible; since the people who live in Cane Grove have come around to the idea of controlling their own affairs, Council is asked to consider this Bill today. The Bill provides for declaring the area which is described as Cane Grove to be a drainage and irrigation area for the purpose of assessing rates and matters connected therewith.

The Minister of Trade and Industry (Dr. Jagan): I beg to second the Motion.

Mr. Kendall: Sir, I want to ask two questions: Would the Minister of Natural Resources tell us how much the tenants at Cane Grove owe, and whether Government proposes to write off the amount before the area is handed over to the Local Authority?

Mr. Benn: I would not be able to say off-hand, or to give a rough estimate of the amount the tenants at Cane Grove

Land Development Scheme owe to the Government. No decision has been taken to write off any of these rentals or other charges due to the Government, and no request has been made to do so.

Mr. Kendall: No request has to come from this Council. If you want to give these people greater responsibility, then you should see to it that arrangement is being made for them to pay. I think the Minister should have thought of that before bringing this matter to the Council.

Mr. Benn: An officer of the Land Development Department goes to Cane Grove fortnightly to collect the rentals due to the Land Development Department. Arrangements have been made to collect the rent.

Mr. Gajraj: Sir, I thought we were in Committee, but I still see the Mace on the Table. The Minister has been speaking so often!

Mr. Speaker: Questions were asked of the Minister, and if he wishes to answer them it is left to him.

Question put, and agreed to.

Bill read a Second time.

COUNCIL IN COMMITTEE

Council resolved itself into Committee, and approved the Bill as printed.

Mr. Benn: I beg to report that the Bill has been considered in Committee without Amendment, and to move that it be read the Third time.

Question put, and agreed to.

Bill read the Third time and passed.

ELECTORAL PROVISIONS (REGISTRATION) BILL

Mr. Speaker: The next item on the Order Paper is a Bill intituled:

“An Ordinance to provide for the registration of electors for the purpose of elections to the Legislative Assembly.”

An Hon. Member: Where is the hon. Chief Secretary?

Mr. Speaker: According to Standing Orders, another Minister can move the Second Reading of the Bill.

The Attorney-General: Sir, —

[*At this stage the hon. the Chief Secretary entered the Chamber.*]

The Chief Secretary (Mr. Hedges): Sir, I beg to move the Second Reading of a Bill intituled:

“An Ordinance to provide for the registration of electors for the purpose of elections to the Legislative Assembly.”

This Bill is not designed for the sole purpose of meeting the needs of the forthcoming general elections though, of course, it has been introduced now with this purpose very much in mind. At present we have 14 electoral districts, and the existing electoral roll, which was prepared in 1956, is insufficient to meet our needs for the forthcoming elections. With the large increase in the number of constituencies for elections to the Legislative Assembly under the proposed new Constitution, it would be impracticable to employ the present electoral rolls for the purpose of these elections. The rolls themselves are many years out of date, and nothing more has been done other than to revise them annually. There is need, therefore, for new legislation.

Part I of the Bill deals with the administrative arrangements for setting up the necessary machinery, and it will be seen that the appointments of electoral

registrars, deputy electoral registrars and enumerators are to be made by the Governor.

Part II of the Bill deals with registration. Clauses 9 and 10 show that the Bill is designed not only for the compilation of the first register, but provision is also made to see that the register is kept up-to-date. Every four years a new register is to be compiled, and this will entail a house-to-house count, the enumerators using precisely the same methods as that which will be adopted for compiling the first register.

In other words, every four years we shall have a new register, and in the intervening period revision will be made annually to this register. No dates for such revision of the register is included in the Bill, but it must, however, be done each year at a time as may be appointed by Order of the Governor. As I have said, one new register is to be compiled every four years by employing enumerators to make a house-to-house count. The revision, however, is done on a voluntary basis, and persons who feel that their names should be added to the register may put forward a claim for admission. It might be useful if I added that in the United Kingdom I understand the practice was for a new register to be compiled twice a year, but on the ground of expense it is now only done annually.

Here it is proposed to have a new register every four years, with an annual revision in the intervening period. The reason for this is partly on the ground of expense and also on the ground that it seems to be unnecessary. The ideal is that a new electoral register should be compiled just before the Legislature reaches the end of its permissible constitutional life, which is and will be four years. It is a great improvement on the existing legislation whereby a revision can go on year in and year out without the need for a new register to be compiled.

[THE CHIEF SECRETARY]

Part III of the Bill deals with offences. It will be noted that Clause 16 (1) provides for double the normal penalty that can be imposed for offences under this Bill. The reason for this is obvious. Registration officers have a special responsibility for producing accurate and reliable registers, and wilful omission of any person entitled to have his name on the register could, if done on a large scale, influence election results. Hence the need for a severer penalty than for the other offences set out in the Bill.

As mentioned in Clause 24 (1), the Special Registration Ordinance, the Special Revisal Ordinance, 1953, and the Special Revisal Ordinance, 1956, will be repealed with the passing into law of this Bill.

The First Schedule to the Bill comprises the Registration Rules, and for the most part this Schedule sets out the administrative arrangements that are necessary for the compilation or revision of the register. The Second Schedule sets out the forms that are required for the operation of the rules. Part I of the Registration Rules provides, under Rule 2, for registration notices to be posted up in the form set out as Form 2 in the Second Schedule, which will define the boundaries of each polling division in each electoral district. These polling divisions are purely administrative devices to assist in the compilation of the register and subsequent conduct of the election.

What the Government has in mind is that there should be 650 polling divisions in the country with between 400 and 700 electors in each polling division. The number of electors may be less in a polling division in the interior because the population is sparse and scattered, but in the rural areas and the urban areas the number will vary between 400 and 700, and these numbers have been designed to prevent clogging at the polling stations on election day.

Experience has shown that polling stations can accommodate between 400 and 700 voters, provided of course that everybody does not wait to cast his vote at the last moment.

Part II of the Registration Rules sets out the procedure to be followed for the revision of the register. Part III sets out the arrangement for examining and correcting the preliminary list, so that the final and complete register can be produced by the Electoral Registrar showing the names of all persons entitled to vote at any general or by-election. This Bill is non-controversial and is designed to produce a register of persons entitled to vote. It is not designed for the sole purpose of meeting the needs of the forthcoming general election, and it is not being introduced with that exclusive purpose in view.

Hon. Members will recall that on the 29th November a Government Notice was issued which stated that a house-to-house enumeration would begin on the 16th January, and on the 17th January a further notice was published stating that the enumeration had been postponed. The reason for advancing the date is to permit the 'qualifying date' to be put forward nearer to the election date. The further forward the 'qualifying date' can be put the greater the number of people that may be eligible to cast their votes if they be aged 21. Provided they meet the other conditions, any person aged 21 on the 'qualifying date' can cast his or her vote. I hope very shortly to be able to announce the qualifying date and the electoral time-table that will go with it. I now move that the Bill be read a Second time.

The Attorney-General: I beg to second the Motion, reserving my right to speak at a later stage.

Question put, and agreed to.

Bill read a Second time.

Council resolved itself into Committee and passed the 25 Clauses of the Bill as printed.

First Schedule.

The Attorney-General: I have detected a small clerical error in paragraph 7 which I ask to be corrected. It reads: The enumerator shall on the "twenty-eight" day . . . It should read: The enumerator shall on the "twenty-eighth" day . . .

Question put, and agreed to.

First Schedule passed as amended.

Second Schedule passed as printed.

Council resumed.

The Chief Secretary: I beg to report that the Electoral Provisions (Registration) Ordinance, 1961, was considered in Committee and passed with one Amendment, and I move that the Bill be read the Third time.

Question put, and agreed to.

Bill read the Third time and passed.

ADJOURNMENT

The Chief Secretary: I beg to move that Council adjourns until next Thursday, February 2, 1961, at two o'clock.

Council adjourned accordingly at 3.25 p.m.