

LEGISLATIVE COUNCIL

THURSDAY, 31ST MAY, 1951

The Council met at 2 p.m., His Excellency the Officer Administering the Government, Mr. John Gutch, O.B.E., President, in the Chair.

PRESENT:

The President, His Excellency the Officer Administering the Government, Mr. John Gutch, O.B.E.

The Hon. the Acting Colonial Secretary, Mr. D. J. Parkinson, O.B.E. (Acting).

The Hon. the Attorney-General, Mr. F. W. Holder, K.C.

The Hon. the Acting Financial Secretary and Treasurer, Mr. W. O. Fraser (Acting)

The Hon. C. V. Wight, C.B.E. (Western Essequibo).

The Hon. Dr. J. B. Singh, O.B.E. (Demerara-Essequibo).

The Hon. Dr. J. A. Nicholson (Georgetown North).

The Hon. T. Lee (Essequibo River)

The Hon. V. Roth (Nominated).

The Hon. T. T. Thompson (Nominated).

The Hon. G. A. C. Farnum, O.B.E. (Nominated).

The Hon. Capt. J. P. Coghlan (Demerara River).

The Hon. D. P. Debidin (Eastern Demerara).

The Hon. J. Fernandes (Georgetown Central).

The Hon. Dr. C. Jagan (Central Demerara).

The Hon. A. T. Peters (Western Berbice).

The Hon. W. A. Phang (North Western District).

The Hon. J. Carter (Georgetown South)

The Hon. L. A. Luckhoo (Nominated).

PRESENTATION

O.B.E. FOR CAPT. H. NOBBS.

The PRESIDENT: Capt. Nobbs: By Command of the King, conveyed to me through His Majesty's Principal Secretary of State for the Colonies, I present to you the insignia of an Officer of the Most Excellent Order of the British Empire.

You have been Principal of Queen's College for twenty years and during that time have rendered outstanding and devoted service to higher education in British Guiana. I warmly congratulate you on this recognition of your valuable work in this and other fields, which will be of lasting benefit to the Colony. (Applause).

MINUTES

The Minutes of the meeting of the Council held on Friday, 25th May, 1951, as printed and circulated, were taken as read and confirmed.

PAPERS LAID

The COLONIAL SECRETARY (Acting) laid on the table the following documents:—

The Report of the Trotman Trust Fund for the year 1950.

Communique by the Bureau of Public Information regarding housing statistics in British Guiana.

UNOFFICIAL NOTICES

INTRODUCTION OF BILL

Mr. FARNUM gave notice of the introduction and first reading of a Bill intituled—

“An Ordinance to incorporate the Trustees of the Young Women’s Christian Association in the Colony and for purposes connected therewith.”

ADMINISTRATION OF TWO DEPARTMENTS

Mr. WIGHT gave notice of the following motions:—

(a) “WHEREAS great dissatisfaction exists as to the unsatisfactory administration of the Public Works and Sea Defence Departments on the Essequibo Coast;

“BE IT RESOLVED that an enquiry into the administration of the Public Works and Sea Defence Departments on the Essequibo Coast be forthwith held.”

EMPLOYMENT OF LABOUR IN RURAL AREAS

(b) “WHEREAS in many rural areas especially on the Essequibo Coast opportunities of employment for artisans are infrequent;

“AND WHEREAS it has been the continued practice of the Public Works and Sea Defence Departments to employ persons who are not resident in the particular rural areas where such work is being carried out;

“BE IT RESOLVED that this Council is of the opinion that all work to be performed or carried out in any particular area should be so performed or carried out by labour recruited from such area and not from other parts or areas of the Colony.”

REFUND OF STAMP DUTY ON PRIVATE BILL

Mr. THOMPSON gave notice of the following motion:—

WHEREAS a Bill intituled An Ordinance to vest in the missionary Board of the Church of God in Trust for and for the use of the Members from time to time of the Church of God all property in the Colony now held and which may hereafter be acquired by any person or by any society association or other body of persons on behalf of or for the use or benefit of the Missionary Board of the Church of God in the Colony, and to make provision for the administration thereof was on the 25th day of May, 1951, passed by this Honourable Council;

“AND WHEREAS the sum of one hundred dollars was paid as Stamp Duty pursuant to the Tax Ordinance, 1939 (No. 43), in respect of the said Bill;

“AND WHEREAS the said Church has made useful contribution to the religious and educational life of this Colony during its operations in this Colony;

“AND WHEREAS it has been customary for this Honourable Council to recommend the refund of Stamp Duty paid in respect of Private Bills dealing with the incorporation of Churches;

“BE IT RESOLVED that this Honourable Council be pleased to recommend to Government the refund of the sum of one hundred dollars paid in terms of the Tax Ordinance, 1939, for the Private Bill intituled An Ordinance to vest in the Missionary Board of the Church of God in Trust for and for the use of the Members from time to time of the Church of God all property in the Colony now held and which may hereafter be acquired by any person or by any society association or other body of persons on behalf of or for the use or benefit of the Missionary Board of the Church of God in the Colony, and to make provision for the administration thereof.”

ORDER OF THE DAY

TAX (AMENDMENT NO. 2) BILL, 1951

The ATTORNEY-GENERAL: I beg to move the first reading of a Bill intituled—

"An Ordinance further to amend the Tax Ordinance, 1939."

Mr. WIGHT seconded.

Motion put and agreed to.

Bill read the first time.

PLN. THOMAS (NON-PAREIL PARK)
(ACQUISITION) BILL

The ATTORNEY-GENERAL: I beg to move that this Council resolves itself into Committee to consider a Bill intituled—

"An Ordinance to authorise the use by the Colony for the purposes of a Technical Institute of a parcel of land at Non-Pareil Park, Plantation Thomas, and to vest the said land in the Colony free from incumbrances."

Mr. WIGHT seconded.

Motion put and agreed to.

COUNCIL IN COMMITTEE

Clause 2—*Portion of Nonpareil Park, Thomas, to be used for educational purposes.*

The ATTORNEY-GENERAL: Out of abundant caution I ask leave to insert the words "including the construction of dwelling houses for members of the staff of such Institute" after the words "incidental thereto" in the seventh line.

Mr. WIGHT: I do not know if that quite meets the case because it is possible that one of these houses might become vacant and might not be required for a member of the staff. What would be the position then? It might be used by a member of the staff of Queen's College or someone like that. We might find one or two of the houses unoccupied at some time or other.

The ATTORNEY-GENERAL: To put it beyond any question that the land can be used for the erection of houses I am suggesting the insertion of these words. The hon. Member is suggesting that the houses being erected might be used by persons other than those concerned with the Technical Institute, but that is not the point.

Mr. WIGHT: I agree that the Town Council granted permission for the use of this land by Government on the ground that the site would be used for the Technical Institute itself.

The CHAIRMAN: There is no doubt that these houses are intended for Members of the staff, as was said in Finance Committee.

Clause 2, as amended, put and agreed to.

Clause 3—*Land to vest in the Colony.*

Mr. WIGHT: I would just like to say before this Clause is put and in order that it should be on record, that the majority of us in this Council do not agree with the remarks made by the hon. Member for Eastern Demerara on the last occasion—that this is a breach of a sacred trust and things of that kind. I feel sure hon. Members will agree that this is one of the most progressive steps made by Government to meet the unemployment situation. Secondly, I think the argument of the hon. Member should be condemned in the strongest possible terms because even if there was, as he suggests, a breach of a sacred trust or a sacred breach of trust—whatever words he chooses to use—we are in very good company since Lord Hailsham, a former Lord Chancellor of England—a very eminent law Lord who is one of the heirs of the late Mr. Quintin Hogg—agrees with the step this Council is taking. I think we could

not have any better interpretation of the law than that by Lord Hailsham, who has prepared a very valuable set of volumes of the Laws of England.

Clause 3 passed as printed.

Preamble.

Mr. ROTH: The Attorney-General, in moving the motion for the second reading of this Bill, omitted to explain that the heirs of the testator had been approached on this subject and had given their consent. In accordance with the remarks made by the hon. Member for Western Essequibo, that fact alone washes out any objection to the Bill as raised by the hon. Member for Eastern Demerara. Any person reading this Bill in future would not be aware of the consent referred to, and I think it would be better if an additional clause is included in the Bill stating that the heirs had been approached and had agreed to the use of this land for the purpose intended.

The ATTORNEY-GENERAL: I propose, with the concurrence of hon. Members, to insert after the sixth paragraph in the preamble the following words:—

“AND WHEREAS the surviving members of the family of the late Quintin Hogg, Esquire, have given their assent to the proposal that the aforesaid southern portion of the said land be used for the purpose of a Technical Institute.”

That, I think, would meet the hon. Member's point, apart from what I stated in this Council in the course of the debate on the second reading.

Amendment put and agreed to.

Preamble, as amended, passed.

Council resumed.

The ATTORNEY-GENERAL: With the consent of Council I beg to move

that this Bill be now read a third time and passed.

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

Bill read a third time and passed.

CONSTABULARY (AMENDMENT)
BILL, 1951.

The ATTORNEY-GENERAL: I beg to move that this Council resolves itself into Committee to consider, clause by clause, a Bill intitled—

“An Ordinance further to amend the Constabulary Ordinance with respect to the pensions payable to certain Non-Commissioned Officers and Constables.”

Mr. WIGHT seconded.

Motion put and agreed to.

COUNCIL IN COMMITTEE

Clause 2—*New section 85C inserted in the Principal Ordinance, No. 2 of 1938.*

The ATTORNEY-GENERAL: There has been a misprint in the proviso in par. 85C (1) (a) and, consequently, I ask that the words “twenty years” be substituted for the words “eighteen years”. Hon. Members will recollect that in the course of the debate on the second reading of the Bill the Financial Secretary and Treasurer raised the point that the words “eighteen years” in this proviso should read “twenty years,” otherwise the proviso would be inconsistent with the object of the Bill which is “to secure for non-commissioned officers and constables who were serving in the Force on the 1st September, 1950, the same superannuation benefits as those enjoyed by public officers.” He also pointed out that in the case of public

officer" the service by which they qualified for these benefits commenced at the age of 20 years, and that that service may be terminated at the age of 50 years. The hon. Member's point has now been met by the proposal to substitute "twenty years' for "eighteen years." I understand that in practice constables are recruited from the age of 20 years, therefore the proviso should not say "eighteen years."

Amendment put and agreed to.

Clause 2, as amended, passed.

Council resumed.

The ATTORNEY-GENERAL: With the consent of Council I beg to move that this Bill be now read a third time and passed.

Mr. WIGHT seconded.

Motion put and agreed to.

Bill read a third time and passed.

MUSIC AND DANCING LICENCES
(AMENDMENT) BILL, 1951.

The ATTORNEY-GENERAL: I desire to ask that Council defer further consideration in Committee of the Bill intituled—

"An Ordinance to amend the Music and Dancing Licences Ordinance with respect to the granting of licences."

The Town Council has not yet considered the point raised on the last occasion, relating to the City Engineer:

Bill deferred.

LICENSED PREMISES (AMENDMENT)
BILL, 1951.

The ATTORNEY-GENERAL: Sir, I am not yet ready to proceed with the second reading of the Bill intituled—

"An Ordinance further to amend the Licensed Premises Ordinance, 1944, with respect to opening and closing hours of retail spirit shops other than those in Georgetown and New Amsterdam."

Therefore, I ask leave to have the second reading deferred.

Agreed to.

A.M.E. ZION CHURCH (INCORPORATION)
BILL, 1951.

Mr. PETERS: I beg to move the first reading of a Bill intituled—

"An Ordinance to incorporate the Board of Trustees of the African Methodist Episcopal Zion Church in British Guiana, to vest therein certain property, and for purposes connected with the matters aforesaid."

Dr. JAGAN seconded.

Motion put and agreed to.

Bill read the first time.

Mr. PETERS: With the consent of Council I should like to move the suspension of the relevant Standing Rules and Orders so that this Bill may be taken through all its stages today.

Dr. JAGAN seconded.

Motion put and agreed to.

Mr. PETERS: I desire to move the second reading of this Bill. The A.M.E. Zion Church happens to be one of the Episcopal Churches of this Colony which have stemmed from the United States of America and have taken root here for a matter of about 50 years. This Church came into being largely through the late Rev. W. A. Deane, D.D. After his death his son, the Rev. W. F. G. Deane, also deceased,

carried on in a very successful manner, and not only did this Church do very valuable work along spiritual lines but also very splendid work in the educational field, and I am happy to state that under the aegis of the educational policy of this Church a British Guiana Scholar was produced. I refer to Mr. C. O. J. Matthews who is now, I believe, attached to the International Labour Organization either in Canada or in the United Kingdom.

The work of the Church has grown not only in strength but also in influence, and now the time has come for the Trustees, who have been informally set up to carry on, to ask this Council to give them its benediction in order that they may carry on in a formal manner the very excellent work which this Church has done in this Colony for close upon half a century. The Trustees are praying this Council for incorporation in the manner set out in the Bill. I have very great pleasure in moving that the Bill be read a second time.

Mr. CARTER seconded.

Question put, and agreed to.

Bill read a second time.

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

Clause 3.—*Incorporation of the Board of Trustees.*

The ATTORNEY-GENERAL: I suggest that the word "Mr." preceding the name Christopher Wellesley Burchmore Deane in the fourth line of clause 3, be deleted and the word "Esquire" inserted after the name. I also move that in the fifth line the words "and any persons" be substituted for the words "and other person or persons." In the sixth line I move the deletion of the words "a member or."

Clause 3, as amended, agreed to.

Clause 8.—*Holding of land without licence.*

Mr. ROTH: Will the hon. the Attorney-General explain the reasons for clause 8?

The ATTORNEY-GENERAL: It is a usual clause in Bills of this nature which gives an incorporated body the right to hold land without having to approach the Governor in Council for a licence.

Mr. ROTH: Thank you, sir.

Council resumed.

Mr. PETERS: With the consent of Council I move that the Bill be now read a third time and passed.

The ATTORNEY-GENERAL seconded.

Question put, and agreed to.

Bill read a third time and passed.

AMENDMENT OF REGULATIONS GOVERNING EMPLOYMENT OF WATCHMEN

Mr. CARTER: I beg to move the motion standing in my name which reads:

"Whereas under Regulation No. 6 of 1948 made under the Labour Ordinance, No. 2 of 1942, the term "watchman" means anyone who is employed as a watch or guard of business premises or commercial undertaking;

And Whereas there seems to be considerable doubt as to the scope of the term "watchman" as defined under the Regulations;

And Whereas many clubs, hospitals, etc., have failed to follow the Regulations relating to the hours of work and pay of watchmen, with the excuse that they are not included in the term "business or commercial undertaking";

"And Whereas on account of this restricted scope of the definition of the term "watchman" many watchmen are deprived of the benefit of the Regulations;

"Be it Resolved that this Honourable Council recommend to Government that the Regulations be amended so as to include persons employed to watch or guard premises other than business or commercial undertaking and private residences."

It is a motion which is very simple and self-explanatory. Under Regulation No. 6 of 1948 made under the Labour Ordinance, No. 2 of 1942, the term "watchman" means anyone who is employed as a watch or guard of business premises or commercial undertaking. It therefore means that a person who is employed as a watch or guard of premises other than business premises or a commercial undertaking would not be entitled to the minimum wage provided under the Regulation. This motion asks for an amendment of the Regulation to bring all watchmen within the Regulation.

I was inspired to bring this motion because of a case which came to me in which a watchman who was employed by one of our leading cricket clubs was refused the minimum wage provided under the Regulation. I gave the opinion then—and I believe I was right—that a club was not a business or a commercial undertaking, and for that reason it did not seem that he was entitled to the minimum wage provided by the Regulation. I am now attempting, by this motion, to remove all restrictions against watchmen in order to make watchmen of all categories and for all buildings benefit under the Regulation.

I think that in the resolve clause I may delete the last three words "and private residences." They are somewhat superfluous because, if I include premises other than business or commercial undertakings, it would mean that automatically private residences

would be included. When I drafted the motion I had in mind the inclusion of private residences, but I do not think it is necessary for me to include those words in the resolve clause of the motion, as private residences would be included as premises other than business or commercial undertakings.

When the Regulation was adopted it was clear that we wanted all watchmen to benefit by it, but possibly it was not realized at the time when it was passed that there were many premises other than business premises and commercial undertakings, which employed watchmen. Although we may have felt that the owners of other premises would have followed the lead given by Government in introducing this Regulation, we have found that they have not been sympathetic towards the Regulation, and have not implemented it. I mentioned one case of a cricket club, but I suppose there are others. I have mentioned hospitals in my motion and other premises of a comparable nature which are not included in the Regulation. I do not think I need over-state my case. It is a very straightforward motion and I am asking the support of this Council.

Mr. FERNANDES: I beg to second the motion as amended by the deletion of the last three words "and private residences." As the hon. Mover has said, private residences are included in the term "premises other than business or commercial undertakings."

Mr. WIGHT: I know that perhaps anybody opposing this motion will become unpopular, but I think we must face realities. I think the hon. Member has suggested that due consideration was not given to watchmen of private residences when the matter was originally considered. The debate will show that it was, and that for very obvious reasons a watchman of a business or commercial undertaking has a great deal of responsi-

bility. He has to look after a certain amount of property of considerable value in certain cases. The motion also affects the Municipalities of Georgetown and New Amsterdam, but is it suggested that a man who sits on a steam roller during the night is performing the same service as one who watches considerable property? It is all very well to say that if you do not have a watchman you may have a burglar, but that is where the Police come in, and perhaps the result might be an increase of the Police Force, because every citizen is entitled to Police protection despite the political agitation which goes on and the threats to Government officials who do their duty.

It seems to me that the owners of private residences may not be able to afford to employ watchmen during the hours provided in the Regulations, and it may be necessary to employ a watchman to watch a private residence on certain occasions. In certain cases of private residences watchmen are provided with a room in which they can sleep, for although they go on duty at 6 p.m. they actually do not turn out until 10 p.m. when the occupants go to bed.

With regard to hospitals I agree that they should be included, because there is no doubt that a watchman at a hospital has a greater responsibility than one who watches business premises, because he is also responsible for seeing that no harm comes to those who are unable to rise from their beds. That seems quite reasonable and logical. As regards clubs I observed the hon. Member making some motion as if suggesting that the club he referred to was one to which I belong. I do not belong to that club; I resigned from it for very good reasons a few years ago.

Mr. CARTER: Any gesture I may have made was in my manner of speaking, and had no reference to the hon. Member.

Mr. WIGHT: The position, as I see it, is that the question will need a little more investigation as far as private residences are concerned. I am supporting the inclusion of hospitals, and there may be other institutions or other concerns which perhaps were omitted unwittingly at the time, but I cannot say that the same thing applies to private residences and to watchmen employed by the Municipalities to watch steam rollers, because it is quite easy for the Municipalities to get rid of those watchmen.

Mr. ROTH: Would a steam roller be described as premises?

Mr. WIGHT: I think the motion as framed is very much wider than was envisaged by the hon. Mover. We know that the job of watchman is usually given to someone who has perhaps retired owing to ill health and is unable to do strenuous work. It is usually a form of assistance to aged persons but, apparently, from what one gathers nowadays it is a job which is given to youth—a nice job to watch premises in the cool of the evening instead of in the heat of the sun—but it is also a job which is provided for men who have unfortunately lost a limb or two and cannot be placed in other occupations. Unfortunately, those days seem to have passed, because I have observed quite recently in certain places, including the Municipality of Georgetown, physically healthy men are being given watchmen's jobs. It has been reported to me by certain members of a Union. It seems that it is depriving those who really need assistance from obtaining it.

It is true that there is a minimum wage which can be applied to watchmen, but I am doubtful whether the Regulation should be applied to watchmen of small premises, private residences, or even clubs. After all a watchman is employed by a club to watch the bar or a few dollars in cash. The cases of breaking and entering of

clubs have involved the loss of cash and bar stock. The hon. Member is fully aware that to extend the Regulations to clubs would impose extreme hardship on certain of the junior clubs which would probably have to run the risk of not employing a watchman at all, because it would involve two shifts. Clubs and the owners of private residences would have to adjust themselves to the hours of employment of watchmen, which would impose an intolerable burden on them.

I know that it is unpopular to oppose increased wages to anybody, but in the U.K. and elsewhere the pegging of wages has been advocated owing to the economic stringency. I feel it my duty to say, and I feel sure that on reflection and due consideration hon. Members will agree, that the proposal in the motion would create great hardship in both directions. It would mean that certain people would not be in a position to employ watchmen, and eventually it would benefit a select few who are privileged to be employed as watchmen—-young men who prefer to be employed as watchmen to the prejudice of those who, by physical infirmity or otherwise, cannot do any other work.

Mr. ROTH: Whilst I sympathize with the aims of the hon. Mover of the motion, I must say that I agree to a very great extent with the remarks of the hon. Member who has just taken his seat. As a matter of fact, with regard to the question of young men applying for jobs as watchmen, only few days ago a young man came to me. He was just one inch too short for the Police Force and he wanted a watchman's job. He was in a blind alley for a young man of his type but, surely, one would not compare a watchman of that type, watching valuable merchandise, with a man who is just sitting in a room under a house. I agree with the hon. Member for Western Essequibo, and I think the acceptance of this motion would prove more of a hardship than otherwise. I am not against this

motion being amended and I am going to suggest that after the word "undertakings" in the resolve clause, there be added the words "but not private residences." That would enable the motion to achieve its object with the exclusion of private residences.

Mr. DEBIDIN: I am going to support the amendment moved by the last speaker. I myself have had the same problem. I have a private watchman who has been given a room under my house and he sleeps for the best part of the night, but one does not expect otherwise when he has been given a room. I do not hope to come across any labour legislation which would prevent me from having this watchman whom I am assisting rather than his assisting me. I hope there would be nothing to exclude private residence from having watchmen, since one does not regard a watchman on such premises in the same sense as he would regard the persons watching warehouses and such other places. I am sure that a watchman at a private residence would not like to come within the strict meaning of the Ordinance.

So far as clubs are concerned, even there it is very uncertain whether it would be quite right to impose upon them because the club to which I belong particularly has a groundsman who is also a sort of watchman since he sleeps on the premises with his family, so that if anyone rings the premises during the night he would be able to hear. He is not strictly a watchman, but the very fact that he resides on the premises makes one expect him to do a certain amount of watching. I would like to know from the last speaker whether the position of this man would be affected by the Regulations. I do appreciate this desire to bring watchmen strictly within the meaning of the Regulations if there are cases where they should not be exploited. One has to be very careful, however, not to disturb the privilege of private

persons including certain widows who are in a position such as I have mentioned. I cannot understand why this particular motion should have been given precedence to the one in my name. I mention that although it does not matter one ha'penny to me if any other Member's motion is taken before mine, but it is just to confirm the complaints I have made before about the arbitrary manner in which motions tabled by me are brought forward into this Council.

The COLONIAL SECRETARY: If I may first review the matter to which the hon. Member for Eastern Demerara has referred, I shall explain what happened in this case. There was a misunderstanding between the Clerk to the Council and myself. Hon. Members will observe that there are three new unofficial motions, and I told the Clerk to put them forward in the order in which they were tabled. What happened is that the motions already on the Order Paper were also included in the adjustment according to the date on which they were first tabled, the result being that the motion we are discussing now got on first. That was not intended. I am afraid this was a misunderstanding between the Clerk and myself, and I hope the hon. Member is satisfied with the explanation.

With regard to the motion we are now debating, I do not think the Administration has any objection to it, but I should like to point out that even if the motion is passed I do not think an amendment of the Regulations would follow immediately. There is another step which would have to be taken first. Regulation No. 6 of 1948 was made in the light of the recommendations of a Committee appointed under section 7 of the Labour Ordinance, and the terms of reference were to investigate the hours of work and the wages of watchmen employed by commercial firms and Government and to make recommendations. If this motion is passed, then the only course

would be to appoint another Committee under Section 7 of the Labour Ordinance to investigate the terms of employment of watchmen in the other categories with a view to deciding whether they should be given the same hours of work and the same wages as watchmen employed by commercial firms and Government. That, I think, would be a necessary step before the Regulations would be amended, and I think it is desirable because, as I have said, we have not had a detailed investigation of the hours of work of these other categories of watchmen. I think we should satisfy ourselves that they are in the same position if they are to enjoy the same hours of work and rates of pay. As regards watchmen at private houses, I think the Labour Department would find it extremely difficult to enforce the Regulations if they are applied to such watchmen. I am afraid it might result in some watchmen losing their jobs.

Mr. LEE: I was going to comment on the fact that the Committee investigated the terms of employment and the wages of watchmen employed by commercial firms and Government, and if other watchmen fall into that category I think they should come under the Bill. Aren't these watchmen at private residences keeping burglars away from the houses and fulfilling other duties as watchmen also? If they are not employed as such they should be regarded as members of the household. Further, if it is suggested that they should be exempted from the provisions of the Labour Regulations, then they should not be called watchmen. One is concerned with the hours of work and the wages of watchmen on business premises having regard to the cost of living. The trade unions are trying to get certain definite terms for the employment of certain people and the moment we vary these terms we give an opportunity to employers to evade the question of wages. The definition of "watchman" is set out

in the Order in Council and if employers do not want to comply with it they should be made to understand that they are breaking the law.

Mr. FARNUM: I cannot agree with the last speaker. Surely, there are cases where a family would go into the country for a week or so and some person physically unfit to work otherwise might be engaged to watch the premises for that period of time. If that was not permitted such a person might not get a job. Watchmen at commercial places sleep most of the time, and in the rural districts especially men are employed to serve as watchmen and given a small pay because they are physically-unfit to do any other class of work. If these men had to be paid at the same rate as watchmen employed at commercial houses in the City, then the employers concerned would not have been able to employ them.

Mr. FERNANDES: The most substantial question relating to the Regulation—No. 6 of 1948—for which an amendment is being asked is the fact that it defines the hours of work and fixes the wages for watchmen in Georgetown and New Amsterdam. The question raised by the hon. Member for Western Essequibo about one's boarders does not arise, because under the present Regulations that is where the Mayor and Town Council of Georgetown comes into the picture and if a boarder is under any premises at present he or she would not be interviewed. As regards these people—they are called watchmen but I know they are not—they are given a room and a bed, and I do not see how anybody can call such persons watchmen. A watchman is a person who keeps his eyes open at least 64 hours a week. Speaking for myself, I employ watchmen in two shifts; one will come on at 7.30 p.m. and go off at 11.30 a.m.; while the other set will come on at 11.30 a.m. and go off

at 7.30 p.m. I can assure you, sir, that if any one of them is found in a bed within that time he would be sacked. These watchmen are expected to be on duty for 8 hours, and that is a different thing from a man who happens to be sleeping at the bottom flat of a house and is expected to get up if he hears any noise about the house. I do not see how a Magistrate could regard such a person as a watchman.

With regard to the question of 64 hours per week, that is quite a long time for any person to work even if he has only to keep his eyes open. In the case of a private house it is not necessary for the so-called watchman to take over before 8 or 9 p.m. and he could go off in the morning at 5 o'clock, but any person who can afford to employ a person to watch his or her house during the hours mentioned in the Regulations or during holidays should pay the prescribed wages. As regards the people in the other category—where they are just sleeping on premises—I would ask the mover of the motion to accept the amendment. If it is held that these persons should be termed watchmen, then I would ask that the amendment be accepted to exclude private houses.

As regards the remarks made by the Colonial Secretary, I do not think it is necessary to accept any other amendment because if it is Government's intention to set up a Committee to investigate the conditions relating to the category of watchmen now excluded, I do not think it is necessary to make any amendment now. If those watchmen are brought under this Ordinance or any subsequent one it would create a hardship, so I think Government should leave the watchmen of private houses out.

Dr. JAGAN: I would like to support this motion and in doing so I must say that I am not afraid of the argument put forward against it. We have

been told that if the motion is passed it would create a good deal of hardship because many persons would find themselves unemployed. That is the sort of argument one hears all the time. We are not setting up a statutory minimum wage because the moment we do so a number of people would be laid off and they would suffer. As the hon. Member pointed out, there are many young persons today who are looking for jobs as watchmen. That state of affairs is not to be blamed on the people themselves but on the state of the country. If the people cannot find jobs then they have to look for unproductive employment such as watching places.

I agree with the hon. Mover of the motion that the definition of the word "watchman" should be extended because the Regulation particularly states that the men must be protected in two aspects; first of all, as regards the number of hours they must work per week, and then the rate of pay they should get. I find that Government at the present time is setting up Committees to examine working conditions relating to certain industries and trades, but one finds that Government sticks to a certain number of hours which must not be exceeded. I speak with particular reference to the laundries where certain hours have been fixed for work but no mention made of the wages that should be paid. If the Regulations state that an employee must work 10 hours per day, then the rate of pay for that period should also be set out.

Mr. LEE: To a point of correction: I see that the rates of wages of the laundry workers have been fixed.

Dr. JAGAN: I have seen the Regulations but have not seen any rates.

The COLONIAL SECRETARY: There are two sets of Regulations and perhaps the hon. Member has only seen one set.

Dr. JAGAN: I am glad I have been corrected. If there are two sets of Regu-

lations I do not see why it should be provided that one set of people should employ watchmen for a certain number of hours only, whereas clubs and private persons could employ them for an unlimited number of hours and for whatever pay they choose. The hon. Member for Eastern Demerara has said that we should not curtail the privileges of private individuals who want to employ people as watchmen, but at the same time the rights of the persons so employed should be protected. The hon. Member for Georgetown Central has stated that we should define the term "watchman", but I can see no objection to this Ordinance being made to apply to all categories of watchmen. If a person employed as a watchman is paid less than the statutory rate he should be able to go to a Magistrate and get him to determine whether he is a watchman or just a person who is looking after a garden, washing motor cars and so on. At the present time some of these people are being exploited. They are glad to stay on the premises of their employers because of the terrible housing situation and while we endeavour to protect the liberty of the subject we should see that these people are not exploited any longer.

I notice that the hon. Nominated Member, Mr. Farnum, referred to the question of extending all these Regulations to the rural areas. He feels that if the Ordinance is applied to the rural areas it would create a certain number of anomalies. I would say, however, that because the Ordinance is not being applied to the rural areas one finds that a great deal of injustice is being meted out to these people by employers in commercial houses. I know that at Mc Doom Village—just a stone's throw from the City—some of these people are being employed as watchmen for sawmills but are not paid the prescribed rates of wages although they work the prescribed number of hours. It seems to me,

therefore, that this Ordinance should be made to apply to the rural areas also. If that is not done Government should fix a rate of wages for watchmen in the rural areas as well as for those in Georgetown and New Amsterdam, because those in the rural areas especially need protection. I am going to move an amendment providing for the extension of the Regulations to the entire Colony.

Mr. WIGHT: I would second that for discussion provided it is in order. It seems to have a great deal of common sense. If the Regulations are applied as they are at present we are going to run into the difficulty of determining the difference between watchmen employed by commercial undertakings and those employed by ordinary private individuals. There are certain Local Authorities which really cannot afford to pay the wages provided in the Regulations, as the watchmen's bill would probably amount to more in a couple of months than the entire revenue of the Authority for a year. I have seconded the amendment for the purpose of discussion, because I feel that there is quite a lot in what the hon. Member has said, but it will need a considerable amount of thought and consideration as to how far, if at all, these Regulations can be extended to the rural area, because in considering the rural areas we have to think of large centres like Port Mourant, Buxton, and even Kitty. I cannot suggest that watchmen in the Kitty Market, or some large Kitty business premises, are not entitled to receive the same wages and enjoy the same working hours as those employed on large business premises in Georgetown.

Mr. LEE: I do not think that is an amendment to the motion.

The PRESIDENT: On the question of the admissibility of the amendment I must say that I do not see any objection to it. I did not quite catch the hon. Member's wording. I should have

thought that all that was necessary was to add the words "and to apply to the whole Colony."

Dr. JAGAN: I will accept that, Sir.

Mr. LEE: I would ask the hon. Member not to pursue that amendment, because it is another dodge to delay the acceptance of the motion.

Mr. WIGHT: I must rise to a point of order. I do not know if the insinuation is that the hon. Mover intends to dodge the issue, but I certainly have no intention to dodge or delay anything.

Dr. JAGAN: I also do not accept the insinuation of the hon. Member, because I said that I supported the motion as originally moved, because several cases have been brought to my attention of watchmen being paid less than what the Regulations provide for.

Mr. LEE: Perhaps the use of the word "dodge" is not correct parliamentary language, and I therefore beg to withdraw it, but the acceptance of such an amendment would necessitate the appointment of a Committee which would take some time to report. I am suggesting to the hon. Member that if he wishes to include the whole Colony he might introduce a motion at the next sitting of the Council for the setting up of a Committee to enquire into the matter. The Public Works Department is not paying watchmen in the country districts as much as they are paying those in Georgetown, and it has been brought to my notice that the Committee which dealt with this matter only considered the position of watchmen in Georgetown and New Amsterdam. The matter is being fought out in the Supreme Court in a case in which the owners of three premises are employing one watchman.

The ATTORNEY-GENERAL: If the matter is coming up in the Court

the hon. Member knows that it should not be referred to here.

Mr. LEE: I beg your pardon. In any case a hardship is being experienced by watchmen in Georgetown and we want the matter rectified.

Mr. FERNANDES: I desire to make a few remarks on the amendment. First of all I think this is the right time to move it, as it would save a lot of time in having another motion put on the Order Paper. The hon. Member is perfectly correct. There are lots of big businesses outside of Georgetown—for instance, Curtis. Campbell and Co., the C. D. C. sawmills, the Standard Oil tanks, and several rum stores. The hon. Member for Essequibo River (Mr. Lee) seems to have lost sight of the remark made by the hon. Member for Central Demerara (Dr. Jagan) when he moved his amendment. He specifically stated that Government has set out different rates of pay for workers in Georgetown and outside Georgetown, and bringing that fact to the attention of Government he suggested that possibly Government might find it wise to set up a lower rate of pay for watchmen out of Georgetown under certain conditions, and perhaps longer working hours. He actually suggested that if a Committee examined the matter it might find it wise to extend the Regulations to embrace the whole Colony, but with different rates of wages. I do not think the opposition of the hon. Member for Essequibo River (Mr. Lee) can stand. I offer no objection whatever to the Regulations being extended to embrace the entire Colony after a Committee has examined the matter.

As regards the question of delay Government need not deal with both aspects together. It could take the first part of the motion, examine the Georgetown situation, and amend the Regulations by extending the definition of "watchman" as far as it affects the City,

and after investigating conditions in the rural areas it could introduce an amendment of the Regulations to meet the requirements in the rural areas. I would like Members to realize that there is more and more a tendency for big business to move out of the City so as to avoid heavy taxation on their premises, but I do not think they should also be permitted to underpay their watchmen who are doing exactly the same amount of work as those on the other side of the fence in the City.

Mr. DEBIDIN: The remarks of the last speaker seem to sway me to think very much of the amendment as well as the motion, and I am inclined to support both, because I am going to assume that Government will appoint a Committee to examine this matter on which there are so many conflicting views. For instance, the wages to be paid to watchmen must depend upon the type of watchmen employed. A watchman cannot be considered in the same light as an able-bodied workman. He is usually a retired policeman or some person who is physically incapable of doing hard work.

The amendment which has been moved by the hon. Nominated Member, Mr. Roth, is one which must be considered, because if the Regulations are to be extended to include the rural districts it would be an imposition on the owner of a private residence in a rural area who employs a watchman, to make him comply with an 8-hour working time and a minimum wage. The hon. Member for Georgetown Central (Mr. Fernandes) has drawn attention to the fact that there are substantial businesses outside of Georgetown to which the application of the Regulations might very well be extended, but I think it would be fair to consider the position of private residences independently and reasonably, because not only will the type of watchmen employed come into play

but the position of the watchmen themselves. When the hon. Member for Central Demerara (Dr. Jagan) spoke about rights and privileges I wondered whether he was paying due regard to the rights and privileges of the watchman himself. When we are considering the rights and privileges of people we must consider the position of people who wander about looking for something to do to earn a livelihood. My sympathy would go to such persons and I would try to help them. I would not like to be forced by legislation to turn away from my yard a poor man who offers his services to me as a sort of watchman so as to earn some money.

I would like to get a statement from the hon. the Colonial Secretary as to whether this matter will go before a Committee. The hon. Member for Georgetown Central (Mr. Fernandes) has also asked the hon. the Attorney-General what is the position of a watchman who is employed at a private residence and is given the privilege of sleeping on the premises? The inclusion of the words "private residences" makes him a watchman, no matter what his privileges are. The matter is one which requires an explanation from the Attorney-General, and if he says that such a person would be outside the definition of "watchman", and that the Magistrates would so construe it I would support the motion and not the amendment.

Capt. COGHLAN: Up to a few years ago only those who were suffering from some physical disability were employed as watchmen. Nowadays we find young men who are physically able and fit to do manual labour engaged in what was formally the preserve of pensioners receiving small pensions which were augmented by a few shillings or dollars a week for watching premises. Of course it is generally understood that there is a certain amount of security in employing a pensioner, because he is not likely to do anything to forfeit his

pension, and for that reason pensioners are considered to be very desirable as watchmen.

There is another aspect. These watchmen are not obliged to go around premises at night. I know from my own experience that quite a large number of them do their own work while they are on watch, such as shoe-making. If Government would set up a Committee to investigate this matter I think it would be worth while to consider who are the people to be registered as watchmen, so that young and able-bodied men who are workshy or lazy would not be able to encroach on work which should be reserved for elderly men, or men who are physically incapacitated and unable to do heavy manual labour. Under the Regulations, as I understand them, a watchman has to work 64 hours per week and gets \$10.84 per week. There are many young men doing physical labour who do not earn as much as that per week, even some of those employed as labourers by the Public Works Department. For that reason we find a great number of able-bodied young men, who should be in profitable employment, looking for jobs as watchmen. If a Committee is appointed to consider this matter I would like it to be put up to the Commissioner of Labour that watchmen should be registered.

It has been said that people in private residences may not employ watchmen if they are included within the provisions of the Regulations. So that instead of assisting the genuine watchmen the motion might do them a great deal of harm. At the same time I think that, with the omission of private residences, the motion should go forward with the hope of being accepted and the matter being investigated. I also agree with the hon. Member for Central Demerara (Mr. Fernandes) that the Regulations should apply to the entire Colony, so that those who are doing the

same type of work should get the same remuneration. Some people request the Police to keep an eye on their premises when they are away, but the experience has been that more robberies occurred when that was done than when the Police were not informed at all. I think that what I have said is also the recollection of some Members of this Council. I know that some people, when they are away from home, arrange for somebody to keep the lights on at night so as to give the impression that the occupants are on the premises. My own opinion is that a couple of watchdogs are quite as good as a watchman.

Dr. NICHOLSON: One does not like to prolong a debate by repeating *ad nauseam* what has been said before, but it is necessary that one should make clear what his position is in any matter lest one be charged with dodging an issue. Therefore I would like to indicate where I stand in regard to this question of watchmen. The more one listens to the debate the more one feels that there is a case made out for the watchmen of Georgetown and New Amsterdam, and also those in the rural areas. I therefore feel that this Council should accept the motion and the amendments for further consideration, but if watchmen's wages are increased unduly there is the danger of those jobs attracting younger and stronger men who are required for heavy industries, away from those industries, to the detriment of the older men and the physically incapacitated. So we have to be careful on that score.

But there is a great deal of truth in the statement that there are industries and commercial undertakings outside of Georgetown which should certainly pay higher wages to their watchmen. I do not think that a man who watches a steam roller on the road at nights should be classified in the same category with one who has to watch a Municipal market, for example. It seems to me that the whole question should

be referred to a Select Committee to be examined in detail. I do not like Select Committees because they take an unduly long time to get matters through, but I am indicating where I stand. I am supporting the motion and all the amendments.

Mr. ARTER: I did not think it would have been necessary for me to elaborate on the definition of "watchman". I indicated that definition in the first paragraph of the preamble where I defined it as "anyone who is employed as a watch or guard of business premises or commercial undertaking". I have never heard of a sleeping watchman. The function of a watchman is to watch or guard, so that anyone who is employed as a handyman, house-boy or garden boy, and is provided with some room or place to sleep at night can never be termed a watchman. I feel sure that no Court would term any such person a watchman. We do know that it is the common practice among people who own or occupy large houses in Queenstown and other parts of the City, to have somebody on the premises at night who occupies a room under the house and is expected to be alarmed when a burglar or some trespasser tries to enter the premises. But such a person is not strictly a watchman, and not the type of person we have in mind when we are discussing watchmen, because the true function of a watchman is to watch, and he must be awake during the night, or during the hours he is expected to guard the particular premises.

Various red herrings have been drawn across the trail during this debate, some by my friend, the hon. Member for Essequibo River (Mr. Lee). There was a suggestion, for instance, with regard to clubs — that the small clubs would not be able to afford to employ a watchman. No small club has a watchman. Most of them have groundsmen who, like handymen, are given a room under the club premises where they sleep at night, and are expected to be awakened if there is any disturbance.

The same thing applies to certain private residences, shops and other small business places in various parts of the Colony. There are many small business places in Georgetown and the country districts where the proprietors sleep at the back of the premises. This Bill is not going to create any hardship on anyone. The people who employ watchmen as watchmen are people who have something to protect and those are people who can afford to pay a watchman the minimum wage of \$10 per week. I don't think the hon. Member for Western Essequibo should be alarmed at not having private houses included in the Ordinance. There may be cases where one or two old men sleep on the premises after having been employed as gardeners and so on, but they are not watchmen in the true sense of the word. I am grateful to the Colonial Secretary for stating that this recommendation, if adopted, would be referred once again to the Committee and that further Regulations might come before the Council. I am supporting the amendment by the hon. Member for Central Demerara—that the Regulations be extended to places outside Georgetown and New Amsterdam. Reference has been made to the C.D.C. workers at Manaka, but there are other places at Bartica and elsewhere which are outside the Regulations but which should be considered. I am going to urge hon. Members to support the motion as amended.

The PRESIDENT: I think it would be best if I put the motion as moved by the hon. Member—with the omission of the words "and private residences" at the end.

Mr. LEE: If I may say something I would point out that the motion as printed does not call for the appointment of a Committee of Inquiry. It recommends that the Regulations be amended, and if it is accepted then the Committee can be appointed.

The COLONIAL SECRETARY: I think it is only a recommendation, and

Government is perfectly entitled before accepting the recommendation to appoint a Committee.

The PRESIDENT: Under the Ordinance the appointment of a Committee is necessary. It is a statutory necessity.

Mr. LEE: Under section 8 of the Ordinance there must be a dispute, and Government accepts the fact that there is a dispute.

The PRESIDENT: I think the hon. Member has not got his law correctly.

Section 7 states:—

"7. (1) Whenever the Governor in Council deems it expedient that steps should be taken to regulate the wages paid in any occupation in the Colony or any part thereof he may appoint an Advisory Committee to investigate the conditions of employment in such occupation and to make recommendations as to the minimum rates of wages which should be payable.

(2) The Advisory Committee shall include representatives of employers and employees and such other members as the Governor in Council may deem fit."

Section 8 states:—

"8. (1) On considering the recommendations of the Committee the Governor in Council may, if he thinks fit, make an order prescribing the minimum rates of wages payable.

(2) The order may prescribe time-rates, piece-rates, and overtime rates, or any of them.

(3) The Governor in Council may, by a subsequent order, revoke or vary the provisions of any previous order.

(4) Every order made under subsections (1) and (3) of this section shall be laid as soon as may be after it is made before the Legislative Council, and if the Legislative Council within the next thirty days after the order has been so laid before it resolves that the order shall be annulled, the order shall, after the date of that resolution, be of no effect, without prejudice to the validity of anything done in the meantime under the order or to the making of a new order."

I will now put the motion as amended in the following terms:—

“BE IT RESOLVED that this Honourable Council recommend to Government that the Hours of Work (Georgetown and New Amsterdam Watchmen) Regulations, 1943 (No. 6) be amended so as to include persons employed to watch or guard premises other than business or commercial undertakings and so as to apply to the whole Colony.”

Motion put, the Council dividing and voting as follows:—

For: Messrs. Carter, Phang, Peters, Dr. Jagan, Fernandes, Debidin, Coghlan, Farnum, Thompson, Lee, Dr. Nicholson, Dr. Singh and Wight—13.

Against: Mr. Roth—1.

Did not vote:—The Financial Secretary and Treasurer, the Attorney General and the Colonial Secretary—3.

Motion carried.

REDUCTION OF PRICE OF GASOLENE

Mr. DEBIDIN: I beg to move the following motion standing in my name on the Order Paper:—

“WHEREAS the price of gasolene for local consumption is excessive having regard to all circumstances including corresponding prices in other colonies, nearness to oil producing countries and recently the resorting to bulk storage locally;

“AND WHEREAS two factors particularly are responsible for this high price, namely:— (a) The imposition by Government of well over 100% duty and (b) The enormous profit which importers are receiving, having regard to the quantity of petrol imported;

“AND WHEREAS the high price per gallon of petrol must inevitably affect the transportation cost to business undertakings and even to Government;

“AND WHEREAS also the poorer classes of people suffer an increase of fares to be paid and cheap transportation is a social necessity;

“BE IT RESOLVED that this Honourable Council recommends that Government takes steps to control the retail selling price of petrol;

“BE IT FURTHER RESOLVED that this Council recommends that in no circumstances the retail selling price of petrol shall exceed the sum of 50 cents per gallon, and that to achieve this end both the duty imposed by Government and the profits by the importers be made to carry the reduction of the present selling prices;

“BE IT FURTHER RESOLVED that this Council recommends that the Competent Authority under the Motor Vehicles and Road Traffic Ordinance, 1940, be requested and be empowered to fix all fare charges for all types of motor vehicles plying for hire commensurate with the reduction in the retail selling prices of petrol.”

I desire to state at the outset that this motion is not designed to benefit merely those who own motor vehicles in this Colony, but particularly the poorer class of people who have to use these vehicles in the course of their daily life. I feel that there are many aspects of the situation which, when carefully considered, would induce us to do something more than merely accepting the principles of the motion. At present gasolene is being sold in the Colony at 76c. per gallon and this price includes cost, insurance and freight—28.2c., duty—31c., and Bill of Entry tax—.86c. Then there is handling and profit—15.32c. When added together all these charges make the retail selling price of 76c per gallon.

It would be noted that the duty charged by Government is more than 100 per cent. of the first cost of gasolene imported into this Colony, while in relation to the handling and profit it is a little over 200 per cent. of that figure. It seems to me, therefore, that there is ample room for a readjustment of these figures by way of reduction of duty and a whittling down of the handling and profit so as to make gasolene

cheaper in this Colony. I submit that the cost of gasolene is far too high having regard to all the circumstances, and I have no hesitation in saying that a reasonable price would be 50c. per gallon. That is what I am asking for in my motion. It can be easily arranged without any great loss to Government and with considerable benefit to the people of this Colony. I feel that both the duty and the handling and profit figures should be reduced because they are far too high. These two items alone amount to 46.32c. per gallon, and it must be remembered that Government also gets nearly 1c. per gallon on this article through the Bill of Entry tax. In order to give an idea of the quantity of gasolene that is imported into this Colony I will mention some figures for the benefit of hon. Members. In 1947 imports totalled 1,966,768 gallons from the B.W.I., 1,209 gallons from the U.S.A.; 280 gallons from Venezuela, and 85 gallons from the United Kingdom. In 1948 the imports totalled 2,204,359 gallons from the B.W.I. and 9,925 gallons from the U.S.A. In 1950 the figures went up even higher and since then they have been increasing rapidly. In 1950 the imports from the B.W.I. totalled 2,557,930 gallons, and between January and March 1951, they totalled 2,818,170 gallon. Taking these figure into consideration one see at once that the sum of 15.32c. per gallon which the importers get for handling and profit is far too high.

It seems to me that consideration is not being taken of the fact that the larger the amount imported the lower this figure should be, and there is the additional fact that bulk storage has been introduced into the Colony. There was a tremendous clamour for bulk storage of this article in the Colony and I remember quite well that the point was advanced that it would make the price cheaper and also that there would be no danger of shortage of supplies and so on. Above everything else it was accepted that after bulk storage

had been introduced the cost of gasolene would have been made cheaper. On the contrary, however, we find that the price has been going up. In 1939—at a time when there was war—the price was 50c. per gallon, and during the wartime it ranged 50c. and 59c. In 1948, however, it rose to 65c. I want to refer to this year particularly, because it was a year which saw a marked development in British Guiana. It is the year in which the Salaries Commission sat and found it necessary to increase salaries to the extent of \$3,000,000. There was a fundamental rise in the cost of living and yet we find that the cost of gasolene rose to 65c. per gallon.

I feel that between 1948 and now conditions have not been such as to warrant an increase in price from 65c to 76c. per gallon. Taking the point of view of the motorist, I would point out that today the cost of transportation is very much higher than it should be; firstly, because of the greatly increased cost of gasolene and motor parts and, secondly, because of the bad condition of the roads in this Colony. There can be no doubt—and I welcome the opportunity to mention this—that our public roads, except for the strip between Georgetown and Buxton, are a disgrace to the fair name of British Guiana. The bad condition of the roads generally is the principal cause of the early destruction of motor vehicles in this Colony, resulting in very heavy expenditure for maintenance and repairs. In some cases vehicles have to be scrapped long before the expiration of their normal life. I should like to point out that in Finance Committee and even in this Council there have been complaints about the increased cost of travelling in the various Government Departments, but what is responsible for that? It is nothing but the increased cost of maintaining motor vehicles and the high cost of gasolene in this Colony. I feel sure that if the duty on gasolene as well as the "handling and profit" figure

is reduced it would be possible to sell the article at 50c. per gallon and, as requested in the second resolution of the motion, the fares for public travelling could be fixed by the Competent Authority in such a way as to bring considerable benefit to the people of the Colony.

I desire to stress the point that the rural districts received very little by way of relief from the high cost of living. It is possible to peg prices in Georgetown, but it is not easy to do so in the rural districts and the fact remains that the cost of living is higher there. While the price of gasolene is 76c. per gallon in Georgetown it costs another 3c. or 4c. more in the rural districts. The people in those districts are very often compelled to use motor vehicles, especially in cases of sickness and urgent business requiring visits to Georgetown. I know that only too well as a result of practising my profession in some of the Courts in the rural districts. Sometimes these people have to pay as much as \$15 to travel a distance of 10 miles in cases of emergency. If we reduce the cost of gasolene we would make it easier for people throughout the Colony to travel. Government is doing quite a bit in providing duty-free gasolene for certain agricultural and other development industries, and it seems to me that steps should be taken to reduce the cost of this article so as to bring some measure of relief to private individuals as regards the high cost of living. These steps would not only assist private individuals, but would also reduce the expenditure which Government has to undertake for the travelling of Officers, since a reduction in the cost of gasolene must necessarily bring about a reduction in the charges made by the contractor for motor car conveyance.

As a member of the Committee advising the Competent Authority, I know that we had on an agenda recently the question of the fixing of fares with res-

pect to the various garages. We want to have a standard fare fixed for the Colony, if necessary, and I feel sure that if consideration is given to the expediency of this motion there would be a reduction of these fares and benefit would accrue to all those intended to be benefited. In the Public Works Department alone Government is spending about \$100,000 per annum for travelling by Officers, the cost having gone up considerably within recent years. This item would be reduced considerably if the cost of gasolene is reduced and fares standardised throughout the Colony. If we are going to attach great importance to the Department which deals with communication in this Colony, I feel sure its importance would be reflected in some measure by a reduction in the cost of travelling, especially when there are other obstacles, like bad roads, to be overcome. I have calculated the amount received by the importers of gasolene for "handling and profit" and I find that for this quarter alone it was something like \$327,286. Therefore, they are receiving a considerable amount of money and that is something which should be gone into.

I am not suggesting the extent to which reductions should be made as regards "duty" and "handling and profit" since that is a matter for Government, but I am saying that the importers should let up something on the latter item and that Government should waive certain charges also. That 26 cents could be easily apportioned between the duty, plus bill of entry tax, and the 15.32 cents. I am not for the moment inviting any discussion as to how much of each should be reduced. All I am saying is that the two amounts should be subject to reduction, because the first cost remains. I feel sure that it can be done. We are living too near the centres of production for gasolene to be sold at such a tremendous price. In Trinidad the price is 49 cents per gallon; in Barbados it is 52 cents per American gallon, which is a little more

than an Imperial gallon. I see no reason why we should pay as much as 76 cents for a gallon for gasolene in this Colony. I think 50 cents per gallon would be a reasonable price. Acceptance of this motion would benefit the poorer classes who must use motor vehicles. With great respect I formally move the motion.

Dr. JAGAN seconded.

The COLONIAL SECRETARY: It seems to me that if this motion were accepted it would have two principal results. Firstly, Government would lose in revenue an amount which is estimated to be about \$365,500 on the basis of the 1949 figures. Presumably, it would today be at least \$400,000. The second result would be that we might not get any gasolene at all, which would result in economic paralysis of the Colony. Government is not in a position to control the price charged for petrol. At least we can make Orders fixing the price, but we cannot compel the oil companies to sell us petrol. They could easily sell it elsewhere if they are not satisfied with the price they get here. I cannot say very much on the figure of 15.32 cents per gallon which the hon. mover referred to as covering handling and profit. How much covers handling and how much profit I do not know, but I understand that the cost price which he quoted (28.86 cents per gallon) does not include any profit. In fact the importers of gasolene in the Colony are not outright purchasers but are the agents-distributors of the three petroleum companies of Trinidad who export their product through a central marketing organization known as the Petroleum Marketing Co., (West Indies), Ltd., who state:

"So far it has not been our practice to include any charge for profit or overheads in the invoiced price submitted for Customs purposes."

That refers to the cost. If we object that the charge of 15.32 cents for handling and profit is too high it would be quite easy for the Company to adjust the other figure to include what they consider a reasonable percentage for

profit and handling, and we are not in a position to argue with them.

So far as the loss of revenue is concerned I am sure my friend on my right (the Financial Secretary and Treasurer, acting) will tell hon. Members, as indeed they must know, that we are not in a position at the moment to sacrifice \$400,000. Hon. Member are also aware that Government is allowing rebates of duty on gasolene to assist certain industries, particularly the rice and timber industries, which amount to quite considerable sums every year. I do not wish to speak at length. I think the position is quite simple. As I have explained, we cannot afford the loss of revenue on the one hand, and we are not in a position to dictate terms to the oil companies on the other. I am afraid that if this motion were passed, and if we did attempt to implement the resolution we might well find ourselves without any gasolene at all.

Dr. JAGAN: I can see that there could possibly be a great deal of difficulty in adjusting the price of gasolene to 50 cents per gallon because, with the original cost at 28.82 cents per gallon, it would mean that the other charges for handling and profit would have to total about 21 cents per gallon. If that 21 cents has to be shared between the Government and the people who are handling and selling gasolene it would mean that Government would possibly get 10 cents and the distributing companies 11 cents. The hon. mover says he does not know in what proportion the reduction would be made, but what alarms me is the hon. the Colonial Secretary's explanation of the tie-up of the distribution system as it operates at the present time. Apparently the tie-up is so arranged that if we should try to fix the profit or the handling charges, so that instead of paying 15.32 cents per gallon we should pay 10 cents, the companies could readily say that the original cost of gasolene would be 30 cents per gallon, or some such figure.

As long as the supply and the distribution ends are all tied up I can foresee that we would be faced with great difficulties in trying to regulate the selling price. Oil is big business and is generally tied up with many of the large monopolies in the United States and Great Britain. It is a commodity over which a small country like British Guiana may not be able to fight on its own, but I do agree with the hon. Member that some effort must definitely be made to reduce the selling price of gasolene from the present very high figure of 76 cents per gallon.

It is true that Government is getting a great deal of revenue from the very high duty on gasolene. In fact the duty is more than the original cost of the gasolene. It may be argued by Government that gasolene is consumed by motorists, and that motoring is a luxury. I believe that the hon. Member who moved the motion indicated that not only those people who motor for pleasure use gasolene, but other members of the community who run hire cars, buses, etc. So that in the long run the duty on gasolene is a very substantial form of indirect taxation on the people of the Colony. One would much prefer to see that taxation levied in other directions. The time will no doubt come when that can be done, but under present circumstances, with Government being run as it is, I do not see that we can make the necessary provision to tax those people who can very well afford to pay more.

I do not really know how it would be possible to reduce the price of gasolene to 50 cents per gallon. I am sorry the hon. mover did not tell us what percentage of the 15.32 cents goes to handling as against profit. I think it is really a very high figure when we consider that the original cost of gasolene is only 28.82 cents per gallon. It is a pity the hon. Member did not give us the actual charges so that we might determine the total percentage of profit made by the distributors. I can see that the time

will come when motorists will have to form a co-operative enterprise to deal with the handling of gasolene. It is not an easy matter but I am sure that those who are interested in the hire car service and the motor bus companies could make a substantial saving if a co-operative organization could be set up to deal with the distribution of gasolene. In view of what the hon. the Colonial Secretary pointed out a few moments ago I do not know whether it would be possible to venture on such an undertaking—whether the companies which control the supply of gasolene from Trinidad and elsewhere would be prepared to give adequate supplies to such a co-operative organization.

This matter will have to be very carefully considered, and I do not know whether this Council is fully competent to vote on the motion as it is worded, especially in view of the fact that it definitely fixes the price at 50 cents per gallon. I think it would have been more prudent not to fix any specific price in the motion, and request Government to appoint a Committee to investigate this matter. It is essential that some reduction should be made, but I do not know whether, in view of the charges made for handling and profit, it would be possible to make any adjustment which would bring the price of gasolene within the vicinity of 50 cents per gallon.

Mr. CARTER: I would like to express my sympathy with this motion. I think the price of gasolene in this country is higher than in most parts of the world. I know for certain that it is the highest in the West Indies, and I think there is no reason at all why places like Barbados and Jamaica should be able to sell gasolene at a lower price than we can in British Guiana. Perhaps it is the fate of British Guiana to buy things at the highest cost and to sell our products at the lowest prices. Like the last speaker, I feel that no price should be stipulated in the motion, but

that a Committee should be set up to consider this very important matter. I feel that in view of the steady increase in the number of motor vehicles in this country, the sum of money which goes into revenue, not only from Customs duty on gasolene but also on motor vehicles, should more than offset any loss of revenue if the duty on gasolene was reduced. During the last two years at least 1,500 new motor vehicles have been imported into this country, which means that the consumption of gasolene has increased enormously, and with the Customs duty paid on the vehicles, should more than counter-balance any loss of revenue by a reduction of the duty on gasolene.

I think this matter has to be gone into very carefully in view of the statement made by the hon. the Colonial Secretary that a reduction of the duty and the price of gasolene would affect our revenue, and might affect the importation of gasolene in this country, because the people who sell gasolene are not importers but distributors for larger undertakings. I would suggest the deletion of the first and second resolve clauses of the motion, and the substitution of the following:

"Be it resolved that this Honourable Council recommends the appointment of a Committee to investigate the question of control and reduction in the retail selling price of petrol."

The hon. mover of the motion did not go into the question of the fixing of fares, but in other civilized countries where there is a great deal of motor transport, as there is in Georgetown and other parts of the Colony, the Government controls the price of fares. I think it would be a good thing if Government controlled fares in this country, because no one is certain of what he would be charged for the hire of a motor vehicle. Technically a person who runs a hire car service can charge whatever he likes for a drop. I think there should be some regulation of fares, as in other

countries, according to mileage. In Trinidad one can ride in a luxurious car for a charge of 36 cents for the first mile and 28 cents for the second, with a special rate beyond that. We cannot compare that service with the type of service we get in this Colony in small and sometimes dilapidated English cars for about twice the rate charged in Trinidad.

Finally I should say that the critics of the mover of the motion might very well say that it is very fitting that he should be the Member of this Council to move a motion which has as its object a reduction of the tax on gasolene. (Laughter).

Mr. LEE: I wish to second the amendment moved by the last speaker. As the hon. Member has pointed out, the importation of 1,500 new motor vehicles has undoubtedly increased the consumption of gasolene and the revenue derived by Government, a fact which must be taken into consideration in respect of the estimated loss of revenue of \$400,000. I believe that if the oil companies were approached on the question of a reduction of their charges for handling and profit they might be willing to see what steps can be taken to reduce the price of gasolene.

Mr. FERNANDES: In moving his motion the hon. Member did not present this Council with the facts I would have liked to have. First of all he attacked the retail price of gasolene, but the oil companies do not sell gasolene retail. They sell wholesale, and the difference between 76 cents per gallon and the price at which they sell it wholesale to those who buy it in drums and take delivery at the bulk storage tanks on the East Bank, is 4 cents. My information is that it is sold at the filling stations, delivered into their tank at 72 cents per gallon, so that right away we would have to deduct 4 cents from the figure of 15.32 cents for handling.

which would bring it down to 11.32 cents. Then allowance must be made for evaporation, leakage and things of that kind, the supplying of drums to people like myself who buy gasolene in large quantities. Some people keep those drums for as long as three months. The oil companies supply those drums and have to replace them when they go bad—all out of the remaining 11 cents.

I am not attempting to defend the oil companies because they can defend themselves, but the point I am trying to make is that even if we took another 4 cents for handling costs off the wholesale price we would get down to a figure of 7.32 cents. The motion seeks to have the price of gasolene reduced from 76 cents to 50 cents per gallon. If we took away the entire 7 cents from the 76 cents, or 6 cents out of 7 cents there would only be one cent left to cover profit and interest on capital, which would mean that the price of gasolene would be brought down to 70 cents per gallon. But the motion seeks to bring it down to 50 cents per gallon. Using the hon. Member's figures of 2,500,000 gallons, and assuming that a third of that amount, or roughly 900,000 gallons, is used for industry and is duty free, there would be 1,600,000 gallons left. If we took 20 cents per gallon off the price it would mean that Government would lose revenue to the extent of \$300,000.

I am a realist—not a dreamer, and if I had to move a motion like this I would have brought along with it a proposal to replace the \$300,000 revenue which Government would be asked to waive. Of course, like every Member of this Council, I would like to see all these heavy taxes reduced considerably, or even abolished. I would like to see

British Guiana in the position of the small French island in the West Indies where, I am told, there is practically no taxation at all. Of course there are only about 100 persons on that island and the only taxation is in the form of estate duty and dog licences. We have to run our country and to improve the road between Buxton and Georgetown which is going to cost a lot of money, and until such time as we can find other means of getting the money we need to balance our budget I am afraid I must oppose any reduction in the tax on gasolene. First of all I do not think that the small man pays any appreciable proportion of the tax on gasolene. Those who pay the greatest portion of the tax are those who can afford to drive in high-powered cars. I owned one myself some time ago, but when I moved out of the City and found that I had to travel six miles twice a day I had to resort to using a car that consumes less than half the quantity consumed by a high-powered car, and thereby reduced my share of the tax.

It is nice to move motions of this kind suggesting a reduction of taxation, but one has to show how the loss of a substantial amount of revenue can be replaced. In the absence of any suggestion as to how the \$300,000 in revenue can be replaced I am afraid that while I am in sympathy with cheap travelling I am forced to vote against the motion.

The PRESIDENT: As hon. Members are aware, I am going to Barbice tomorrow, and as next Thursday will be the King's Birthday I will adjourn Council until Friday, the 8th of June, when we will continue the debate on the hon. Member's motion.