

LEGISLATIVE COUNCIL.

The Hon. Peer Bacchus. (Western Berbice).

The Hon. C. R. Jacob, (North Western District).

The Hon. J. W. Jackson, O.B.E. (Nominated).

The Hon. T. Lee (Essequibo River).

The Hon. A. M. Edun (Nominated).

The Hon. V. Roth (Nominated).

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

The Clerk read prayers.

The minutes of the meeting of the Council held on Thursday, 14th February, 1946, as printed and circulated, were taken as read and confirmed.

PAPERS LAID.

The COLONIAL SECRETARY (Mr. Heape) laid on the table the following documents:—

Report and Accounts of the East Demerara Water Conservancy Board for the year ended 31st December, 1945.

Correspondence with the Secretary of State for the Colonies regarding the administration of the Aboriginal Indians in the Colony, and record of action.

MEMBERS' PRIVILEGE

Mr. LEE: Sir, before the Order of the Day is proceeded with may I be permitted to raise a question with respect to the incident that arose yesterday? I looked at the Rules yesterday and last night and I have found, Your Excellency, that a breach of our privilege has occurred.

The PRESIDENT: What are you raising, may I ask?

Friday, 15th February, 1946.

The Council met at 2 p. m., His Excellency the Governor, Sir Gordon Lethem, K.C.M.G., President, in the Chair.

PRESENT:

The President, His Excellency the Governor, Sir Gordon James Lethem, K.C.M.G.

The Hon. the Colonial Secretary, Mr. W. L. Heape, C.M.G.

The Hon. the Attorney-General (acting), Mr. F. W. Holder.

The Hon. the Colonial Treasurer, Mr. E. F. McDavid, C.B.E.

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

The Hon. J. I. de Aguiar, (Central Demerara).

The Hon. H. N. Critchlow, (Nominated).

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

The Hon. F. Dias, O.B.E. (Nominated).

The Hon. E. A. Luckhoo, O.B.E. (Eastern Berbice).

The Hon. M. B. G. Austin, C.B.E. (Nominated).

The Hon. Percy C. Wight, O.B.E. (Georgetown Central).

Mr. LEE: I would like the matter to be referred to a Committee of Privileges of this Council so that a ruling may be had on the incident which took place yesterday.

The PRESIDENT: I am afraid I cannot accept that. A ruling from the Chair is a ruling from the Chair, and the Chair is judge of the propriety of the action taken.

Mr. LEE: As Your Excellency pleases.

ORDER OF THE DAY

BILLS — FIRST READING.

The PRESIDENT: The first item on the Order of the Day is the first reading of three Bills in the name of the hon. the Attorney-General.

On the motion of the ATTORNEY-GENERAL seconded by Mr. CRITCHLOW the following Bills were read the first time:—

A Bill intituled "An Ordinance to appropriate the supplies granted in the current session of the Legislative Council.

A Bill intituled "An Ordinance to amend the tax ordinance, 1939 with respect to the sale of medicated wines and to trading in gold and precious stones."

A Bill intituled "An Ordinance to regulate the working hours in Bakeries and for purposes connected therewith."

RICE MARKETING BILL, 1946.

A Bill intituled "An Ordinance to provide for the establishment, constitution, powers, duties and functions of the British Guiana Rice Marketing Board and for purposes connected with the matters aforesaid."

The PRESIDENT: We now come to the fourth item on the Order of the Day which is the resumption of the debate on the second reading of the Rice Marketing Bill. As I said yesterday, practically all the Members of Council having spoken, I will call upon the hon. Mover to reply before I put the question.

Mr. JACOB: May I crave the indulgence of the Chair to say a word or two?

The PRESIDENT: You may not speak on the Bill. What word or two do you wish to say?

Mr. JACOB: Your Excellency having refused the request of the hon. Member for Essequibo River (Mr. Lee) to refer the incident of yesterday to the Privileges Committee I feel that it is my duty not to sit in this Council to-day. Your Excellency having ordered me out yesterday irregularly, I ask leave to leave the Council.

The PRESIDENT: The incident is entirely closed, and it rests entirely with the hon. Member to remain in the Council or not.

Mr. JACOB: I am sorry you have closed it. I ask leave to leave the Council as a mark of protest.

The PRESIDENT: You have leave to leave the Council.

Mr. JACOB then withdrew.

The COLONIAL TREASURER: Sir, it had been my intention and purpose to answer categorically and in some detail all the points of criticism which were made by the opponents of this Bill, but in view of the course which the debate has taken, and its somewhat undue prolongation, I do not feel justified in inflicting on the Council another long address at this stage. I therefore propose to content myself with just dealing with the

major points of principle which were raised by the opponents of the Bill, and also with a few of the more important points of detail which came up. In the first place, I want to say that I am very grateful indeed for the expressions of appreciation made by some Members of the work of the present Rice Marketing Board and of myself for having sponsored this Bill. I will, perhaps, be excused for saying again that I have devoted a great deal of my official time as well as my private time to the affairs of the Rice Marketing Board and the industry, and I have an inner consciousness of having done a job well. That is something which absolutely nobody can take from me.

The opposition to the Bill was confined to two Members, the hon. Nominated Member, Mr. Edun, and the hon. Member for North-Western District (Mr. Jacob). As regards the former I had at least hoped and expected that he would have become a very strong supporter of the Bill. However, he has thought fit to take the other course. I tried to analyse in my mind the speeches which were made in order to set up an outline of what I think were the principal points of principle raised in objection. In the case of the hon. Nominated Member, Mr. Edun, I tried to divide his lengthy speech into certain sections, and I think I can fairly say that the first section was a sort of dissertation on his theoretical conception of what he termed "economic democracy" and "co-operative movement" as applied to this particular Bill, and particularly to what Your Excellency has termed "the ideological point of view."

The next section of his address, I think, covered various expressions of suspicion of the *bona fides* of those who are concerned in putting forward this Bill. Then he passed on to a third section in which he tried, I think unsuccessfully, to establish that this marketing organisation is unacceptable to the vast majority of the rice produ-

cers in the Colony. Then he went on to make certain criticisms of the present Board for what he termed breaking its pledge to the producers in regard to certain aspects of its financial dealings. Lastly, and quite paradoxically, he changed the whole tenor of his speech and made what I call an intensive demand for unrestricted freedom for private enterprise notwithstanding his previous sermon on co-operation.

Let us examine his first point. In the course of his remarks he used a lot of those high-sounding phrases like "economic democracy" and "economic autonomy", and went on to say that by means of this Bill the producers would be shackled in the periphery of an organisation which would leave them in economic serfdom. Then he went on to make various quotations from the declarations made at the United Nations Conference at Hot Springs and tried to apply them to this Bill. I hope the hon. Member will excuse me for saying that all this talk about "economic democracy" leaves me quite cold. It is altogether unrealistic and quite beside the point. What we are trying to do by this Bill is to institute a marketing organisation. It is the most important feature of co-operation in regard to the rice industry, but of course there are other phases of co-operation in regard to the rice industry which can be just as important. If, for example, we have the Rice Association which we hope to establish, it is conceivable that it might apply itself to suggesting other co-operative measures. For example, the rice farmers might very well co-operate in regard to planting. We know that today a lot of trouble arises because planting is not done at the right time. They may co-operate in regard to reaping and the use of animals for reaping. They may co-operate in regard to milling and the use of mechanization, something that is coming to the fore at the present time.

I mention that to show that marketing, although important, is not the only aspect of co-operation which can come into being in respect of the rice industry. In the course of his remarks in that section of his speech the hon. Nominated Member tried to indicate a strong suspicion that the formation of this proposed Association would be governed and controlled by the Board. Nothing is further from the truth than that. What we have in mind is the idea of bringing all the rice producers together in an association and making it a strong body, free from external control and representing the great mass of producers of every kind. That body will be able and will be in a position to take all steps to protect the interests of the rice producers as a whole, and I will plead with the Member to believe that that is really the idea. There is no intention whatsoever of creating a body which will be managed by the Board. It is perfectly true that the clause in the Bill which refers to the Association speaks of an association to be established under the authority of the Governor, but those words are put in, in order to give the Association a proper standing, and in order to indicate the means by which it will be initiated. It is not possible that throughout the countryside this Association and the branch Associations can start by themselves. Therefore it may be necessary for Government to do something to help them to get started. Nevertheless, I come back to the words "established by the authority of the Governor." They are inserted to give the Association the necessary standing as a statutory body created with full authority by law and by Government, but not that that body will be controlled from without by the Governor or by anybody else.

As regards the second part of the hon. Member's speech it simply bristled with suspicion of the present Board and of me personally, the sugar

industry, Government, and everybody. I seriously question whether the hon. Member really believes that this Bill is the result of some sinister plot designed to benefit the consumers of rice and the sugar industry at the expense of the rice industry, because that is what his words imply. Again, I say nothing is further from the truth. I felt very keenly the criticism from the hon. Member about benefiting the consumers of rice. That was to me the most unkind of all, for this reason: Hon. Members may remember that two or three years ago, probably less, there was a movement on foot, I think initiated by the Chamber of Commerce, that the price of rice should be reduced, and that rice should be subsidized. I think the President, and perhaps the hon. Member for Central Demerara (Mr. deAguiar), will bear me out when I say that standing almost alone I insisted and used all my influence or whatever power I had to prevent that from being done. I argued strongly that it was essential that the consumers of rice in British Guiana should pay always an economic price; that that price should be kept at an economic level; that the producer should have his fair share; and that it would be wrong to artificially reduce the price and subsidize the article. I felt it would have been a great danger to the rice industry, and that if the price came down it would be difficult in future to secure a proper price for the consumer. With Your Excellency's strong support of that view the idea did not materialize. Your Excellency went to the trouble to give a broadcast address about it, so I say that for the hon. Member at this late stage to come forward and charge us with designing and bringing this Bill forward to benefit the consumer of rice is very harsh. There is nothing like that in mind at all.

As regards the hon. Member's suspicions regarding the sugar industry, does he really believe that officers of the Government, myself and the Com-

missioner of Labour, who I claim are reasonably independent people, will suborn ourselves to join with the sugar industry in the creation of a plot in bringing forward a Bill of this nature with an undercurrent behind it? I do not believe the hon. Member really believes that. I cannot understand why the hon. Member commits himself in this Council and outside to remarks which, I know, he knows are not true and cannot be. There is nothing whatever in this Bill which has anything to do with the sugar industry; it deals purely with the rice industry.

The third section of the hon. Member's speech is that in which he laboured, I think unsuccessfully, to establish that the rice producers of this Colony object strongly to the continuation of the marketing organisation. I desire to repeat that I never intended to suggest that members of the Board of members of the Central Rice Committee held meetings. I do not know. I believe, from what the hon. Member for Western Berbice (Mr. Peer Bacchus) told me, that some meetings were held in his constituency, but I think there has been a lot of talk around the countryside about this Bill, and notwithstanding anything the hon. Member can say I believe that the great mass of producers are entirely in favour of the marketing organisation and its being continued in the way we are attempting to continue it in this Bill.

I now come to that part of the hon. Member's speech in which he persisted in talking about a broken pledge by the present Board. He based his contention on the existence in the Defence (Rice Control) Regulations, 1940, of Regulation 22 (2) which reads:

“(2) The profits remaining after the deduction of the percentage specified in the preceding sub-regulation may be utilised for the purpose of increasing

the price at which rice shall be purchased by the Board during the next succeeding accounting period and whenever that price has been increased the Board may fix such an increase in the minimum price of padi as will ensure a corresponding benefit to the growers of padi.”

That Regulation gives to the Board a discretionary power to use the profits of one accounting period for increasing the price paid to the producers in the next accounting period. When that Regulation was framed the price paid to the producers was nothing as high as it is to-day, and the members of the Board who, of course, had something to do with the framing of it, had in mind that if they were successful in the export market they would increase that price up to some figure by using the profits. The Board did that. As the hon. Member himself knows, there were two increases and various other adjustments in prices during the first years of the Board's existence until the price of rice paid to the producer reached the point where it slightly exceeded that charged the local consumer. As soon as that point was reached the Board realised that there would be difficulty. At that time we were endeavouring to get a better price in our export market. We knew we would make more profits and we had to decide what should be done with those profits, because we felt it was impracticable to progressively increase the price to the producer while maintaining a maximum price to the local consumer. It just could not be done, so we reported to the Governor and sought and got advice from Dr. Benham as to what should be done. Eventually it was decided that those Regulations should be repealed. The hon. Member quoted a Regulation and I think he said it was still in force. Of course it is not; it was repealed since 1942. New Regulations were made in 1942 in which it was provided that:

4. Regulation 22 of the Principal Regulations is hereby revoked and the following is substituted therefor—

"22. (1) Subject to the provisions of sub-regulation (2) of this regulation, any profits arising from the operations of the Board under these Regulations may be utilised and expended generally for the benefit and advancement of the rice industry and in particular in the adoption or execution of any measures calculated in the opinion of the Board to be conducive to the maintenance or extension of export trade in the industry.

- (2) The Board shall out of the ascertained profits of each accounting period of six months duration create and accumulate a reserve fund into which there shall be transferred thirty-three and one-third per centum of the profits and no part of the reserve fund shall be used for any purpose except with the sanction of the Governor.

As I said, the point had been reached when we could not go on progressively increasing the price of rice, and we sought about for means by which the profits could be properly utilised. We decided that three things should be done. One was that we should create a reserve fund so as to take care of the future; there was then some talk about the standardization of prices. We also decided on a pure-line seed padi production scheme, the subsidization of bags, and the building of padi bonds in various parts of the country where producers were having difficulty in storing their produce. All those things were decided upon as an alternative to what had taken place before. I repeat that there was no pledge whatever about continually increasing the price. There was a Regulation which permitted it and it was done, but when the time was reached when it was no longer practicable something else was done and put into the law. The hon. Member has threatened to approach the Court for a

mandamus or something of the sort. I sincerely ask him not to try it, I ask him to believe that what we have done was to the benefit of the industry. I do not think there is anyone who would agree that it would have been prudent to make the cash distribution he spoke about, or to go on increasing the price. That was quite impracticable. What we have done is to build up a very large reserve fund which we can draw upon in the interest of the industry in the difficult times that are coming.

In the last part of his speech the hon. Member dealt with free enterprise. It completely beats me how the hon. Member could be so contradictory in one and the same speech. He began by preaching a sermon on co-operation—"one for all and all for one"—and ended by trying to insist that every producer should have the right to do what he likes; hoard his padi for a better price and not deliver it up to his co-operative movement.

These are the things the hon. Member thinks can take place alongside true co-operation. That is a problem which I cannot possibly unravel. Is the hon. Member serious? In one breath he speaks about co-operation and in the other breath he talks about freedom to the producer to do what he likes. The two things cannot go together. Quite apart from what I have just said, there are a few significant observations during the hon. Member's speech which I cannot help noting. He said, he believes there is need for organisation, leadership and stabilization for the rice industry, and if he believes that this Bill will give these things he would support it. I want to assure the hon. Member that in so far as marketing is concerned this Bill will produce those things. It is left for the members of the industry themselves to help along the other co-operative movement to which I referred. This would give stabilisation in marketing.

Then I was gratified to hear the hon. Member say this: He admitted that somehow or other there is confidence in the present administration of the Board. "Somehow or other"—I do not know what he means by that, but I am grateful for the admission that there is confidence, and I cannot understand why he should think that a new Board with the wider representation of the producers on it which this Bill seeks to introduce should create a loss of that confidence.

And lastly, the hon. Member said that he was not consulted. That may have been an error of judgment. I think, perhaps, if I, the Commissioner of Local Government and somebody else had taken the hon. Member into our confidence and asked his advice, possibly I should say that is not democracy. If the hon. Member is to be consulted why not the hon. Member for North-Western District and the hon. Member for Essequibo River? Where does this sort of consultation with individual Members of Council begin and end? What we did was to consult those we considered were representatives of the rice industry. When we had obtained their consent and won their agreement then we put it to this Council. This is where the consultation begins, for if there had been a system of committees of the Council we would have possibly consulted Members of Council in a group. However, I say, it may have been more tactful to consult the hon. Member having regard to his great influence among the rice producers of the Colony. I am sorry now that we did not do that.

I am afraid I have to leave the hon. Member and pass on to the hon. Member for North-Western District (Mr. Jacob). He began with an astonishing description of the Bill as being iniquitous, corrupt, and then ended up by saying he did not read the Bill. In between he did make some remarks which I was able to analyse. The first part of his speech was more or less

a very pointed plea for the re-introduction of "middlemen" into this industry. I can talk for a long time on "middlemen." I think the hon. Member for Western Berbice (Mr. Peer Bacchus) dealt with that subject. As the hon. Member for North-Western District is not here, I will not deal with that any longer. The second part of his speech was nothing more than a violent attack on the present Board and, I think, the members of that Board. We have had that so often that there again I propose completely to ignore that part of his speech. I think the hon. Member was very offensive towards some people who are not able to defend themselves in this Council but, as I said, I do not propose to take up the cudgel on their behalf as I otherwise might have done.

In the course of his remarks the hon. Member made certain observations which, I think, I should refer to in some detail. He again referred to the wonderful year of grace, 1933, in which this Colony exported a maximum of 29,120 tons of rice. He is always referring to that year and alleging that since then the industry has gone down and down, looking at the exports and stating that the Rice Marketing Board and various other people are responsible for what has happened. The hon. Member for North-Western District persists in taking up figures from authentic sources and using them in this Council and drawing completely fallacious conclusions from them. In 1933 we had exported 29,000 tons of rice, the largest on record. It followed a year, 1932, in which the industry produced in its yield of padi the largest quantity that had up to that time been produced. I am going to compare the actual results of those two years—1931—1933—with the last completed year of which I have records.

In 1932—and I am quoting from statistics of the report of the Department of Agriculture—the area of rice reaped in both the Spring and the

Autumn crops was 87,941 acres and the yield of padi from that acreage for that year was 84,783 tons. In the next year, 1933—this is the famous year—87,125 acres were reaped and only 63,524 tons of padi were produced. It was a very bad year; weather conditions were unfavourable and the production dropped and dropped until, as I said, the yield of padi was only the equivalent of about 38,000 tons of rice. We did export a lot because there was a “carry over” from the previous year. When we come to the year, 1944, we find that 91,729 acres were reaped—an increase of something like 4,000 acres—and 98,236 tons of padi were produced—an increase of some 14,000 tons of padi over that of the 1932 yield and, of course, an increase of some 35,000 tons of padi over that of the year 1938. In fact, 1944 was far away the best year so far as the production of this product is concerned in this Colony. We produced, as I said, 98,236 tons of padi, the equivalent of 58,000 tons of rice. We did not export anything as much as 29,000 tons; we only exported 25,000 tons. Hon. Members will remember that what is happening today is that a very much greater portion of the padi produced in the Colony is being used right here for animal husbandry. It is entirely fallacious, as the hon. Member frequently does, to read out a long string of exports and point to that of 1933, the best year, and say nothing has happened since. Today our production has gone up and is very much better.

There is another comparison I am afraid I must make, arising from the hon. Member's remarks. He talks about export prices and suggests that we are not getting enough and we can get very much more and so on. We might if we had been able to adopt some kind of big stick method and had demanded our pound of flesh, but I doubt very much that we would have succeeded had we tried to get in the Islands what Brazil got and what Louisiana got.

This is what happened in the year, 1938. We exported 12,888 tons of rice and got for that \$44 a ton. That is the average yield from our exports of rice in the year 1938, just before the war. Let us compare that with the figures of 1944—5. In 1944 we exported 24,593 tons and got \$108.38 per ton; in 1945 we exported just over 28,000 tons and got just under \$109 a ton. So the increase over the pre-war yield was something like 150 per cent. I do not want to be misunderstood. It does not mean we increased the prices in the West Indian market by 150 per cent. What happened was that not only the prices increased but the quality has improved to such an extent that we have been able to export and put on those markets a much larger volume of a higher grade of rice at a higher price than ever. So the yield of our exports is considerably better and very satisfactory compared with the pre-war years.

The hon. Member also referred to the last world war. What happened during the last war? The yield in 1918, the last year of the first world war, was 8,000 tons of rice. That was all we exported, and we got \$106 per ton, which is less than we are getting now. During 1919—20 when that very disgraceful scandal took place, we exported 600 tons in the one year and 800 tons in the next, and we got \$137 a ton in the one year and \$139 a ton in the other year. But conditions, as hon. Members must realise, were then very disgraceful. That is the year when export licences were sold at \$5, just pieces of paper, and when they charged something like \$15 per bag and all that money went into the pockets of the same “middlemen” and very little into the pockets of the producers. I have really worried the Council with all these details because I just want to put on record for the last time that these constant statistical efforts on the part of the hon. Member for North-Western District should be very carefully examined

before they are accepted, or at least before the conclusion he wishes drawn is accepted.

Lastly, I want to refer to some points made by the hon. Member for Essequibo River (Mr. Lee), but not at any great length because I think those matters can appropriately come up in Committee. He referred to the Association of the Board and emphasised that there is need for having branches. We entirely agree with him, and when that other Bill is before Council, I think, he will see that provision is made for the creation of District Associations. He referred to the question of the sale of bags by the Board. I am afraid I could not quite follow the point he made. I hope when that particular clause is reached in Committee he will again express his views. He also referred to the constitution of the Board and the executive committee, and thought that there should be much more representation than there is in the Bill. There again that is a controversial matter. The hon. Member for Western Berbice has an entirely different point of view, and other people have an entirely different opinion from that of the hon. Member for Essequibo River.

The hon. Member referred to the question of the power of the Board to buy padi. There is a clause in this Bill which is new. It is new in the sense that it is not a power given under the Defence Regulations. It seems to give power to the Board to purchase padi from rice farmers, and the hon. Member is concerned about that and asks that we should assure him that the padi-farmers will be entitled to sell their padi wherever they please. That is so. The reason for the insertion of that provision in the Bill is this: In some districts it is desirable that the Board should have power to go in and buy the padi in order to protect the farmers. I think the hon. Member for Western Berbice referred to the Mahaica farmers suffering a

great deal, as either from malice or some other reason the few mills did not buy padi and the farmers had nowhere to dispose of their padi. We therefore could not get the rice. This provision is to enable the Board in such circumstances to go into the district and help the farmers by buying their padi if they cannot dispose of it at a reasonable price and in the ordinary way. As one hon. Member reminds me, there is no intention of the new Board to go in largely for dealing with padi. The Board will really deal with rice as at the present time.

The hon. Member for Essequibo River also referred to the Regulations and the particular regulation which gives the Board power to fix the grade of padi and milling fees and requested an assurance that that will be done. As the clause says, the Board will only do that when it is assured it is necessary and is practicable. At the present time we on the Board do not think that the fixing of the grades of padi and the fixing of the milling fees are either necessary or practicable, but it may become desirable that that be done and so the Board is given in this Bill power to do that. Lastly, the hon. Member sought to have introduced in this Bill some provision fixing the rent of land and establishing security of tenure. I hope I understood him correctly, because I cannot understand how he can expect a provision of that nature to be included in a Marketing Bill. I do not know much about it. In fact I do not understand the point the hon. Member wishes to make. I had hoped the Rice Farmers (Security of Tenure) Bill which was passed recently would have given all the protection necessary in that direction. Nevertheless, this Bill is hardly a medium, I do think, for such a provision to be introduced. I think the hon. the Attorney-General would support me in that.

That brings me to a point I had omitted when moving the second read-

ing of the Bill. I had omitted to point out and to emphasise that the powers given to the Board in this Marketing Bill relate to marketing only. That is to say, the new Rice Marketing Board is not going to have power to undertake any ancillary measure such as is undertaken by the Board now on the representation of the Government. The Board will not have power, for instance, to run rice mills, or to own rice mills, or to go in for the cultivation of rice. The Board will not have power to own ships or to transport rice. It is purely a Marketing Bill and this Board is bound by the charter of this Bill to look after marketing alone. I do not want to expatiate on that at the present time. Hon. Members will see that this Marketing Board will not be an all-embracing body controlling all aspects of the industry as some people think.

Mr. EDUN: To a point of explanation! This statement coming so late is so very important that it should have been made before, and it might have changed the tenor of the debate. What the producers are afraid of is that their money will be spent in the expenses of running a rice mill and such things. This is a very important statement. I do not know why the hon. Member did not use it before.

The COLONIAL TREASURER: I am very glad I made it. I hope I have secured a convert. I am sorry, however, I did not make it before, but it is so inherent in the Bill itself that no one who has read it ought to mistake it. I do appreciate that the hon. Member may have been misled by what is taking place in respect of the Mahaicony-Abary Scheme. Everyone knows the Board has been undertaking the supervision of that particular scheme. That was done at the request of the Governor. It is a Government Scheme and Government decided that since the Marketing Board was in being and its members were people suited to undertake the temporary control of that measure the Board

should be asked to undertake the supervision of the Scheme. The Board having done so and is doing so at the present time, I think I have Your Excellency's permission to announce now that a new Board of Control *ad hoc* is being formed to take over the control of that particular Scheme and it will be independent of the Rice Marketing Board. Of course, the Scheme is an independent one and no finance of the Board goes into that Scheme at all. The Board's money is not used for that scheme at all. It is a scheme undertaken with money provided by the Colonial Development and Welfare Act. It is a Government scheme. I am very glad I have made the point, and I do hope as it has been received so favourably by the hon. Member he will become a convert. I have detained the Council for nearly an hour, and I do wish to end up by again commending this Bill to the Council. I feel sure the majority opinion in the Council, outside the Council and among the community in general is that it would be in the best interest of the rice industry of the Colony if this Bill is passed into law.

Mr. LEE: May I enquire to a point of explanation whether the Board of Control for that scheme will be made a statutory one, or will be Government nominated?

The COLONIAL TREASURER: That point has not been decided. We really do not know how far that scheme will go. Apart from what we are undertaking we do not want to jump into any kind of statutory organisation. The Board of Control appointed by the Governor is at the moment a Government Nominated Board. It may be necessary to have an expert one; it just depends on how far the project is taken. It may embrace actively sufficiently wide powers to require statutory coverage.

The PRESIDENT: I think the point brought out within these last

moments in reply to the hon. the Fifth Nominated Member is very important. I was startled to find that Members may not have been fully aware that this Rice Marketing Board has no other duties or responsibilities or powers at all except those touching the marketing of rice, as set out in the Bill. That has been so debated that it certainly did not strike me that it was not clear to Members. I remember very well indeed—it must be nine or ten months ago—the proposition was put up to me that it is time to proceed with this Bill and the statutory creation of a Board. The matter was not clear on paper, but I remember ruling very definitely—I think the hon. Colonial Treasurer can support me—that the new Board was not to have anything to do with expansion and experimental work but was to confine itself to marketing. Am I not right, Mr. Colonial Treasurer?

The COLONIAL TREASURER: Yes, sir.

The PRESIDENT: Out of that arose this necessity to have another organisation to run the Abary Scheme. If I may expatiate on that, the result of that is that the scheme has three aspects. The first is quite a limited area on which the new organisation or whatever it is will operate as a farm experimenting with machines, equipment and so on; then there will be a much larger area adjoining the first which it is hoped to run as a co-operative private working organisation with the rice producers at that end. Besides these there is a substantially larger area which Government has taken over and which will go back to the tenants to cultivate in their own way with, it is hoped, the model and guidance of the organisation existing at the centre. I shall now put the motion.

Mr. EDUN: May I at this stage just for enquiry state that I had

through the hon. the Colonial Treasurer, sent in certain amendments—deletions and additions—to the Bill. I should have tabled them in Council and I asked him whether or not they should be sent in to the Executive Council and to this Council also. Having done that I think Government ought to make copies of the list of amendments and supply every Member of this Council.

The COLONIAL TREASURER: Copies of the proposed amendments are in front of you, sir. I have one copy and the hon. the Attorney-General has got a copy. When the hon. Member sent those proposed amendments he did not indicate definitely that he proposed to move them here. He indicated that Government should consider them. Nevertheless, I thought the hon. Member might want to move them and so I provided the President with a copy. I may add that certain other Members did the same thing—the hon. Member for Essequibo River and the hon. Member for Western Berbice—and you, sir, have copies of them.

The PRESIDENT: I have here in front of me amendments standing in the names of three Members including the hon. the Fifth Nominated Member. I shall now put the question “That the Bill be read the second time.”

Question put, and agreed to.

The PRESIDENT: I declare the “ayes” have it, as far as I can see without a dissenting vote. That being so I declare the second reading passed without opposition. The Bill may be read a second time.

Bill read the second time.

COUNCIL IN COMMITTEE

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

Clause 1—*Short Title*.

The COLONIAL TREASURER: I beg to move that the figures "1945" be amended to "1946."

Question put, and agreed to.

Clause as amended passed.

Clause 2—*Interpretation.*

Mr. LEE: It will be observed from the list of amendments I have submitted that I desire to move an amendment of the definition of "the Association." Having now heard the explanation of the hon. the Colonial Treasurer with respect to the authority of the Governor I will withdraw that amendment. I will therefore only move that the words "any Rice Association" be inserted after the word "means", and also the deletion of the words "the British Guiana Rice Association."

The ATTORNEY-GENERAL: I would like to explain to the hon. Member that the term "British Guiana Rice Producers Association" is obviously the name to be given to the Association to be provided for in the Bill which it is proposed to put before the Council.

Mr. LEE: I take it that the British Guiana Rice Producers Association will be established by the Governor's proposed Bill.

The ATTORNEY-GENERAL: The hon. Member will observe from the last part of the clause that the Association is to be established "for the protection of the interests of rice producers under an enabling Ordinance to be hereafter enacted."

Mr. LEE: The definition of "The Association" infers that there will be one Association, with which I do not agree. I would like to know whether the proposed enabling Ordinance will permit of other Associations being formed with the Governor's authority. I suggest that the Ordinance be so

framed as to permit of assistance being given to other Associations. If I could get such an assurance I would withdraw the amendments of the definition which I have submitted.

The ATTORNEY-GENERAL: The only point which the hon. Member wishes to be clarified is this: that "the Association" means a parent Association of which such Associations as he envisages would be branches. There must be one central body, to be known as the British Guiana Rice Producers Association, under whose aegis there may be branch Associations all over the Colony. I gather from the hon. Member's remarks that he desires that there should be several Associations on an equal footing with the central Association. I do not think that is a practical proposition. There must be one central Association to which other Associations may be affiliated.

Mr. LEE: I am grateful for that explanation, and that is why I am moving an amendment. My experience in Trade Unions and other Associations is that where there is a central body the voices of the district branches are not properly heard. For instance, the islands of Wakenaam and Leguan desire to have separate Associations although I suggested one Association. In the interest of the people whom I represent and in view of my knowledge of the East Indian rice farmers I would ask Government to recognise the various Associations that might be formed as having equal status. If Government desires to retain the Central Rice Committee I have no objection, but there should be direct representation of the producers. For instance, instead of asking the rice producers of Wakenaam and Leguan to come to Georgetown to elect members of the Rice Association, I think it would be easier if they elected their representatives and left it to the Governor to select whom he thinks fit to serve on the Association.

The CHAIRMAN: Do you suggest that we should wash out the central Association altogether?

Mr. LEE: No, sir. If Government feels that there should be a central Association, the members of that Association should be chosen from the various Associations.

The CHAIRMAN: There will be a central Association which will get its members from the district Associations.

Mr. LEE: The interpretation clause of the Bill does not say that. It says that there will be a British Guiana Rice Producers Association in respect of which an enabling Ordinance will be introduced. It does not say that the members of that Association will be chosen from the district Associations.

The COLONIAL TREASURER: I think the hon. Member is forcing an open door. What we have in mind is precisely what he is thinking of. The central Association will really comprise a number of district branch Associations. Wakenaam will be entitled to have its own branch Association and so will Leguan. The mechanism by which the central governing body will be elected cannot be determined now, but as I see it, what will probably be done is to have an election of members for the governing body and the Central Association, and the only way that can be done is that each branch Association should elect two or three of its members to form an electoral body so to speak, and that electoral body would meet and elect a Council of all Associations. From that governing body the members who are going to represent the industry on the new Board will be chosen. That is all there is to it, so that the hon. Member's point can be met, and I would suggest that since he knows so much about the subject he might discuss the particular feature with the Attorney-General and myself and give

us his advice, because it is a difficult subject. The time for him to speak is not now but when the other Bill comes before the Council.

Mr. LEE: No, I would like it publicised among the people I represent. The central Association to be established with the authority of the Governor will be the only Association which will be assisted from the funds of the Board. That is not what I want; I would like every district Association to be recognised by the Governor and to get assistance from the Board direct and not through any central body.

Mr. PEER BACCHUS: I too have very definite views regarding the Rice Association, but we are not discussing the Rice Association at the moment. We are discussing the Rice Marketing Bill which provides that the Board will contribute certain sums of money to a Rice Association to be formed.

Mr. LEE: I am representing certain rice growers and I am here to put their views before the Council. I would like a definite undertaking from Government that those views will be accepted.

The CHAIRMAN: You will have your opportunity when the other Bill comes before the Council.

The ATTORNEY-GENERAL: Those matters are being dealt with in the other Bill. The hon. Member is asking that provision be made in this Bill for financial assistance for every district organisation that comes into being. This Council has to deal with the matter from the point of view of principle, and I would suggest that financial assistance would have to be given first of all to the central Association because, if the hon. Member is basing his argument on democratic principles and representatives are sent from his district to elect persons to serve on the Association, then it means ultimately that the persons whom

those representatives elect would represent the interests of his rice-producing district. We have to approach the matter not only from the point of view of the hon. Member's constituents but from that of the whole Colony. I am sure it would be undesirable that there should be 800 associations each sending five delegates to the Central Association. We wish to make the Association as democratic as possible, but at the same time it should not be made unwieldy.

The COLONIAL TREASURER: I think the hon. Member's point as regards finance can be met in the other Bill, which can include a clause which would empower the central Association to allocate from such funds as may be provided by the Board under this Bill some assistance to each individual branch Association to assist in its working and meet its expenses. Such a provision might be made in the other Bill, but it would not be right to introduce into this Bill words to that effect.

Mr. LEE: I am grateful for the privilege of being a member of the Committee which some time ago inquired into the conditions of the rice industry. I can assure the Council that those conditions differ throughout the Colony. For instance, the condition of the rice producers on the sugar estates are quite distinct from those of the producers in other rice-producing areas. Are we going to say that the rice producers on the sugar estates should be debarred from forming an Association of their own and from having representation on the Board? I warn Government that if it desires to foster the rice industry it must also foster proper representation of the people who produce the rice.

The CHAIRMAN: I think it is all coming up in the other Bill. All I can suggest is that the Attorney-General hold over this clause, or we may pass it until we have the other

Bill before us. I hope not to assent to this Bill until we have the other Bill before Council. We can always have this definition adjusted.

Mr. EDUN: I think it is very important that this clause should be held over.

Mr. LEE: I would suggest that the word "hereafter" be deleted and the word "immediately" substituted.

The CHAIRMAN: As I have said, I hope I will not have to assent to this Bill until the other Bill is before us, which would give us every opportunity to amend this clause, but it is better to make some progress.

Mr. LEE: I will consult with the Attorney-General.

Mr. de AGUIAR: It is considered necessary to substitute "immediately" for "hereafter"?

The ATTORNEY-GENERAL: The word "hereafter" has been put in order to indicate that there was another Bill to which this definition of "Association" would relate.

The CHAIRMAN: In order to make progress I will put clause 2 subject to revision.

Mr. EDUN: I would like to know what is the idea behind paragraphs (a) and (b).

The CHAIRMAN: I think it is in order to bring in all rice producers.

Mr. EDUN: Perhaps the Colonial Treasurer will tell us whether it will include the rice tenants of the sugar companies. We do not know what are the qualifications of a rice farmer to become a member of the Association.

The COLONIAL TREASURER: I think I explained that when moving the second reading of the Bill. I tried

to explain that "rice producer" as defined in clause 2 is an all embracing term. Paragraph (a) includes an owner of rice lands and a tenant of rice lands within the meaning of those terms as defined in the Rice Farmers (Security of Tenure) Ordinance, but because that Ordinance excludes certain persons who actually cultivate rice on land which does not fall within the scope of that Ordinance we have put in paragraph (b) which widens the definition so as to include any rice farmer who cultivates land on a sugar estate or his own land. Therefore, any legitimate rice farmer is included in the term "rice producer."

Mr. EDUN: The other question is what will be the qualification of a rice producer to become a member of the Rice Association? I agree that the enabling Ordinance will give us all the details, but it would be just groping in the dark if we accept this without knowing the other. That is why I ask that the word "immediately" be substituted for the word "hereafter." Immediately will mean that this Bill is attached to the enabling Ordinance at once.

The COLONIAL TREASURER: The hon. Member is quite right. As a matter of fact the rough draft of the Ordinance defines "rice producer" by saying that it has the same meaning as "rice producer" under the British Guiana Rice Marketing Board Bill. Therefore the same definition in this Bill will be used in the Rice Association Bill.

The ATTORNEY - GENERAL: Perhaps it may be desirable to say that we have the draft Bill, but in view of the criticisms with regard to the Association made on the second reading, and in view of what the hon. Member said, it would be well that it be expedited so as to be put before Members as early as possible. I will endeavour to get the Bill before hon. Members in two weeks when they will be able to see how the one reacts to

the other. We have now finished the second reading of this Bill and so we know that we are moving on. In the meantime, the hon. Member for Essequibo River may be good enough to see me on his point, and we will have it hammered out.

The CHAIRMAN: This is the practical way. I hope that you will do so immediately.

Mr. de AGUIAR: I am not clear as to what is going on. I must confess that I am confused. I understand the definition relates to the Bill we are discussing. I understand "rice producer" to mean a rice producer referred to in this Bill, and "association" to mean the association referred to in this Bill. I do not question it at all. The hon. Member is trying to introduce something entirely new. Although I have listened very patiently I do not know to what he is referring. The definitions refer to the things referred to in this Bill. If hon. Members have any criticisms to make in regard to the definitions as stated in this Bill I can understand it, but I must confess I do not understand them, with all due respect to the hon. Member who is a legal member—

Mr. LEE: I do not like personal remarks. I always come into this Council and try to put the public viewpoint. My hon. friend desires to know what is the definition of "association" in this Bill. If he was listening to the argument he would have seen that we are trying to point out to the Government that the definition should be thorough and should be in such a manner that the Association should embrace all District Associations.

The CHAIRMAN: That will come up in the other Bill.

Mr. LEE: But the hon. Member gets up and says he does not understand.

The CHAIRMAN: The best thing is to ignore him.

Mr. de AGUIAR: I did not mean to be personal. I will read the definition in this Bill. It says:—

“The Association means the British Guiana Rice Producers Association being an association of rice producers to be established by the authority of the Governor for the protection of the interests of rice producers under an enabling Ordinance to be hereafter enacted.”

The CHAIRMAN: We are going to do that. So let us take the clause.

Question put, and agreed to.

Clause 3 passed without amendment.

Clause 4—*Constitution of Board.*

Mr. PEER BACCHUS: I am sorry, sir, that in the notice of amendments I sent to the hon. the Colonial Treasurer, I have just discovered that there is a mistake. Therefore I have to make another amendment. Instead of the word “eight” it should be “twelve.” I am moving the deletion of sub-paragraphs (b) and (c) and the substitution therefor of the following:—

“(b) twelve persons, of whom four shall be members of the Legislative Council and not less than four who are rice producers.”

Therefore in short, sir, of the twelve who are to be appointed eight will be defined, if the amendment is accepted,—four Members of the Legislative Council and at least four rice producers—and the other four will be any other persons. Notwithstanding that, the Governor will also be in the position of even appointing eight rice producers. I may say that after the draft bill was discussed between the central Rice Committee and the Rice Marketing Board I requested my constituents to hold meetings throughout the district and decide specially on the constitution of this Board, and whatever their decision should be it

must be conveyed to the Government through the District Commissioner. Those meetings were held throughout Western Berbice and, I think, their views have been conveyed to this Government through the District Commissioner. Four meetings were held at different centres. One asked that the producers be given 33½ per cent. representation on that Board, and another asked that Government give more representation to the producers. The other two meetings asked that Government control the Board 100 per cent. and that the members be appointed solely at the discretion of the Governor. Those are the views that have been expressed by the growers themselves, — those who are directly interested in the industry. I, as the representative of their division in this Council, have been mandated to make representation in this Council that the Bill be amended in accordance with their views. I feel certain from conversations I have had with different producers from the different districts that the majority of producers throughout the Colony will express similar views. I also remember when you presided, sir, over a joint meeting between the Central Rice Committee and the Rice Marketing Board in this very Council Chamber that the producers present expressed similar views that they would prefer Government to continue its control of the Board.

I had suggested to the Commissioner of Local Government that it would assist Government at arriving at a decision or at least Government would be in possession of the views of the people throughout the districts, if the District Commissioners undertake to obtain those views. But the Commissioner of Local Government did not find favour with that suggestion, hence I took the opportunity to ask the people in my constituency to hold their own meetings and forward their views to Government. The fate of the rice industry and the reasonable assurance of meeting the maintenance cost

of the large drainage and irrigation schemes depend, if not solely, to a very great extent on the marketing of the product, and that marketing depends on the organisation. It does not matter how watertight an enabling Ordinance may be, success depends on how that organisation is being constituted. Therefore, I am appealing to this Council and to Government that with the very first enactment which will bring this industry under control every caution and care be taken to protect the industry. In that care and caution, as I have already mentioned, much depends on the constitution of this Board. If I may quote what Your Excellency said just a few days ago: "Our first objective is to create an efficient and businesslike marketing organisation." May I also quote the hon. the Fifth Nominated Member who at the end of his lengthy address said: "The people are not yet developed to that stage where they can manage their own affairs."

If we are to have a businesslike organisation, are we going to entrust it to—not 15 per cent. as has been said, and which I may accept—50 per cent. representation of those people who are not yet fully developed to manage effectively an organisation in a businesslike manner? Government has had many and numerous complaints—complaints by growers throughout the Colony—of unfair treatment they have received from landlords and millers. So impressive and so just were those complaints that Government enacted legislation to protect the growers from the landlords and millers. As a matter of fact, one of the complaints was that those growers were even afraid to make full representations against the landlords and millers because of fear of victimization. But here it is thought in this Bill that those very growers, who along with the landlords and millers are all termed "producers" in this Bill, will suddenly forget those fears and will sit side by side with the landlords and millers as members of this Board

and are not going to be influenced by those very landlords and millers. I am just as interested as any other person in this country to see the progress of the masses, to see that they are taking their fair share in the Government of this Colony. But I say we should go by stages. We should teach them to take that responsibility. I ask whether it would be safe and fair for those very people to make such a big leap in a most important industry, the second in importance in this Colony, by giving them 50 per cent. representation on the Board to manage their own affairs? I think it is not fair to those very people, because on several occasions Government seemed to have come to a definite decision that those people are not capable of representing themselves. The rice industry is not less important than those matters on which Government on those occasions definitely arrived at that conclusion. If I may refer to Adult Suffrage: This Government has taken a definite decision that the masses are incapable of exercising that franchise. Take District Administration: Up to now in two-thirds of the villages under that scheme the members of the Local Authorities are 100 per cent. appointed by this Government. There again I say Government has arrived at that decision because it thought that was in the best interest of those people, as they have not reached the stage at which they can manage wholly their own affairs. But here in this Bill it is thought that those people should be given at the first leap 50 per cent. representation on the Board.

Personally I do not, and even the amendment I have moved does not, limit Your Excellency's power. If Your Excellency in your discretion feels that you can find that 50 per cent. representation among the producers to be appointed to this Board, then the amendment permits you to appoint that 50 per cent. But, sir, it does not bind you to 50 per cent. It however binds you 25 per cent. It should not be less than 25 per cent. There is nothing in the proposed amendment to prevent you from

appointing even 50 per cent. The amendment goes further than the draft. If in your discretion you desire to appoint 50 per cent. of that Board as producers together with four Members of this Council, then I say the people will have far more representation in my opinion than is proposed in this Bill. I take it that the four Members of this Council on that Board will be Members who represent those very people and, therefore, the representation of those people will be 75 per cent. instead of 50 per cent. I want to give the Governor discretionary power so that at any time he thinks it is not in the best interest of the industry that he should place eight producers on the Board, he should not be bound by this Ordinance to do so. What I fear—we should be benefited by past experience and the hon. Member for Essequibo River has mentioned similar fear—is that the parent Association may be formed and we may have branch associations formed all over the Colony, but the majority of members may not be people really interested in rice but may be there for political reasons. Therefore I say we should take no risk in this whatever, we should not speculate on this industry in our first enactment.

If I may read between the lines, I think, the draftsman of the Bill had such a fear when he drafted subclause (2) of clause 6. You can see there indication of an absence of confidence in this democratic constitution of the Board. The draftsman there feared to speculate on the security of the two Executive Officers of the Board, I think he should have exercised more caution and more care in speculating on the industry as a whole. As I have said, the industry has had a long and sad history, and having reached the point where it can be maintained and be of great use to the Colony as a whole, we should not speculate in so far as its future is concerned. I wish to emphasize that point because of this large drainage and irrigation programme we have on foot. If this industry fails the entire programme of irrigation and drainage would

seriously go overboard. Will the industry go back to where it was fifty or sixty years ago? I am speaking feelingly on this matter, and I hope this Council will exercise that care and caution. Let us go by stages. I personally prefer to err the other way around rather than speculate with the funds of the Association.

Mr. LEE: I would like the hon. Member to reconsider the matter in this light, and see whether the object he intends to achieve would not be defeated. He suggests an amendment of paragraph (b) so as to make the number 12 persons, of whom four shall be Members of the Legislative Council. If four are to be Members of this Council it would leave eight to be nominated from the rice producers, and if Government deems it fit to nominate two landlords, two rice millers and four producers it would mean that the voting strength would be with the manufacturers or millers.

Mr. PEER BACCHUS: I think they are all termed producers. I do not know why the hon. Member is separating one from another.

Mr. LEE: I am only trying to convince the mover that his amendment is in the wrong direction. Why should the voting strength be with Government, the millers and the landlords? I submit that the landlord is always assured of his rent and the miller is always assured of his milling fees. Is it not fair that the voting strength should be in the hands of the producers? Let us assume that the Members of the Council will vote with the producers in view of the coming General Election, because the producers are in the majority—

The COLONIAL SECRETARY: I do not think the hon. Member should say that a Member of the Council would vote for one section or another. He would vote according to his conscience, I hope.

Mr. LEE: I suggest that the hon. Member consider my amendment which

is to reduce the number of public officers in (a) from four to two and add two more seats for the eight rice producers in (b). My desire is that the voting power should rest with the persons most interested in the industry—landlords, millers, and growers. Then there should be two Government officers, and I suggest the Director of Agriculture should be the Vice-Chairman of the Board. As the financial ramifications of the Board will involve Government expenditure it is only right that the Government should have the right to nominate a financial expert to the Board. A member of my constituency appreciating the service the Colonial Treasurer has given to the rice industry, has suggested that he should be the other Member to be nominated by the Governor. If Government has two experts on the Board would it not be sufficient to let the producers govern themselves? Of the two Members of the Legislature I suggest that one should be the Chairman of the Board, and as such would have a casting vote in the event of an equality of votes. If the Chairman does not desire to exercise his casting vote he could as a last resort have recourse to the Governor. I am asking the mover to accept my amendment instead of his. If Your Excellency desires some reserve power in order that the Chairman of the Board might come to you for guidance on any important question I am prepared to give you that power, because any Governor who destroys the rice industry destroys himself as he would not be discharging the duty entrusted to him by His Majesty. My amendment is that the Board should consist of two Government officers, ten rice producers and four other persons, of whom two should be Members of the Legislative Council. I also suggest that the Chairman should be an Elected Member of this Council who would be responsible to the people.

Mr. EDUN: I have listened attentively to the hon. Member for

Western Berbice (Mr. Peer Bacchus) in his plea for caution in the constitution of the Board. I consider the constitution of the Board the most important feature of the Bill and caution is very necessary. Therefore, it is necessary that the real producers of rice should be given a majority vote if, as I understood the Colonial Treasurer to say in his reply, the ultimate intention is that the producers should manage their own affairs in course of time, and that this is only a transition period towards the goal of complete autonomy. If we accept that then the logical course would be to give the producers greater control than those who have no direct interest in the industry. The amendment submitted by me is, I think, the best compromise between that of the hon. Member for Western Berbice and what Government contemplates. Let us in fairness to the people who made this industry teach them during the transition period to manage their own affairs. My amendment reads as follows:

- “(a) Two persons who are officers in the Public Service;
- (b) Ten persons who are rice producers;
- (c) Two Members of the Legislative Council;
- (d) Two Members of the Chamber of Commerce.”

We have passed clause 2 which refers to the establishment of a Rice Association, and I hope the enabling Bill will be of a democratic nature that there will be branch or district Associations which will send delegates to the Council which will elect the Executive Council of the Association, and from the Members of the Executive Council the Governor will select rice producers to be members of the Board. If the idea is that the producers should ultimately manage their own affairs then it is imperative that they should be given greater representation on the Board. The Board has to a great

extent stabilized the single-selling machinery. There is no doubt about that. The machinery is perhaps not as perfect as it should be, but nothing is perfect in this world. If, as the Colonial Treasurer has said, everything is all right on the Board and the producers have confidence in it, then at this stage I think my amendment is the best compromise.

I have changed my opinion about the members of the Board electing the Chairman. I think the Chairman and the Vice-Chairman should be appointed by the Governor as provided in the clause. I do not agree with the hon. Member for Western Berbice when he suggests that there should be *ultra* caution in the constitution of the Board. A Board of this sort must have a certain amount of elasticity; it must make mistakes sometimes and lose money sometimes in order to capture markets and show some enterprise in marketing.

The hon. Member for Western Berbice said that four meetings were held to consider the Bill, two of which decided on a certain line of action while the other two adopted different attitudes. How, therefore, is it possible for him to split his representation in such circumstances. It will be seen how absurd it is to talk of a mandate except there was some sort of plebiscite. As an Elected Member the hon. Member has right to say what he thinks is best for his constituency. I cannot support his amendment.

Dr. SINGH: I am very disappointed with the amendment suggested by the hon. Member for Western Berbice. I consider it unprogressive and undemocratic and I cannot support it. With regard to paragraph (b) which provides for the appointment of eight rice producers, I would suggest that six should be rice farmers with one landlord and one miller. After all the farmers constitute the majority of the people interested in the rice industry. When it comes to the question of a

common understanding between the farmer, the millers and the landowners, there is a vast difference. There cannot be any question of unity between them when it comes to discussions and voting on the Board. The farmer is a different being; he has no tact and will be treated as such by the men who own lands and mills. Therefore I support the clause as it stands.

The CHAIRMAN: The position is that we have two sets of amendments submitted by two Members. The one by the hon. Member for Western Berbice proposes that sub-clauses (b) and (c) be altered so that there should be twelve members of the Board and their proportion should be four Members of the Legislative Council and four rice producers, leaving another four to be appointed at the discretion of the Governor. The other amendment is by the hon. Member for Essequibo River and the hon. the Fifth Nominated Member whose amendments, I take it, are precisely the same—to the effect that in paragraph (a) there be two instead of four public officers, in paragraph (b) there be ten instead of eight rice producers, and in paragraph (c) there be two Members of the Legislative Council, and there be an added paragraph for the inclusion of two members of the Chamber of Commerce. What I propose to do is to put sub-clause (1)—“The Board shall consist of sixteen members.” That seems to be agreed on.

Sub-clause (1) put, and agreed to.

Sub-clause (2)—*Members of the Board.*

The CHAIRMAN: Does any Member wish to address the Committee on sub-clause (2)? Is there any question of opposition? If not, I shall proceed in the usual way and put the sub-clause, as it stands, in the first instance. If it is passed, then all the amendments drop. Does any Member wish to address us on this point?

Mr. LUCKHOO: I do not think I can usefully contribute to the discussion, but I am rather inclined to the views expressed by the hon. Member for Demerara-Essequibo (Dr. Singh). The object of the amendment is to give the rice growers a hand in the administration of this Board. In course of time by practical experience and help from the Executive Officers they will be in a position to govern themselves. I am rather inclined to support his view with respect to the number he suggested.

The CHAIRMAN: That will be taken as a general direction to us without putting it in the sub-clause, as that is not actually proposed by the hon. Member. I take it the hon. Member does not wish to have an actual verbal alteration.

Dr. SINGH: No.

The CHAIRMAN: We can easily record that. If hon. Members feel they have achieved their end in the matter I can therefore put the question in this form: "That sub-clause (2) as drafted stands part of the clause." If any Member wishes either of the amendments he would vote against the question.

Question "That sub-clause (2) as printed stand part of the Bill" put, and the Committee divided, the voting being as follows:—

For: Messrs. Thompson, Jackson, Dr. Singh, Luckhoo, Critchlow, deAguiar, C. V. Wight, the Colonial Treasurer, the Attorney-General, the Colonial Secretary—11.

Against:—Messrs. Roth, Edun, Lee and Peer Bachus.—4.

The CHAIRMAN: The sub-clause as set out in the Bill is carried by 11 to 4 and so both amendments fail.

Sub-clause (2) passed without amendment.

Sub-clause (3) — *Selection from Association.*

The CHAIRMAN: We now come to sub-clause (3) on which the hon. the Fifth Nominated Member has a specific amendment—"That the persons to be appointed under paragraph (b) shall be selected by the members of the Council of the Rice Producers' Association and by the Governor." It is much shorter than that in the Bill. Mr. Attorney-General, what do you say to that?

The COLONIAL TREASURER: May I explain that the reason for placing the selection in the hands of the Governor is to secure that proper balance desired. One hon. Member referred to that balance between the landlord, the miller and the rice farmer, all of whom are rice producers and all of whom, we hope, will be elected to the Council of the Association. But we must take some extraordinary precaution to secure that in the members of that body who go to the Marketing Board. It can be seen that the landlord-miller class largely outnumbers the other class. I think it would be advisable that a balance be ensured by leaving the selection in the hands of the Governor as proposed in the Bill.

The CHAIRMAN: Are you satisfied, Mr. Attorney-General, with the clause as it stands?

The ATTORNEY-GENERAL: Yes; it is really in the interest of the whole industry and will enable the point raised by the hon. Member as to a balance to be given effect to.

Mr. EDUN: You will find in the Bill as printed this proviso:

"Provided that until the Association has been established or where for any reason the Association ceases to function

or fails to elect a council or governing body, or there is an insufficient number of members of the Council or governing body of the Association, the Governor shall select such rice producers for appointment as in his discretion he considers fit."

If this is incorporated in the Bill it would defeat the ideal of an association altogether. There will be no obligation on the part of Government or on the part of the Board to see that the association is formed.

The ATTORNEY-GENERAL: I do not wish to interrupt the hon. Member, but I take it the hon. Member appreciates the fact that Government is placing a Bill shortly before the Council seeking to bring into being an association. That assurance has been given and, I take it, the hon. Member accepts it.

Mr. EDUN: I accept it, but let us face facts. This is a constitutional issue. If there is no association, the Board will be there still. The whole discussion on this Bill was based on representation of the rice producer. If for some reason there is no association, no congregation of rice producers electing a council, then the Board will carry on. What guarantee have I got what guarantee the producers have that the members of the Board, if there is no association, will not go out of their way and create an association as a matter of legal obligation? I agree, and as my amendment states too, to leave the selection from the Council to His Excellency the Governor. I accept that, but there must be an association from which this Council will be selected. If you state here in this Bill as a matter of law that if there is no association the Board will carry on, that is giving the Board a licence to say: "There is no association, let us go ahead." I do not know the technique of the thing. What will be the position? The Bill in clause 2 says the Rice Producers' Association must be created under an enabling Ordinance, but here again you are defeating that by saying "If there is

no association the Board will still carry on." The tendency will be not to have at all this cumbersome Association which will hinder the progress of the Board. Therefore my amendment meets the situation by saying that the persons to be appointed under paragraph (b) shall be selected by the members of the Council of the Rice Producers' Association and by His Excellency the Governor. I think, the hon. the Attorney-General will appreciate what I mean. There is a panel from the council and from that panel the Governor will appoint those eight members of the Association. But if there is no association, how can the Governor appoint them?

The ATTORNEY-GENERAL: The hon. Member will appreciate the fact that it is a proviso which must come in this sub-clause. We must have the candidates or the panel contingents in order that the eight persons who are rice producers may be drawn. At the time this Bill was being drafted, it was contemplated first of all that there would be an association from which you would have eight rice producers drawn. If for any reason the rice producers do not come together and make their selection—I hope they will and the hon. Member will influence them to co-operate as then there will be no difficulty in their coming together to form the association—when the enabling Ordinance comes into existence you proceed against such a contingency with the proviso. In other words, the Governor will in his discretion consider the whole range of rice producers of the Colony and make his selection, I should imagine, on the same basis as if there had been eight persons as rice producers, as suggested by the hon. Member for Demerara-Essequibo and the hon. the Fifth Nominated Member, so as to ensure representation for the producers, the millers or whatever category it is desirable should have representation. I wish to emphasize that is the last contingency which will become operative. The first consideration is the Asso-

ciation. As I have told hon. Members and also Your Excellency and the hon. the Colonial Treasurer, it is the earnest desire of us all that there should be such an association. We are not saying so lightly or just for the sake of saying so.

Mr. LEE: I think the hon. the Attorney-General is overlooking one fact, and that is on assent being given to this Bill it will be Your Excellency's duty to nominate immediately those men to constitute the Board. Even if the Producers' Association Bill is passed simultaneously with this Bill it is not possible for the District Associations to be formed so as to know exactly who should be their representatives on the Central Council and, therefore, Your Excellency's nominations to this new Board will stand for two years during which the producers will not have the representation they desire. That is what I and the hon. the Fifth Nominated Member are concerned about. The intention of the Bill is to give the producers representation on the Board. Can you say that such nominations will meet the producers' wish? I say, no; there should be some provision whereby Your Excellency can—I am not saying the Board should not carry on with the new constitution—nominate temporarily and not for two years as definitely stated in the Bill.

The COLONIAL TREASURER: Let us not mix facts. The point is, the new Board comes in at once. There is now a lot of work to be done. It has to enter into contracts—most important engagements—with the Island markets. We would all like to have the Association functioning so that the Governor can select its members as representatives on the Board, but it is going to take some time and hard work to get the Branch Associations formed for the selection of members of the Council or governing body of the Association for appointment to the Board. Even when the Ordinance

establishing the Rice Producers' Association is passed, it will take some time and, therefore, there must be in this Bill some safeguarding provision in order to enable the new Rice Marketing Board to be constituted with rice producers on it. That is why the Governor is being given power to make the first selection. The Governor is also given power to do a similar thing if the Association ceases to function, though we do not hope it will cease to function. I do appeal to hon. Members. We have an example in the past of what happens between members of the Association. We hope there will not be any of those clashes and mischievous interference with its working. The Board has to continue with its contracts with the outside world, notwithstanding the Association can lose itself in its own body. I do hope the Association will be formed quickly and so let us carry on.

Mr. LEE: The hon. the Colonial Treasurer has not answered the question as to the appointment of the first members of the new Board for two years. Supposing those appointed are not men the rice producers would select, this Bill should provide for the Governor to take them off the Board. We are not saying you must not constitute the new Board but as soon as the Council of the Rice Producers' Association is established the Governor should exercise his discretion in making appointments from that Council.

The COLONIAL TREASURER: If the hon. Member would limit his suggestion to that particular point I would ask you, sir, to permit the hon. the Attorney-General to consider it. His point is that, if after you have selected the members of the new Board and they are serving and the Council of the Association in the meantime is formed in the proper way under the new Bill, he thinks it is wrong that those members should continue to serve when they are not on the Council. The hon. the Colonial Secretary has just pointed out to me that there is pro-

vision in sub-clause (15) for the revocation by the Governor of the appointment of members of the Board. I assume the point can be covered by revocation and re-appointment.

Mr. LEE: If I am given an undertaking that when the Council of the Association is formed the Governor will exercise his discretion under sub-clause (15) I will be satisfied.

The CHAIRMAN: I will not give an unqualified undertaking. I appreciate the point and we ought to go into it as early as we possibly can.

Mr. LEE: Thank you.

Mr. EDUN: It will need some time to carry out this thing. That is the interim position—the transferring stage between the establishment of this Board and that of the Council—and some provision should be made in this Bill for that. This is a cumbersome provision, and that is why I say: Let us make some sort of provision in order to give the Governor authority to say at which stage the Rice Producers' Association ought to be formed. If this Bill is passed like this, then the whole thing would be invalid.

The CHAIRMAN: Except it is understood that as soon as the other machinery is formed we will use it. With that I am prepared to pass it as it stands. With this understanding we will pass the sub-clause as it stands.

Question "That sub-clause (3) as printed stand part of the Bill", put, and agreed to.

Sub-clause (3) passed without amendment.

Sub-clause (5)—*Appointment of Chairman and Vice-Chairman.*

Mr. LEE: I desire to ask that powers be given in this Bill to the Governor to appoint a member of the

Board who is an Elected Member of this Council as Chairman of the Board and the Director of Agriculture as Vice-Chairman. I have previously outlined in this Council why I ask for that. It is that responsibility should be given to Elected Members of this Council for the conduct of public affairs. Also I have asked that the Director of Agriculture be appointed Vice-Chairman of the Board because he is responsible for the agricultural ramifications of this Colony and should be the expert adviser to the Chairman. I, therefore, move the deletion of sub-clause (5) and the substitution therefor of the following:—

"(5) The Governor shall appoint one of the Elected Members of the Legislative Council to be Chairman and the Director of Agriculture to be Vice-Chairman."

The CHAIRMAN: I think that issue is quite clear. As Members feel the sub-clause should stand as it is, I therefore put the question.

Question put, and the Committee divided, the voting being as follows:—

For:— Messrs. Thompson, Roth, Jackson, Peer Bacchus, Austin, Luckhoo, Dr. Singh, Critchlow, de Aguiar, C. V. Wight, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—13.

Against:— Mr. Lee—1.

Did not vote:— Mr. Edun—1.

The CHAIRMAN: I declare the sub-clause adopted by 13 votes to one.

Sub-clause (5) passed without amendment.

Sub-clause (12)—*Acting Members of Board.*

The CHAIRMAN: There is an amendment by the hon. the Fifth Nominated Member.

Mr. EDUN: In view of the amendment I suggested to paragraph (b) of sub-clause (2) having not been accepted, this amendment of mine automatically falls to the ground.

Sub-clause (12) passed without amendment.

Sub-clause (15)—*Revocation of Appointment of Members.*

The CHAIRMAN: There is an amendment by the hon. the Fifth Nominated Member.

Mr. EDUN: I withdraw this amendment.

Sub-clause (15) passed without amendment.

Sub-clause (17) — *Meeting of Board.*

The CHAIRMAN: There is an amendment by the hon. Member for Essequibo River.

Mr. LEE: I think that in the interest of the industry the Board should meet at least once a month on a convenient day to the Members. That is the amendment I ask.

The COLONIAL TREASURER: Speaking from experience I hope the hon. Member will not press that amendment. The sub-clause provides that at any time the Board shall meet. It is quite unnecessary to provide that the Board shall meet once a month. There is no necessity to have a statutory monthly meeting. In practice one would prefer to meet in alternate months, but the Board may meet twelve times in one month.

Mr. LUCKHOO: I think that in cases of emergency the Board will meet often. The provision is quite ample as it is.

Mr. LEE: What I thought and what the people thought was that if there is regulation in respect of the hearing of grading appeals and the Board is to sit as a Court of Appeal in such matters, the determination of those appeals will be delayed. At the present moment you have the Defence Emergency Regulations and the Board sits often, but there is no provision or regulation directing that that be continued, and the rice farmers feel that their appeals should not be kept longer than a month for hearing. If I am given an undertaking that under the regulations governing appeals the hearing will take place within a month, then I will withdraw the amendment.

The COLONIAL TREASURER: I readily give the undertaking that under sub-clause (13) the requirement will be met. The members of the Board, I take it, may have to meet three or four times a week in some months.

Mr. LEE: I take it, regulations will be made for that purpose and, therefore, I withdraw my amendment.

Sub-clause (17) passed without amendment.

Sub-clause (18) — *Payment of Travelling Expenses.*

Mr. JACKSON: I propose that the words "and subsistence allowance" be added and that the sub-clause read: "The reasonable travelling expenses and subsistence allowance. . ." My reason for moving that is that the members of the Board are going to be asked to leave their homes and go into the country on the business of the Board. You cannot merely offer them travelling expenses. Their upkeep during such period when they are away from home should be paid also.

Mr. LEE: If the labourer is worthy of his hire, then power should be given to the Governor in Executive Council

or otherwise to give remuneration to members of the Board for the services they render the Board.

The CHAIRMAN: I have before me an amendment to that effect as a new sub-clause (19). That is coming forward

The COLONIAL TREASURER: When this question was discussed we took it for granted that the Board would authorise some sort of subsistence expenses. If it is thought necessary to insert the words "and subsistence allowance" it may be done, but I do not think it is necessary.

Mr. JACKSON: I much prefer to see it in the Bill.

Mr. LUCKHOO: I support the hon. Nominated Member. Supposing a member resides up the Crabwood Creek and attends the meeting of the Board, his travelling and subsistence expenses should be paid.

The CHAIRMAN: We will make the sub-clause read: "The reasonable travelling and subsistence expenses. . ."

The COLONIAL TREASURER: I move that the words "and subsistence" be inserted between the words "travelling" and "expenses" in the first line.

Question put, and agreed to.

Sub-clause (18) as amended passed.

Sub-clause (19)—*Remuneration of Chairman.*

Mr. PEER BACCHUS: I am moving the insertion of the following new sub-clause (19):—

"(19) The Board may pay to the Chairman such fees or other remuneration for his services as the Board, with the approval of the Governor, may from time to time fix."

Mr. LEE: I would ask the hon. Member to include the members of the Board. The Directors of the Boards of Companies receive remuneration, and I do not see why the members of the Rice Marketing Board should not be remunerated when they have rendered good service to the industry. I leave the matter to the Governor in Council.

The CHAIRMAN: It is a new sub-clause. Mr. Attorney-General have you any objection?

The ATTORNEY-GENERAL: No, sir.

Mr. deAGUIAR: I have a constitutional objection. In this Bill provision is made for the appointment of Members of the Legislative Council as members of the Board. I wonder what the position will be when Members of this Council on that Board are paid such remuneration.

Mr. C. V. WIGHT: It is not an office of profit under the Crown.

The COLONIAL TREASURER: The hon. Attorney-General will support me. It is not an office under the Crown. It is an independent Board under a Statute.

Mr. EDUN: I think it would be wise not to press it. Maybe it can come later on.

The CHAIRMAN: There is nothing to stop the Legislative Council voting the money when the time comes, if it becomes necessary. But if the hon. Member wishes to press the amendment he may do so.

Mr. PEER BACCHUS: I am going to move the amendment, but I wish before doing so that the question be discussed and Members give their opinion. The Chairman of the Board is the active supervisor of that Board. I happen to know the volume of work

that the Chairman has to do in the Rice Marketing Board, and I say it will not be fair and just to ask a person, whether he be an Officer of the Government, or any elected member of this Council or a rice producer, to accept appointment as Chairman of that Board and to expect him to give his time and thought and to expend money out of his pocket—if he happens not to reside in Georgetown—in the interest of the Board free and gratis. As Chairman of that Board he is expected to look after the interest of an organisation collecting \$2,000,000 a year. I would be disappointed if this Council grudges to pay a Chairman whom you consider fit and capable to administer the affairs of that Board. Members who are appointed to that Board will be given travelling and subsistence allowances to attend one or two meetings a month, while on the other hand it is practically a whole-time job in so far as the Chairmanship of the Rice Marketing Board is concerned. If he is to perform that duty and do it well, and give it all the time it deserves, then I think this Council would be treating that person very unfairly and unjustly not to remunerate him. Under such conditions it is likely that a capable person may refuse the Chairmanship of that organisation. Why take the risk of not obtaining a capable person to administer the organisation?

Mr. C. V. WIGHT: I am afraid I must oppose it. The arguments adduced by the hon. Member are not strong enough to convince anyone. The hon. Member, if elected, should do it in the interest of the community. We are told that the Board is a necessity for the community and the members of the rice industry. The Chairman of the Board, I take it, will be a Member of this Council who knows something about the manufacture of rice, and you do not pay any of the other Members of this Council who are appointed to do other duties around. If

you pay that hon. Member you would have to pay every hon. Member who takes up public duties. The Chairman of Advisory Committees will have to be paid. I am personally against payment of Elected Members, and I have said so before now.

Dr. SINGH: From the very inception or creation of the Board we find the Chairman giving gratuitous services. The work is really done by the Secretary who is a competent individual. In the circumstances I will oppose the amendment. The Chairman should not be paid.

The CHAIRMAN: I will just put as a substantive motion "That sub-clause (19) be added to the clause."

Question put, and the Committee divided, the voting being as follows:—

For:—Messrs. Thompson, Lee, Peer Bacchus, and the Colonial Secretary—4.

Against:—Messrs. Edun, Jackson, Austin, Luckhoo, Dr. Singh, Critchlow, de Aguiar, C. V. Wight, the Attorney-General—9.

Did not Vote:—Mr. Roth and the Colonial Treasurer—2.

The CHAIRMAN: The amendment is lost by 9 votes to four. I can now put the whole clause 4 as amended in one place.

Question put, and agreed to.

Clause 4 passed as amended.

The CHAIRMAN: We have made very fair progress. We will now move back into Council.

Council resumed.

The PRESIDENT: I think we had it in mind to meet on Wednesday and take the private motions, but per-

haps Members will be prepared to let us go on then with the Bill. I adjourn the Council to Wednesday, 20th February, 1946, at 2 p.m.