

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

PROCEEDINGS AND DEBATES OF THE SECOND SESSION (1959—60)
OF THE FIRST LEGISLATURE OF THE WEST INDIES,
CONSTITUTED UNDER THE WEST INDIES
(FEDERATION) ORDER IN COUNCIL, 1957.

16th Sitting

Monday, 16th May, 1960

HOUSE OF REPRESENTATIVES

The House met at 2.30 p.m.

Prayers

[MR. SPEAKER *in the Chair*]

OATH OF ALLEGIANCE

Mr. James Clifford Llewellyn Wall (Montserrat) took and subscribed the Oath of Allegiance administered by the Clerk, and was welcomed to the House by Mr. Speaker.

PAPERS LAID

The following Papers were presented :

- (i) Report on the Federal Statistical Office for the year, 1959 — [*The Prime Minister*]
- (ii) Directive by His Excellency the Governor-General to the Accountant General under section 10 of the Audit and Civil Contingencies Act. — [*Minister of Finance*]
- (iii) Directive by His Excellency the Governor-General to the Auditor-General under section 11 of the

Audit and Civil Contingencies Act.
— [*The Minister of Finance*]

(iv) The Defence (Retired Pay, Pensions and Other Grants) (Amendment) Regulations, 1960. [*Minister of Finance*]

(v) The Supplementary Estimates 1960.
— [*Minister of Finance*]

CABINET GOVERNMENT AND INDEPENDENCE

The Prime Minister : Mr. Speaker, the Federal Government has the honour to set out the present position of the negotiations which have taken place between it and the United Kingdom Government with respect to the introduction of Cabinet Government and the achievement of independence of the Federation of The West Indies.

During the course of his recent visit to the United Kingdom, the Prime Minister of The West Indies had talks with officials of the Colonial Office and with the Secretary of State for the Colonies. As a result a letter has been dispatched on the matter to the Governor-General of The West Indies, the text of which follows.

In his opening paragraph the Secretary of State pointed out that at the request of

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the Prime Minister he is making a statement, agreed to by this Government, which represents the present position. His statement follows :

"It will be recalled that in January, I agreed in principle and indeed welcomed the introduction of Cabinet Government, subject to concurrence of Governments of the federated territories and to agreement on details of Federal Government's proposals. I understand that Governments of the federated territories have agreed to proposals. I received an advance copy of Federal Government's detailed proposals earlier this month. These are now being urgently studied and I hope to send you my comments in the near future. I fully appreciate importance attached by Federal Government to an early settlement of this matter, and will do my utmost to facilitate an early implementation of decisions."

If I may make a digression, Sir, the Federal Government hopes that by July 1st, this year, the Cabinet System will be introduced, and with that object in mind the Federal Attorney General is about to proceed to England in order to have discussions with the Legal Advisers of the Colonial Office. The Federal Government is, however, aware that the mechanics of drafting and agreeing to the Federal Government proposals and getting the matter put before the Privy Council, in order that Her Majesty may make an Order-in-Council, may take a little more time than that, but we hope not.

The Dispatch continues :

"The final constitutional goal of Federation is of course achievement of Independence within the Commonwealth. However, the conference of West Indian Governments which was held last autumn in Trinidad, disclosed considerable difference of opinion between political leaders of The West Indies on constitutional framework of Federation.

These problems were remitted to inter-governmental committees which I understand have made steady progress towards their solution. I greatly hope, therefore, that when the Conference of West Indian Governments meet again, it will be possible to reach agreement on all outstanding issues including date for Independence. I assume that the next step—and one which need not be long in following—would be to convene Constitutional Conference provided for in Article 118 of the Federal Constitution. The concern of Her Majesty's Government at this conference will be not to urge that the Federal Constitution should take one form rather than another which is a question for West Indians to determine but rather to satisfy themselves that the chosen form of Federation is one capable of assuring effective Sovereignty and that the date proposed for Independence is practicable in light of time required to carry out legal and other steps necessary for the transfer of Sovereignty. I have informed your Government of the criteria which would enable Her Majesty's Government to be so satisfied.

"The question of admission to membership of the Commonwealth is of course one which must, as in all previous similar instances, be decided by existing Members of Commonwealth as a whole. As soon as a date for Independence has been agreed Her Majesty's Government in the United Kingdom is willing and ready to sponsor Federation for Membership.

"I am aware of concern which is felt in some quarters in The West Indies lest Independence should be delayed by financial problems to which it may well give rise. On becoming Independent, The West Indies will of course continue to be eligible for assistance from international bodies and they will also become eligible for Commonwealth assistance loans or any such system as may be generally in operation at the time on same footing as other less developed Independent Members of Commonwealth within the Sterling Area.

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"While Independence implies an ability to stand on one's own feet financially as well as politically and it is understood to be the intention of the Government of The West Indies to do so as soon as possible, Her Majesty's Government recognises that The West Indies may not be able to assume at once whole weight of financial burdens which would normally fall to an Independent Member. If this proves to be so Her Majesty's Government will be ready to consult with the Government of The West Indies and to consider with them ways in which help might be given over a transitional period."

Some hon. Members, if not all, may know that the Secretary of State for the Colonies is himself coming to the West Indies to spend two weeks in a very short time. I say no more than that.

Mr. Hill (Surrey, Jamaica): **Mr. Speaker**, will the hon. the Prime Minister care to tell the house what is the date of the Dispatch from the Secretary of State? Is it current, topical or something that belongs to the beginning of this year or last year?

The Prime Minister: I thought that even in Jamaica, far away as it is, you might have heard that I went to England recently. I started off by saying, "When I was in England". The Dispatch came here night before the last as far as I remember.

Mr. Hill: That's all we want to know.

CABINET SYSTEM **(White Paper on Proposals)**

The Prime Minister: **Mr. Speaker**, I beg to lay on the Table a White Paper on the constitutional proposals for the introduction of a Cabinet system of Government. This is what I referred to as the matter which the Attorney-General will be

taking up to England. They had an advance copy before it was decided upon by the Council-of-State, but this is the perfect copy as passed by the Council-of-State and we do know that within a week or so it will be discussed by the Colonial Office.

MINISTERS, SENATORS AND M.P.'S **(Review of Salaries and Allowances)**

Order read for the following Motion—

"**BE IT RESOLVED** that the Commission appointed to review the salaries and structure of the Federal Service be invited to inquire into and make recommendations concerning the salaries and allowances of Ministers and Members of the Senate and of the House of Representatives."—[**MINISTER OF FINANCE**]

The Minister of Finance (Mr. Bradshaw): **Mr. Speaker**, I beg leave to move an Amendment to the Motion standing in my name — that after the word "Representatives" the following words be added:

"and their employees, with special reference to such anomalies as may be found to exist".

So that the Motion in its amended form should read:

"**BE IT RESOLVED** that the Commission appointed to review the salaries and structure of the Federal Service be invited to inquire into and make recommendations concerning the salaries and allowances of Ministers and Members of the Senate and of the House of Representatives and their employees, with special reference to such anomalies as may be found to exist."

Mr. Speaker, the intention behind this Motion is that the Commission which has been appointed to inquire into Federal salaries should make an examination, concurrently, of salaries and allowances of Ministers and Members of the Federal Legislature. It is felt that the information, which such an examination would throw up, will be of use to this hon. House, to the

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Other Place and to the Government, in assessing the general position with respect to the Federal Civil Service and other things associated with it. There is no suggestion at all behind this Motion that any hon. Member of this House has made complaints with respect to the salaries and allowances.

Mr. W. B. Williams : (St. Catherine, Jamaica) : About allowances, yes.

Mr. Bradshaw : Is the hon. Member for Surrey making a complaint ?

The Prime Minister : He complains that he gets too much.

Mr. Bradshaw : It is felt that the examination would be of use and, consequently, the Government has decided to have this Motion moved. You would remember, Sir, that it was felt to be a matter of privilege to have it done otherwise. As a result this Motion has been introduced. I commend it to the kind consideration of the House.

Mr. Hill : Mr. Speaker, with your leave I beg to move the following Amendment.

"That the amended Motion proposed by the Minister of Finance be amended by the addition of the following words—'on condition that no possible revision of salaries and allowances be made effective before the introduction of a new and revised Federal Constitution'".

Hon. Members (Opposition Benches) : Hear, hear !

Mr. Hill : I think it is necessary to make a further amendment to this Amendment, in view of the fact that employees of the Federal Government are involved. After the word "allowances" insert the words—
"of Ministers and Members of Parliament."

Mr. Speaker, this Federation has been in existence for more than two years ; during that period it has become necessary, on

more than one occasion, for the Opposition to protest, both inside this hon. House and outside of it, the paucity of the number of sessions and sittings of this hon. House. It must be a matter also of great concern to the people of the West Indies who, in the last analysis, have to foot the bill for the upkeep of this Federation, that the Government has seen fit not to summon this House except on very rare occasions, not more than twice in any year, for the express purpose of rubber-stamping the very small number of Bills which have been presented to this hon. House. I ask the Government, and in particular I ask the Prime Minister and the Minister of Finance, if they are satisfied that this House meets sufficiently. I ask hon. Members of this House who, in the next couple of years, have to face the people of the West Indies once again, whether they can in their consciences justify, or could justify, any increase in emoluments, in salaries or allowances for Members of a House that meets, at the moment, twice a year for a total of eight weeks per year. I say it would be a disgusting spectacle for the Members of this House if, by agreeing to this Motion as it stands, they should underwrite the Federal Government — not merely its attempt but in the achievements which it has made — in making this House nothing less than a Reichstag and by continuing to rule by decrees, as it were. It may not be very well understood by all the hon. Members of this House, particularly my friends on the opposite side, that the purpose of a Parliament is not merely to act as an official rubber-stamp, to pass supplementary estimates or to pass the few bits of legislation that a Government presents to the House. The basic and fundamental purpose of a Parliament is for the generation of discussion on

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matters of policy that affect the country and the people for whom Parliament is primarily intended. And at a time, Mr. Speaker, when there is so much controversy in this Region as to the very form, nature and substance of this Federation, at a time when we are merely at the formative stage of developing and creating, as it were, a nation, it seems to me to be a great dis-service to the people of the West Indies that this hon. House should be so conspicuous by the rare occasions on which it meets. For that reason we of the Opposition submit that whatever revision is undertaken, or may be undertaken, no possible revision be brought in ahead of the introduction of a new and revised Constitution for the Federation. It is my humble submission that even if the number of the sessions and the sittings were increased, there would be no justification for any possible revision of the salaries and emoluments of Ministers and Members of Parliament to be introduced or made effective before the introduction of a new Constitution.

The reference to the paucity of the number of meetings of this hon. House is merely to emphasize the great disappointment of many hundreds of thousands of people of these West Indian islands to whom this is a matter of grave concern. We challenge the Government upon this issue not to accept this amendment and face the people of the West Indies. I challenge the Government.

Mr. Cargill (St. Mary, Jamaica): In seconding this amendment to the Motion, Sir, I would like to make a few observations. I think that the Motion which we seek to amend is indecent — the alacrity with which Ministers of Government come to this House and ask for an increase of pay, and, as an after-thought, drag in the em-

ployees so as to make it look a little better. Actually they never intended this; they never thought of their employees except as an admitted after-thought.

Not so long ago we had quite a scene in this hon. House over the question of the emoluments of our employees. We made proposals and discussed them in this House — indeed the whole matter was considered by a Select Committee of this House and we found that there were certain anomalies that ought to be corrected. On the whole these suggestions which we made were not accepted by Government, especially by the hon. Minister of Finance, who gave all sorts of excuses, constitutional and otherwise, backed up by the Member for Manchester, who is not present today. Now, at the very next Session they have the indecency to come back here and want to increase their own salaries, and just as an after-thought, put in this business of our employees.

I look at the Government benches and I do not notice any of the Ministers looking as if they are dying of starvation; indeed the girth of each seems to have increased in the last few months. The Minister of Works and Communications seems to have difficulty in getting his collar to meet. The very elegant waist-coats of the hon. Minister of Finance seem to have stretched more than they used to before. Even the Prime Minister seems hardly to have shrunk in spite of the arduous labours he has been doing during the last few months on behalf of the West Indian people. The Deputy Prime Minister looks quite chubby and happy. In fact, the only Minister who has retained her figure is the hon. Lady Minister — I would not be so indiscreet to say otherwise. I would say rather that she has increased in stature but not in girth. I look

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around and all I see is healthy and well-fed people even on this side of the House. I look around and see all Members well nourished and happy.

I see no excuse whatever, Sir, to be serious for a moment, why we should be so indecently hasty in trying to increase our own salaries. The hon. Members on the Government benches are constantly reminding us that they are the Socialist champions of the poor and we are the wicked plutocrats, rich farmers and industrialists who wish at the drop of a hat to grind the necks, so to speak, of the suffering poor.

We have even heard acid remarks from the hon. The Prime Minister who seems to insist that wealth is the exclusive possession of the Members of the Opposition. How little he knows the true position! Now, we find those champions of the poor and of the working-class people coming with indecent haste to have us raise the salaries which they do not even now earn. We have not even yet decided how our Federation will go on, or if it will go on.

The Prime Minister : Who we ?

Mr. Cargill : You, Mr. Prime Minister, sit idly by while the Unit Premiers decide your fate for you. You are only a pawn in the game. Don't let us have too much of that. This House has not been allowed to consider any of the things which are going to decide the future of this Federation, of this Parliament. None of us here, least of all the Prime Minister, know the things which are going on. Many secrets are kept from him by the Premiers of Unit Territories. He does not know the form of the future of the Federation.

The Prime Minister : A good strong Federation.

Mr. Cargill : I must ask the Prime Minister, Sir, not to be so obstreperous. He will have his chance. He is always grumbling unintelligible words that no one can understand. Come and speak out when your turn comes, Mr. Prime Minister ; don't sit there grumbling.

I think it is vulgar to a high degree that the so-called champions of the people should come to this hon. House at this time in the history of the Federation, before anything has been decided, to ask for an increase of pay which is already far too high for the work they do today, and, I would hazard this suggestion, more than ever they have earned in their lives before.

I hope that this House will not disgrace itself by doing any act which is mean and unworthy and shabby.

Mr. Bousquet (St. Lucia) : Mr. Speaker, perhaps hon. Members opposite did not hear the Motion as read out by the hon. Minister of Finance. If that happens to be the case, perhaps I should read it to them again :

"BE IT RESOLVED that the Commission appointed to review the salaries and structure of the Federal Service be invited to inquire into and make recommendations concerning the salaries and allowances of Ministers and Members of the Senate and of the House of Representatives and their employees with special reference to such anomalies as may be found to exist."

I do not see there anything with respect to increase of salaries for anybody.

Mr. W. B. Williams : (St. Catherine, Jamaica) : It says so here.

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Mr. Bousquet : If you don't understand English, keep quiet.

Mr. Speaker : Would you please direct your remarks to me and not to the Member from Jamaica.

Mr. Bousquet : I have seen nothing in the Motion saying that salaries should be increased. Why should anyone be anticipating the Commission? It may well be that they will say cut down the salaries.

The Motion says, "... anomalies that might exist". I see no reason for all this talk over this issue. It is only propaganda. I do not think this sort of thing will help. Let us all come here as hon. Members of an hon. House and not make propaganda at the expense of the people. Let us take the Motion as presented. There can be no doubt what the result will be. Of its merits, I am sure there is no need my trying to convince anyone who has already made up his mind. The Motion will go through, anyway.

Mr. Sinanan (Victoria) : Mr. Speaker, we believe that the Amendment which has been proposed from this side of the House is a reasonable one and that it ought to commend itself to our hon. Friends opposite. We have got to be realistic in this House.

There is a strong feeling in perhaps the two Territories which are paying the most in this Federation that we are marking time in the Federal Government and in Federal House and if you have at this stage a Resolution couched in the manner as presented by the Government, it is definitely going to add further complications. Let us be very practical about this, Mr. Speaker.

There is one Territory which feels we are not going fast enough constitutionally.

The Prime Minister : Which Territory?

Mr. Sinanan : The most progressive of course!

There is another which feels there is every justification for a going faster but there are certain important problems to be solved. No member on this side of the House resents any increase of salaries for any Minister of this Government if there is an increase of responsibility for that Minister or for this Government. That is our earnest conviction. If you come here tomorrow and introduce any form of new Constitution, even if the miracle happens and we get a declaration of a date for Dominion status, or better still, the fixing of definite legislation in draft form for Independence, no Member of this House can deny the right of Government to have the salaries of Members of the Government increased to meet these responsibilities.

This Government is blowing hot and cold. It cannot take the stand that certain important things are being done by the Working Parties and they cannot be anticipated and at the same time come here and anticipate those Working Parties. Either they agree on the principle that the Working Parties are not in any way working in a manner consistent with the desires of this House, or they take the stand that what they are doing here is inconsistent with what the Working Parties are doing.

That quite apparently has already received the attention of my hon. Friend the Minister of Communications and Works. It is clear from the reaction and nods of assent that I see coming from him, and if my Friend says that he is not nodding assent I

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will take my seat for him to say he is nodding dissent. But that is definitely the case. This Government cannot have it both ways. We are not opposing an increase of emoluments for Members of this Parliament, but we are saying that we want an undertaking that they will be introduced when there is a new Constitution. Certainly, we are entitled to do that, and particularly the Minister of Communications and the hon. Member for Trinidad who sits opposite must know that at the present time we have no Federal Constitution in existence. We are only spiritually free. There is no Constitution in existence, and surely if that Constitution has met a tragic fate by fire we are entitled here to say that if you come talking about emoluments at all they must be based on a new Constitution. Let my hon. Friends from Trinidad vote against that argument; let them reject that argument because we are saying that we are only spiritually free.

Mr. Speaker, we ask the Ministers of Government and the supporters of Government opposite to realise that even though we oppose Members in this House from time to time when decisions are being passed, Members on this side of the House have to justify those decisions because Constitutionally they are decisions of this Parliament. All we ask them is to realise that every time they rock the boat of their own volition they jeopardise Members on this side of the House also, because our one desire is the success of the Federation and my hon. and learned Friend the Prime Minister ought to know that what we are saying is true. We are very sorry that the emoluments have been burned up. I believe that when the Constitution was burnt up the Schedule was also burnt, so a number of gentlemen on the other side are out of

jobs and before they start talking about salaries they must get re-employed.

Mr. Speaker, added responsibility with salary increases is our argument. We say that added responsibility must come with a revision of emoluments. If you want to invite these gentlemen who have been appointed to review the salaries and the structure of the Federal Service to go further and make recommendations for the salaries and allowances of Ministers and Members of the Senate and House of Representatives, you must present to him *prima facie* argument that would justify this inquiry, because they themselves will want to know what is the justification for this review of the structure and of the salaries at this stage, some two and a half years after the introduction of this new Constitution for the Federation.

Mr. Bousquet : Salaries will not necessarily go upwards.

Mr. Sinanan : Let my Friend from St. Lucia understand that we are not unsympathetic to his cries. As a matter of fact what we on this side would ask, judging from the first point made by my hon. Deputy, is whether this increase is for groceries, and if my hon. Friend from St. Lucia adopts the argument that the increase is only for groceries, we will stop him from getting any form of increase from this House.

Quite seriously, we do not object to a revision of salaries for the Civil Servant because we on this side of the House understand and appreciate the problem of the Federal Government, and we understand and appreciate even more the problems confronting the Minister of Finance, where you have a gentleman holding the Port-

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folio of Finance in a young nation like this, and soon after the launching of the Federal system two or three Territories engage in such wide-spread revision of salaries, it is bound to have adverse repercussions on the whole administration of the Civil Service, on the general welfare and well-being and contentment of the senior and junior Civil Servants. We understand that problem and appreciate it. We offer no resistance to the easy passage of that part of the Resolution to deal with the Civil Servants because the Civil Servant is necessary to the true and successful functioning of this Federation. We lament every publication and notice which appears of steps being traced backwards from the Federal Government to their respective Territorial Governments. That is a problem all Federations have had to face. That is a problem that this Federation faces so soon after the revision of salaries by certain Territorial Governments. But we see no justification at this stage for a revision of salaries for Members of Parliament. I emphasise "*at this stage*", because if within the next few months, as anticipated by the Prime Minister, there is some dramatic change to be made and a great step forward to be taken constitutionally, we would be the first to say that, like the expatriates, the natives of The West Indies are entitled to enjoy the maximum comfort for discharging their responsibilities as Ministers of The West Indies.

Mr. Bradshaw : Mr. Speaker, I have to reject at once, with indignation and contempt, the charges of indecency levelled against the Government by the honourable — I repeat the word "honourable" — Member for St. Mary. But I would not expect anything better from him, Sir. A lot of what he has said is beneath contempt.

Where in the Resolution can any conjuror find even a suggestion about increasing salaries? Where? I ask?

Mr. Cargill : If you are not increasing salaries, why are you bothering us?

Mr. Bradshaw : If you keep quiet you will hear. Let me repeat, Mr. Speaker. Where in this Resolution can any conjuror, even a competent conjuror, find any suggestion, even a scintilla of a suggestion, that there is going to be an increase of salaries? That suggestion could only come from warped and jaundiced minds.

Mr. W. B. Williams (St. Catherine) : Withdraw the Motion.

Mr. Bradshaw : Mr. Speaker, when the Standing Federation Committee of the Federal organization, appointed to tie up all the loose ends with respect to the bringing into force of the Federal Constitution, met in Barbados in May 1956, one of its tasks was to fix salaries and allowances, firstly of Civil Servants; and, as it met in other places later, of Ministers and Members of the Federal Parliament. I had the honour of being a member of that Committee and so I can speak with a bit of authority on its approach to the subject. Its approach, Sir, was that Federal salaries should generally be higher than salaries in every Unit Government.

Now, in the fixing of the pay of the Federal Chief Justice, Mr. Speaker, a considerable amount of information was obtained beforehand. The salaries of the Civil Servants were linked, especially in the higher brackets, with those in the Territories. When it came to the question of Ministers, the salaries of Civil Servants had some re-

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lation to what was fixed for Ministers and insofar as Members of Parliament were concerned there was also a relationship. If, therefore, you touch the question of Civil Service salaries, especially in view of the fact that in Jamaica and in Trinidad salary revisions have taken place — in some cases they have resulted in an upward swing — you have to examine at the same time the other salaries and allowances that were linked to them.

Mr. Cargill made a *sotto voce* remark.

Mr. Bradshaw : That will be added at an appropriate place and time. Idiot !

Mr. Speaker : Did I understand the Minister of Finance to refer to the hon. Member ? Am I lacking in understanding ?

Mr. Bradshaw : Mr. Speaker, I did not refer to any particular Member.

So, Mr. Speaker, having appointed a Commission to go into Civil Service salaries, the Federal Government thought that it would be a good thing to have them do an examination at the same time of salaries and allowances of Ministers and Members of the House of Representatives and also their employees, because when you look at the White Paper which has been presented by the Prime Minister, with respect to the amendment of the Constitution to give effect to a Cabinet system of Government, you will find there certain changes suggested in this very House with respect to the employees. Employees in the House of Representatives are taken stock of, consequently the Government feels that an examination would be a good thing to have. That is all we want, an examination. There is no suggestion at all of anyone seeking an increase — indeed when I introduced

the Resolution I made the point, and took particular pains to state, that no honourable Member at all had complained about his pay. I think I heard one hon. Member say that allowances were being complained of.

Mr. W. B. Williams : Four hundred and sixty-three square miles against one hundred and sixty-six cannot work out.

Mr. Bradshaw : Now it is coming out. So we feel the examination will serve a useful purpose. I have to reject —

Mr. Cargill : May I say something ?

Mr. Bradshaw : No. I have to reject, and invite the House to reject, the Amendment by the hon. Member for Surrey, and invite it to support the Motion in its amended form.

Mr. Cargill : Mr. Speaker, could I just ask a question of the hon. Minister, arising out of what he has said ?

Mr. Speaker : If you wish to ask the Minister a question, ask him.

Mr. Cargill : The hon. Minister of Finance has indicated that all he wants is an inquiry. What I would like to have an undertaking of, Mr. Speaker, from the Minister, is should the Commission recommend that his salary be reduced, would he accept ?

Mr. Bradshaw : Mr. Speaker, that is a misleading question of which I should like notice.

Amendment pnt.

House divided : Ayes 19, Noes 24, as follows :—

AYES
A. S. Sinanan
Mrs. F. E. Daysh
M. Cargill
K. G. Hill

NOES
Sir G. H. Adams
Dr. C. G. LaCorbinlere
R. L. Bradshaw
F. B. Ricketts

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A. M. Gomes
L. J. Adams
Archdeacon Lennon
R. Joseph
Dr. F. R. Duhaney
S. Mathura
E. W. Wakeland
C. W. Swabey
C. T. Affick
S. B. Stone
M. H. Shah
L. U. Densham
M. A. Hector
V. Bryan
W. B. Williams

W. Andrew Rose
Mrs. P. B. Alfrey
V. B. Vaughan
N. H. Richards
H. F. G. Rocheford
D. P. Pierre
D. S. Lloyd
D. H. L. Ward
H. F. Cooke
R. J. Williams
R. M. Cato
Rr. L. A. Radix
T. J. Gibbs
A. N. R. Robinson
J. C. L. Wall
E. O. LeBlanc
B. T. Carrott
J. M. D. Bousquet
R. E. Brown
A. U. Belinfanti

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Amendment negatived.

Substantive Motion, as amended, accordingly put and agreed to.

OVERSEAS JUDGMENTS (RECIPROCAL ENFORCEMENT) BILL

To "make provision for the enforcement in the Federation of judgments given in overseas countries which accord reciprocal treatment to judgments given in the Federation, for facilitating the enforcement in overseas countries of judgments given in the Federation, and for other purposes in connection with the matters aforesaid, "presented by the Prime Minister and read a First time.

INCOME TAX (FEDERAL EMOLUMENTS) BILL

To "provide for levying income tax upon income derived from the sources specified in paragraph 9 of the Exclusive Legislative List in the Third Schedule to the Constitution", presented by the Minister of Finance and read a First time.

SUPPLEMENTARY ESTIMATES 1960

Mr. Bradshaw : Mr. Speaker, with respect to the Paper which is attached to the Supplementary Appropriation, I should like to name Thursday, 19th May, 1960, as the date for it to be debated.

CABINET GOVERNMENT (White Paper on Proposals)

Motion made, and Question proposed,
"That this House do now adjourn". [*Mr. Bradshaw*].

The Prime Minister : Mr. Speaker, I am merely speaking on the Motion for Adjournment. The Paper which I have laid on the Table of the House is the proposed amendment of the Constitution so that Cabinet Government may be brought in. We do not want to hold back things and I would be glad if hon. Members, preferably non-legal Members, will read it through and, if possible, find something to make suggestions on. Because we want the Secretary of State for the Colonies to know that the general principles have been accepted by both sides of the House, and that this is merely the legal side of the matter. I should hate to give the impression that we have to run over to London every two minutes in order to clarify some small matter. We feel that when the Attorney General goes over to the Colonial Office we could get the matter over in a few days' time.

Mr. Speaker : Will the Prime Minister name a date for consideration of the Motion standing in his name, and the other Bill which was unfinished at the last Session ?

Mr. Sinanan : Before the Prime Minister does that, Sir, I wish to point out that what he has just said is very important. I

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do not think that we should allow this—and when I say “we”, I mean we on this side of the House—to go into the Records unless we have some clarification. Is he asking the Opposition formally in this House to consider the Draft Constitutional proposals on Cabinet Government and let him know something definite about it, or is he merely intimating that he will welcome the views of hon. Members of this side of the House, and leave it at that? Because if anything transpires later on, I have absolutely no doubt that my hon. and learned Friend, the Prime Minister, will point out at some later Sitting of this House that at the Sitting on this date, he had invited comments from this side, and we had nothing to say about it. We want to know exactly what he is saying. Is he asking for the views of the official Opposition, or is he merely being flippant in saying—“Well if we hear from you, we hear from you, and if we don’t, we will reproach you in the future?”

The Prime Minister : I don’t think I will make the mistake that I have tried to avoid for many years of putting ideas in the heads of Members of the Opposition.

This is a White Paper, merely a legal draft of what has been agreed to in this House and by all the ten Territories. We have asked all the Unit Territories—“Do you agree we should have an out-and-out Cabinet system as exists in Great Britain, with the Governor-General and officials removed?” And every Territory said, “Yes”. This House has also said that we should approve of the Cabinet system. All I am saying is that the greatest lawyers in the world may make mistakes, a little slip. For instance, we discovered, at the last moment, that the Title was not strictly

what it should be. Little things like that may be seen by a clever lawyer who has time on his hand.

As I said, this is a White Paper put before the House. The Government need not have said anything more. But we went further than that and suggested that Members should go through it and see if there are any suggestions they wish to make, such as a comma where there is a semi-colon. The hon. Leader of the Opposition is a Solicitor and therefore should know that a comma put in place of a semi-colon may prove very expensive to someone. Most solicitors do not put in any stops at all, leaving it to the Courts to interpret the documents.

I am being quite serious. All I was saying is that somebody may discover something in this White Paper which, in the drafting may have been overlooked. If so, let us know, but do it in a hurry, because we want the Attorney General to leave as soon as possible.

Mr. Cargill : Mr. Speaker, I still don’t understand what the hon. Prime Minister is trying to say. I have listened very carefully, but when the Prime Minister comes out with such sweet reasonableness, I suspect a catch. Is the hon. Prime Minister trying to tell us that he has no confidence in his legal advisers? What about the hon. Minister of Communications and Works, who has been such a good adviser? I agree that he has had some bad experiences with his legal advisers, and that he has taken some licks on one or two occasions on account of their advice; but I do not think that he should come to this House and say that he wants us to give him any advice. The next thing, Mr. Speaker, that

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may happen, is that the hon. Prime Minister may come forward with his almost childlike innocence, with some other Paper, and we may look through it. It may be very technical, but may seem all right. If he proceeds, and later we criticise him, he may tell us that we have looked through it already.

Why should we do his work for him? The hon. Prime Minister can do his own checking; and if he is unable to do that, there is Norman Manley in another place.

Mr. Speaker : I hope the hon. Member will perform his duties as a Member of the Opposition and read the White Paper.

Mr. Cargill : Mr. Speaker, I am going to read it, but I am putting on record how we feel about such a suggestion. We are going to read this White Paper, which will be more than a large number of the Members on the Government Benches will be doing. But to ask us to read it, for what

purpose? For the purpose of trying to silence us? Oh, no, Mr. Speaker. We are not going to be caught that way. We have been caught that way before. If the Prime Minister wishes, we will be glad to read it, but if we have any views we will choose the proper time to give them, Mr. Speaker.

Mr. Shah : The only observation I wish to make, Sir, is that the hon. Prime Minister has put lawyers in a very serious quandary. He has asked that those lawyers who have little work to do—

Mr. Speaker : I don't think he said that; he said "lawyers who have much time on their hands".

Mr. Shah : It amounts to practically the same thing. The result will be that the first lawyer to come here and make any suggestion will be telling the world, "I am a lawyer with much time on my hands".

Question put and agreed to.

Adjourned accordingly at 3.48 p.m.