

LEGISLATIVE COUNCIL

THURSDAY, 17th OCTOBER, 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, Mr. F. W. Holder.

The Hon. the Colonial Treasurer, Mr. W. O. Fraser (acting).

The Hon. E. G. Woolford, O.B.E., K.C. (New Amsterdam).

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

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

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

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

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

The Hon. J. Gonsalves, O.B.E. (Georgetown South).

The Hon. Peer Bacchus, (Western Berbice).

The Hon. H. C. Humphrys, K.C. (Eastern Demerara).

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

The Hon. A. G. King (Demerara River).

The Hon. T. Lee (Essequibo River).

The Hon. V. Roth (Nominated).

The Hon. C. P. Ferreira (Berbice River).

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

The Hon. W. J. Raatgever (Nominated).

The Hon. G. A. C. Farnum (Nominated).

*The Hon H. Rahaman (Nominated).

The Hon. J. A. Veerasawmy (Nominated).

The Clerk read prayers.

OATH OF ALLEGIANCE

The PRESIDENT administered the Oath of Allegiance to Messrs. G. A. C. Farnum, H. Rahaman and J. A. Veerasawmy (Nominated Members).

MINUTES

The Minutes of the meeting of the Council held on the 26th September, 1946, as printed and circulated were taken as read.

Mr. JACOB: Your Excellency, I am sorry I have to refer again to the Minutes of the 25th September. I thought it was understood at the last meeting that the Minutes would have been amended to include the advance to a Member of this Council. I understood that Your Excellency had agreed to that, but in the Minutes of the 26th September it is not stated that the Minutes were confirmed after having been amended.

The PRESIDENT: It is quite true that you raised some such point.

The COLONIAL SECRETARY: Sir, I hope there will be no misunderstanding. The hon. Member for North Western District brought this point up and I explained that the Minutes of the 13th September were not as full as usual because I had taken to Government House the questions which the hon. Member had tabled and, therefore, the Clerk had not an opportunity of repeating

them verbatim in the Order of the Day. I then promised the hon. Member that on the next occasion the Council met the questions asked both by himself and the hon. Nominated Member, Mr. Roth, would appear in full with the answers. If my recollection is correct, you then turned to the hon. the Attorney-General and said "I don't think it is necessary to put questions in full in the Minutes until the Attorney-General has seen and passed them as being in order." Then the hon. Member for North Western District sat down, and I took it that my answer was satisfactory. I think that to amend the Minutes now is a waste of time because the questions asked by the hon. Nominated Member, Mr. Roth, and the hon. Member do in fact appear. I suggest there is no point in amending the Minutes of the 26th September.

The PRESIDENT : I take it that the hon. Member accepts the explanation given by the hon. the Colonial Secretary, who had indicated that the questions would appear *in extenso* at the next meeting of Council. The hon. Member has been satisfied on that score.

Mr. JACOB : I am not going to press it, the questions having been answered, but it was clearly understood that the Minutes would have been amended to include the fact that money was advanced to a Member of this Council. It was recorded about Trade Union Officials but not about a Member of this Council. That is an important and material omission but I am not pressing the point any further.

The PRESIDENT : I would just read from the Hansard Report. The Colonial Secretary gave this explanation : "My point is that they would normally appear. They would have appeared if I did not keep them at Government House. There is no question of referring the matter to the Attorney-General." Mr. Jacob then said "I accept that and I trust that in future as long as questions are in order they would appear verbatim in the Minutes."

Mr. JACOB : There is another point. When Your Excellency vacated the Chair on the 26th September the hon. the Deputy President assumed the Chair. Up to that portion of the Minutes on page 6 is in order,

but I am moving the deletion of the remaining portion from "The Official Members . . ." to the end, because it does not conform with the Standing Rules of this Council. Further I was present when Your Excellency vacated the Chair, and when I enquired what was the object of the meeting I was told by the Deputy President that if I sat down and listened I would understand. I sat and the meeting resolved itself into a committee meeting; after a while I saw that no useful purpose would be served by my remaining and I left. I see in the Minutes that a motion was put and unanimously adopted. It is clear from the Standing Rules — No. 11 — that no motion can be moved by Members of this Council except a day's notice has been given, and further that certain motions can be moved with the consent of the Council. My interpretation of that is slightly different from that of Your Excellency. As it is not stated in the record that the suspension of the Standing Rules and Orders was moved and carried, I say the whole proceedings were irregular and should form no part of the proceedings of that day's meeting of the Council. I move the deletion of that portion of the Minutes from the words "The Official Members" to the end. If it is the wish of those responsible that some appropriate words to the effect that the Council met and discussed the matter be mentioned, that may be done but the details should not appear in the Minutes as that is irregular.

The PRESIDENT : You are suggesting it is out of order to put this record in this form, including the specific motion. I will ask the Attorney-General to advise—

Mr. De AGUIAR : Before you call upon the hon. the Attorney-General to speak, Sir, I would like to draw the hon. Member's attention to the fact that if he did not wish this motion to be carried he could have said so, and whatever he wished recorded in the Minutes could have been done. So far as the Standing Rules and Orders are concerned, I am yet to learn if the hon. Member wishes to suggest that the motion was not passed unanimously including the vote of the hon. Member himself and that he had not the right to object if he so desired. He could have had it recorded that he had no desire to take part in the proceedings, but he left the

Council Chamber. In my opinion, whatever right he had to object to the motion moved by me, he lost it by reason of his having left the Council before the motion was put. I do not think the hon. Member is now entitled to move that all reference to the motion be deleted from the Minutes. He has lost his right, and I cannot see how at this late stage he can attempt to regain it.

The PRESIDENT : The point, it seems to me, does not affect a motion of adjournment to discuss a matter of public importance. I do not think the Council is precluded from passing a motion on that matter. I would ask the Attorney-General to speak on that point. The practice is not to record matters of routine. When any Member leaves the Chamber we do not record it, only when he comes in after the opening. We do not record a Member's further comings-in and goings-out. If the hon. Member desired to express his dissent to the action taken he could have asked for it to be recorded.

The ATTORNEY-GENERAL : The point is, at the conclusion of the business which appeared on the Order Paper it was intimated to the Council that the Members wished to discuss a matter of public importance. That being so, it was open to the Council to discuss that matter. Following on that, all the Members remained and there was a general discussion in regard to the matter which was put before the Council by the Deputy President who occupied the Chair. Members expressed their views on the matter and it is within the right of the Council in a matter of public importance to discuss that matter and subsequently to pass a motion in relation thereto. The hon. Member expressed his views and, I take it, in joining in the discussion which took place he was not averse to the matter being placed before the Council although he might have been averse to the motion itself. The hon. Member subsequently left the Council Chamber before the motion was actually put.

Your Excellency, I consider that in view of the circumstances the motion was properly put. Hon. Members who were

present accepted the motion without any dissent and rather positively agreed to it and, therefore, by implication they accepted the fact that it was properly before the Council. The object of the matter of public importance was put to the Members by the Deputy President and explained by him on his assuming the Chair. Any matter can be raised on adjournment.

Mr. ROTH : The hon. the Attorney-General has not explained how it is, if it was a formal meeting of the Council, two of the Official Members were asked to retire by the Deputy President ?

The ATTORNEY-GENERAL : That is a matter entirely for them.

The PRESIDENT : I was asked to withdraw, and I withdrew myself. The other two Members withdrew on their own.

The COLONIAL SECRETARY : We were asked by the Deputy President to do so.

Mr. JACOB : I maintain that the Standing Rules and Orders of this Council are here for our guidance. We cannot by a majority, I submit with the utmost respect, throw these Rules and Orders overboard. We have to respect them. The Rules are clear that if you want to pass a motion, you must give notice of it, except the Council approves. No notice of this motion having been given I objected to the procedure at the commencement. When I left the meeting I showed my entire disapproval. That alone should have caused hon. Members to respect the Standing Rules and Orders. I object to that debate remaining in the Hansard report of the meeting of the Council, and I object to it remaining in the Minutes. Perhaps it may be the best thing to take it out of the Hansard report, but I will not press that. In respect of the Minutes which we are being asked to confirm, I object and I ask that they be not confirmed.

The ATTORNEY-GENERAL : In reply to the hon. Member, so long as this Council was constituted and so long as a discussion arose on a matter placed before the Council, it is a record of what took place in the Council. That is clear.

The PRESIDENT : The Rules do not prevent the Council from taking a motion on adjournment on a matter of public importance. I am quite sure the motion was accepted generally. On that ground I rule it is proper to remain on the Minutes. I therefore put the question that the Minutes as circulated be confirmed.

Question put and agreed to.

Minutes confirmed.

ANNOUNCEMENTS.

NEW MEMBERS WELCOMED

The PRESIDENT : Hon. Members of Council, it is customary on such occasions for the President to welcome new Members, of whom we have three with us today, though their period of service may be quite short. I would just like formally to welcome these Members today with an expression of confidence that they will be able to give good service in that period, whatever it is. I may just make the single comment that, as Members will know, I have very frequently emphasised the desirability of this Council having the association and assistance of persons who bear the important responsibility of village and country districts administration service, the importance of which grows steadily with the years and becomes more and more a basic factor in the affairs of this Colony. That assistance was most ably given by the late Mr. Jackson and the Nominated Member, Mr. Thompson, and at the present juncture we receive two Members with this qualification. I should further record that very strong representations have been made for more adequate representation of Courentyne interests, representations which have seemed to me justified and which can be temporarily met now.

I should also take this opportunity of adding that I was in several ways approached by the Man Power Citizens' Association to accept a nominee of their own in place of the President now absent from the Colony. In the first place I have to repeat that I cannot accept the position that any particular body—Chamber of Commerce or Trades Unions or any other organisation—can have as a prerequisite to itself the seat of a Nomin-

ated Member on this Council. Government must oppose any such manner of caucus nomination. In the second place it is highly important that a Nominated Member not only be representative of some important interest, but also before I can nominate or send forward a name to the Secretary of State that he should have a certain substantial length of record of public service clear to all. It did not seem to me that the nominees of the Association personally measured up to this standard at this present date, or, shall we say, had won their spurs as potential candidates for nomination. It will be appreciated that I could not possibly have submitted such nominations to the Secretary of State.

I hope that these remarks will be taken in the candid and friendly spirit in which they are meant. It is necessary sometimes to be frank in order to be kind. Had it been possible, as I once hoped, to have the service of the late lady who was Chairman of the Rosehall Village Authority, once also an Executive of the Association, we should have been able to meet several objectives in one nomination. I am very well satisfied that the aims and objects of the absent Member can be very well put forward by the nomination made in his place, though not specifically in the name of his Association.

I should also like to record that I had made previously a special effort to secure the nomination to this Council of a gentleman peculiarly highly qualified in person, and representative of an important interest, but unfortunately he found himself unable to accept for strongly over-riding considerations.

REGIONAL TOURIST ORGANISATION

The Colonial Secretary communicated the following:—

MESSAGE No. 9

Honourable Members of the Legislative Council,

Honourable Members will be aware that a Caribbean Tourist Conference is shortly to be held in New York under the auspices of the Caribbean Commission.

2. One of the principal objects of this Conference will be to consider the proposed

establishment of a Regional Tourist Organisation, a proposal which received unanimous support at the West Indian Conference held at St. Thomas, Virgin Islands, U.S.A., in February this year.

3. The objects of the proposed Organisation are set out in the draft Articles of Association, which have been prepared by the Caribbean Commission, and in the language of the authors, as follows:—

1. The Caribbean Tourist Development Association shall encourage and assist the development of the tourist industry throughout the Caribbean area by :
 - (a) Providing an instrument for close collaboration among the various territories and countries concerned.
 - (b) Augmenting and assisting local promotional efforts of the members.
 - (c) Providing a liaison between the tourist and travel industry and the members.
 - (d) Carrying out advertising and publicity measures calculated to focus the attention of the travelling public of the U.S.A., Canada and other countries upon the Caribbean as one of the world's outstanding vacation areas.
 - (e) Encouraging the promotion of adequate passenger transportation services to the area.
 - (f) Providing expert advisory services on matters relating to hotel construction and operation, the provision of resort amenities, etc., and carrying out statistical and research work relating to travel trends and tourist development for the benefit of the members of the Association within the Caribbean area.

2. In the accomplishment of these purposes the Association shall accept as a major objective of the members that the opportunity for enjoyment of the facilities of the Caribbean area must be as freely accessible to the Caribbean peoples themselves as to visitors, all without distinction of race, colour or creed.

Any member territory is of course entitled to pursue independent action within its own area.

4. It is proposed that membership of the Regional Organisation should be open to the official organisations dealing with tourism for the countries and territories within and bordering on the Caribbean; that there should be a board of Directors comprising one director appointed by each

member of the Organisation; and that executive officers should be appointed with expert knowledge of the requirements of the tourist trade. Members of the Organisation would be entitled to withdraw therefrom at any time on giving one year's prior notice.

5. The actual expenditure of the Organisation has been tentatively estimated at \$204,000 (U.S.) and it has been suggested that this should be met by contributions from the member territories on the scale indicated in the attached Schedule, from which it will be seen that the allocation proposed for British Guiana is \$4,000 (U.S.) per annum.

6. Details of the proposed Organisation and the suggested allocation will be discussed at the forthcoming Conference, at which British Guiana will be represented by Mr. C. E. Green, with Mr. H. C. Collier and Mr. E. S. Drayton as advisers. While it is clearly understood that this Government cannot be asked to enter into any definite commitment until the final recommendations of the Conference have been put forward, it is considered desirable that the British Guiana representative should be in a position to give some authoritative indication of the views of this Government. I accordingly invite the Legislative Council to approve in principle of the participation of British Guiana in the proposed Regional Organisation and the payment of a contribution not exceeding the sum indicated towards the expenses of the proposed Organisation.

GORDON LETHEM,
Governor.

3rd October, 1946.

(M.P. 120/3/2 II).

SCHEDULE 2.

PROPOSED ALLOCATION OF CONTRIBUTIONS TO JOINT FUND FOR OPERATION OF ASSOCIATION

		U.S. Currency
Cuba	12.5%	\$25,000
Dominican Republic		25,000
Jamaica		25,000
Puerto Rico		25,000
Barbados	... 10.0%	20,000
Trinidad & Tobago	...	20,000
Curacao	5.0%	10,000
Haiti		10,000
Martinique		10,000
Virgin Isl. of U.S.A.		10,000
British Guiana	2.0%	4,000
French Guiana		4,000
Guadeloupe	..	4,000
Leeward Islands		4,000
Surinam		4,000
Windward Islands I. S.		4 000
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		\$204,000

PAPERS LAID

The COLONIAL TREASURER laid on the table the following documents :—

- (i) Statement of supplementary expenditure which has occurred during the year 1945, and which has not been included in any previous schedule for the year 1945 and is to be admitted as a charge to Public Funds under Colonial Regulation 265 (2).
- (ii) Schedule of Additional Provision for the month of September, 1946.

GOVERNMENT NOTICES

INTRODUCTION OF BILLS

The ATTORNEY-GENERAL gave notice of introduction and first reading of the following Bills :—

A Bill intituled "An Ordinance to make provision with respect to the housing of persons of the working class and for purposes connected therewith"

A Bill intituled "An Ordinance to make provision for the orderly and progressive development of land, cities, towns and other areas whether urban or rural to preserve and improve the amenities thereof, and for other matters connected therewith."

REGIONAL TOURIST ORGANISATION

The Colonial Secretary gave notice of the following motion :—

That, with reference to Governor's Message No. 9, dated 3rd October, 1946 this Council approves in principle of the Colony's participation in the proposed Regional Tourist Organisation and of the payment of a contribution not exceeding \$4,000 (U.S.) towards the expenses of the proposed Organisation.

SUPPLEMENTARY ESTIMATES

The COLONIAL TREASURER gave notice of the following motion :—

- (a) That, this Council approves of the Schedule of Additional Provision for September, 1946, which has been laid on the table.
- (b) That, this Council approves the Statement of Supplementary ex-

penditure which has occurred during the year 1945, and which has not been included in any previous schedule for the year 1945 and agrees that it be admitted as a charge to Public Funds under Colonial Regulation 265 (2).

UNOFFICIAL NOTICE

EXTENSION OF GOVERNOR'S TERM

The Deputy President of the Council laid on the table copies of telegrams exchanged with the Prime Minister of Great Britain regarding an extension of the Governor's term of office.

ORDER OF THE DAY

GOVERNMENT ADVANCES TO TRADES UNIONS OFFICERS

Mr. ROTH asked and the COLONIAL SECRETARY replied to the following questions :—

Q. 1. To which Unofficial Members of the Legislative Council and Trades Unions Officers has Government advanced money, by way of loan or otherwise, during the two-year period ending 12th September, 1946 ?

- A. (i) The Honourable H. N. Critchlow.
- (ii) The Honourable E. G. Woolford.
- (iii) The Honourable A. M. Edun.
- (iv) D. M. Harper — President Trades Union Council.
- (v) H. J. M. Hubbard—Secretary Trades Union Council.

Q. 2. What individual sums were so advanced?

- A. (i) £81. 7s. 3½d.
- (ii) £50.
- (iii) £250.
- (iv) and (v) £359. 0s. 11d. indivisibly.

Q. 3. For what purposes were such sums advanced?

- A—(i) To assist in meeting expenses of travelling to attend the World Trades Union Conference in the United Kingdom.
- (ii) To assist in meeting expenses as this Colony's delegate to the

West Indian Conference at St. Thomas.

(iii) To assist in meeting expenses of travelling to India in pursuance of a welfare and educational project in the interest of workers on sugar estates, and of discussion between Mr. Edun and the principals of the sugar companies.

(iv) and (v) To assist in meeting expenses of travelling to attend the Trades Union Conference in Paris.

Q. 4. Under what conditions were such sums advanced?

A—(i) Priority passages were secured by this Government to enable Mr. Critchlow to attend the Trades Union Conference in the United Kingdom. The cost of the passages could not be ascertained before his departure and he made a deposit of £83.6s.8d. towards the passages. The excess over the deposit was refunded on demand as soon as the cost of the passages was known.

(ii) Not repayable, the member having attended as the official representative of Government to his financial prejudice.

(iii) Advance by way of loan to be repaid after return to the Colony.

(iv) and (v) See answer to (iii).

Q. 5. Have the said conditions been complied with. If not who are in default and in what amounts?

A—(i) and (ii) yes.

(iii) of answer 4. The member has not yet returned.

(iv) and (v) £312.3s.5d. is outstanding.

Early settlement is anticipated.

Q. 6. What authority has Government to make such advances?

A—Approval of the Governor.

ADVANCES TO HON. A. M. EDUN

Mr. JACOB asked and the COLONIAL SECRETARY replied to the following questions :—

Q 1. Is it true that advances were made to Messrs. Harper and Hubbard, President and Secretary of the Trade Union Council last year, if so, what is the amount advanced to each member, for what purpose, on whose authority, from which vote; whether any security or guarantee was asked for; and have the amounts been repaid?

A—Yes. £359.0s.11d. indivisibly. To assist in meeting expenses of travelling in attending the Trades Union Conference in Paris. By authority of the Governor no vote being necessary for such advances. No collateral security was asked or taken but the sum has been repaid in part by the Trades Union Council of British Guiana, and settlement in full is expected.

Q 2. (a) Is it true that \$1,200 has been advanced recently to the Honourable A. M. Edun, President of the Manpower Citizens' Association and nominated member of the Legislative Council; if so, for what purpose, on whose authority, from which vote; whether any security or guarantee was asked for, and when the amount would be repaid?

(b) Did any correspondence pass between Mr. Edun or the Trade Union, and are the members of the Union aware of the amount advanced?

(c) If any correspondence passed, will there be any objection laying them on the table of the Council?

A—(a) Yes. To assist in meeting expenses of travelling to India in pursuance of a welfare and educational project in the interest of workers on sugar

estates and of discussions between Mr. Edun and the principals of the sugar companies. By authority of the Governor no vote being necessary for such advances. No collateral security has been asked or taken but it is expected that the sum will be repaid by Mr. Edun after his return to the Colony.

- (b) Government has no information as to such correspondence or communication to members of the Manpower Citizens' Association.
- (c) See answer to (b).

Mr. JACOB : Question No. 2 having not been fully answered, may I ask under what vote this advance will be put? It is usual that this Council knows when money is paid and under what vote it is paid. As the question is not fully answered I ask from what vote will the advance be paid?

The COLONIAL TREASURER : From the Advances Account (Recoverable).

The PRESIDENT : That is not a vote!

SUPPLEMENTARY ESTIMATES FOR 1945.

On a motion by the COLONIAL TREASURER seconded by Mr. de AGUIAR the Council resolved itself into Committee to consider the Statement of Supplementary expenditure which has occurred during the year 1945, and which has not been included in any previous schedule for the year 1945 and is to be admitted as a charge to public funds under Colonial Regulation 265 (2).

COUNCIL IN COMMITTEE.

FOREST DEPARTMENT

Item 13—Timber Seasoning Account,
\$20,411.53.

Mr. ROTH: This amount represents a tremendous increase on the original estimate of \$1,000. I take it that this is a revolving sum.

The CHAIRMAN : I think so.

The COLONIAL TREASURER : No; it is really expenditure. It represents purchases overseas.

The CHAIRMAN: Therefore, there may be further sales to come into revenue.

Mr. LEE : As far as I can remember, a revolving sum was given to this Department for the purpose of carrying out this work — seasoning timber. I was taking this to be an amount required by the Public Works Department, or an additional amount required by the Forest Department so that more timber could be seasoned. If that is not so, may I enquire what this sum would be applied to? \$20,000 odd is a rather large sum of money to be used for seasoning boards, and I would like to know whether this amount would be used for the payment of wages, the purchase of timber, or what? Further, I would like to know whether this money would be recovered in any way.

Mr. de AGUIAR : I think the memory of certain hon. Members is short. I have heard this question before and the answer is that the money would be used for the seasoning of timber under this head. When sales are made to the public the amounts received are credited to revenue. If materials are supplied to a Government Department, a cross-entry is made. This amount represents the price of materials purchased by the Forest Department for the purpose of seasoning timber.

I have really risen, however, to raise a preliminary objection with regard to these supplementary estimates. We are now doing work in order to close Government books for the year 1945, but it appears to me that large sums of money were overspent in the estimates for that year. Normally, if it was only a matter of a few dollars in order to close the books, I do not think there would have been any serious objection at all, but the position is serious and I would ask Government to consider it carefully so that if large sums of money are to be spent over and above the estimates approved by this Council, Government should approach this Council before they are spent. I would not quibble over the \$4,331 asked for travelling for the Forest Department, but when you have \$3,000 odd under Dietary (under Medical—Hospitals, etc.); and then \$64,000 for “restoring Public Services, etc. destroyed in the fire”, and

for other purposes (under Miscellaneous): \$8,000 for compensation claims in drainage areas (also under Miscellaneous), and so on, without any proper explanation, I think Government acted wrongly in not coming to this Council and obtaining formal approval of this expenditure beforehand. This is not a mere question of closing the books. I, personally, would not like to undertake the task of using a comb on these figures before us, but I do urge that Government should not continue to carry on in this way. I do not mind passing small amounts, but when it comes to large expenditure Government should obtain the approval of this Council before the money is spent.

The CHAIRMAN : I may say I agree with you. I think the heads of Departments sometimes go past their authority and, perhaps, the proper thing is to refuse some of these items.

Mr. de AGUIAR : I am afraid that if it goes on in future I shall be forced to move a motion to that effect and ask my colleagues to support it. I do not know how the Treasury would be able to complete these transactions.

The CHAIRMAN : It is quite easy,—charge the amounts to the Departments concerned.

Mr. LEE : I would like to have an explanation from the Colonial Treasurer as to whether this money for the timber seasoning is going to be recovered.

The COLONIAL TREASURER : The amount represents the cost of materials purchased by the Forest Department for use by other Government Departments and have not yet been sold. When the materials have been sold the amounts will be paid into Government revenue.

Mr. JACOB : I have an idea that it is a total loss—this timber-seasoning game.

The COLONIAL TREASURER : No, sir.

Mr. JACOB : If that is not so, I think there has been a big loss in the timber-seasoning again. I cannot disclose my source of information, but I have an idea that there

has been a big loss. It is well to get it clear that the amount would be recovered by revenue.

Mr. ROTH : We can delete the item and get the information.

The CHAIRMAN : We will delete the item.

Mr. FERREIRA : I am in favour of this timber-seasoning experiment, especially when we are told that buildings in Georgetown could not be repaired because Government could not get proper materials. We have this Department seasoning timber and its activities have been extended to Berbice and also to Essequibo. Even if a profit of one per cent. per foot is made on each sale that would cover operational charges. If the hon. Member who has just taken his seat knows of any defalcations or of any other way by which the Department is losing money, then his duty is to say so.

The CHAIRMAN : The point is, why was this money paid out beforehand and only now the matter is being brought up? As far as I know, nothing was ever put before the Council about it.

Mr. LEE : I understand that the money was spent without the sanction of this Council for the purchase of a plane for planing the boards at the depot. If I had seen that so much money was being used for the acquisition of a plane, I would have opposed it. Knowing as I do that this \$20,411 should have been in the current account of the Department I would have questioned it, but it seems to me that the person who made out this statement of supplementary expenditure did not feel inclined to take this Council into his confidence and that is what I do not agree with. As the hon. Member for Berbice River has stated, however, we cannot hold up the work of the Department, so I would vote the money and ask Your Excellency to look into the matter. Many heads of Departments feel they can use money as they like and then come to the Council with supplementary estimates. There are supplementary estimates totalling 1½ millions for 1945 and we cannot allow things to continue like that.

The CHAIRMAN : Then you are prepared to agree to the item going through,

but you want to know how this money would be spent?

Mr. LEE : Yes, sir.

Item passed.

MEDICAL--HOSPITALS, ETC.

Item 2 — Transport and Travelling,
\$731.93.

Mr. LEE : I should like to bring to the attention of this Council the expenditure of several Government Departments under "Travelling". I think that if a Committee is appointed to go into the matter it would be found that these Departments should certainly not go to the trouble of hiring cars as this appears to me to be more expensive than if the officers concerned had their own cars and charged the travelling to Government. It appears, however, that the officers prefer to hire cars, and so this expenditure is increasing more and more every day. I am not an expert on accounts, but I understand from reliable experts that savings can be effected in the travelling of public officers if facilities are granted by Government to those officers who want to own their own cars. I would ask Your Excellency, if necessary, to appoint a Committee to go into the matter and find out whether we can save some of the money being spent in the hiring of cars.

Mr. C. V. WIGHT : It would be advisable to ascertain whether the officers who use these cars have to get permission from the heads of their Departments. I myself have seen—and other Members of this Council have also seen—junior officers driving in hire cars when they have to attend a meeting or any such thing about half a mile away from their office, and when they should ride or even walk and reduce some of their weight, perhaps. I and other Members who serve on Committees are getting rather alarmed at the increase of expenditure in this respect and I do not know whether the Colonial Treasurer should not take a hand in trying to restrict this expenditure. Each Department is just swelling its vote by this increased travelling expenditure and I do appeal to the Treasurer to see that the expenditure is carefully checked.

The CHAIRMAN : As a matter of fact, I have just made a memorandum for the

Economic Adviser to deal with this very subject along the very lines you have just mentioned. You are quite right.

Item passed.

MISCELLANEOUS

Item 18—Loss of Public Money, \$995.91

Mr. JACOB : Why should we vote this \$995.91? We have previously voted an additional provision of \$1,600 and with the original estimate of \$400 the whole total is roughly \$3,000 but there is no explanation whatever, here. Perhaps the Colonial Secretary would say how this money was spent, so that Members of this Council would know what is going on. I have always complained that Members of this Council should be apprised of these things so that they could offer some assistance. In most cases assistance is not only discarded, but one is told that he has no right to interfere. I think that attitude should not be continued.

Mr. GONSALVES : May I ask the Colonial Treasurer to help us also with the item before this one—item 16—Refunds of Revenue, \$155,286.54. It is an enormous sum and the note here says: "Mainly due to refunds of Income Tax over collected in previous years". That is a rather terse way of getting rid of the question and I think some further explanation should be offered. It is unusual moreso because the Income Tax Commissioners extract all they can get out of one and we wonder how it came about that such a large sum has been refunded. It should be shown when and where it was collected in order to justify the provision.

The COLONIAL TREASURER : In so far as the item "Loss of Public Money" is concerned, I haven't a detailed explanation to make now, but my impression is that it is loss incurred by the Paymaster of the Public Works Department and in other Government Departments which had payments to make in December last. As regards the refunds of Income Tax the reason for that, I understand, is that last year a number of firms were assessed by the Income Tax Authorities and after the accounts were gone into it was found that taxes over and above the amounts collectable were paid to Government.

Mr. C. V. WIGHT : Does the item refer also to refunds which would be made under Excess Profits Tax ?

The COLONIAL TREASURER : Yes, and this is the final amount which the accounts show was over collected in 1945.

Mr. GONSALVES : This means a total of \$280,000 refunded between last year and this year.

The COLONIAL TREASURER : This amount (\$155,286.54) is in respect of 1945 alone.

Mr. GONSALVES : So that instead of our being helped by the tightening up of income tax, things have gone the other way.

Item passed.

Item — Loans to Rice Growers, \$964.22.

Mr. JACOB : Here again no details are given by Government, but it is well to find out who these people are. I have always advocated loans of Government money to these people, but these amounts are not recoverable and we do not even know who got them. It is necessary for us to know who got them and are unable to pay them back. It is one of the sacred privileges of Members of this Council to get information of that kind. It is not proper for certain people to take advantage of this Government by taking these loans and then after 3 or 4 or 5 years say they are not recoverable. I think proper security should be taken from these people in future and that every effort should be made to recover these amounts.

Mr. LEE : I would like to know whether these loans were made for the purpose of planting or reaping rice. Under the terms of the loans for reaping, Government can prosecute these people and the Court can deal with them summarily.

Mr. de AGUIAR : I do not know whether the hon. Member for North Western District wants a reply to his question today. However, I think it is advisable to give a reply first to the hon. Member for Essequibo River who has put his question in a better form. The answer is that under

the Rice Loans Ordinance with which I presume hon. Members are familiar, loans are made from time to time for the reaping of rice. A fairly substantial sum of money was loaned in two particular districts in the Colony and in one of them some of the money was not recovered. \$964 is the amount of the loans uncollected and it is possible for these people to be put into prison for not making repayment, but I am sorry to say that efforts in this direction have not always been successful. The hon. Member for Essequibo River who is a member of the legal profession should appreciate the reason why it is sometimes difficult to obtain a conviction against these people, and the question is whether Government should continue to advance loans in this respect. There are different views among hon. Members of this Council on the point. The hon. Member for Western Berbice feels that these loans should be continued, while other Members feel they should not be continued. However, no final recommendation has been made and unless we advise Government one way or the other the position would have to remain as it is. At any rate, it is impossible to recover this amount—\$964—loaned to these people since 1945.

Mr. LEE : I would like to differ from the hon. Member for Central Demerara. These rice-reaping loans were made with the specific condition that they should be repaid, otherwise the borrowers could be prosecuted and fined or sent to prison. If some of these people know that they could be prosecuted criminally and sent to jail, some of these loans would be recovered. I would also say that it is due entirely to the negligent manner in which some members of the staff of the Co-operative Credit Bank carried out their duties that these loans have not been recovered. The Secretary of the Loan Bank is only paid a commission for the collection of these loans, but it should be part of his duty to collect them as Secretary for which he is paid.

Mr. de AGUIAR : I am sorry to interrupt, but the Co-operative Credit Bank is a different organisation altogether. If that organisation advances money and loses it, it would not appear here and certainly not in this form. I want it to be understood that these loans were made payable at reaping time and while it is true that

these people can be prosecuted for failure to repay them, it is not always easy, as I have already said, to secure convictions against them.

Mr. LEE : I would like Government and my colleagues in this Council to understand that the manner in which the loans were advanced is responsible for their not being collected. What I would like to know is, how did these growers get the loans? — Was it not through the Co-operative Credit Bank? Was it not through a particular officer? If so, he should be called upon to account for them. If further loans are not advanced to the rice growers it would be detrimental to the industry and, therefore, if the Secretary of the Co-operative Credit Bank is made responsible for the collection of all loans instead of being given 10 per cent on the amounts collected, I think it would be better. He could be made to understand that it is his job to see that all loans are collected provided they pass through the Bank. I do not mind saying it in this Council that some of these loans were made in a part of my constituency and I feel certain that if proper efforts are made the loans would be collected tomorrow. I have asked for the names of the borrowers, but they have not been given to me. I know all the people and would get them to pay. I asked Government myself about the collection of these loans and I do not think it is right that the Department concerned, by its negligence, should cast a slur on these people.

Mr. PEER BACCHUS : I think Government should pat itself on the back for having such a small loss compared with the assistance given to the rice growers in the year 1944. The advances made, I think, amounted to nearly \$50,000, and of that amount we find that just under \$1,000 is irrecoverable. I may join issue with my friend, the hon. Member for Essequibo River (Mr. Lee). It is a pity that the Banks' Board has not seen the possibility of extending this facility for another year at least. However, I think, provision has been made that those people who need financial assistance will be able to get it from the Co-operative Credit Banks. There may have been neglect on the part of the Executives of the Banks in not collecting more money from some of the people who,

as my hon. Friend happens to know, are in a position to pay. I hope he will give assistance to the officers concerned and that these amounts will, as a result, be collected. We do know that people can be prosecuted criminally for default of payment of these loans. The hon. Member is aware that prosecutions have been made against some of the defaulters but without success. I hope, the Courts concerned would use their discretion, perhaps in a different way than heretofore so that Government loans would be more secure when made on such meagre security, just dependent on the honesty of the growers themselves. I think the loss is so small—about \$954—that we need not quibble about it.

Mr. LEE: If I may repeat myself, these loans are made on growing rice which is to be reaped. The security is there. How then should there be a loss unless there is negligence on the part of the person lending the money?

Mr. RAHAMAN : The hon. Member for Essequibo River does not seem to understand that the growing of rice in this Colony is simply a gamble. You cannot simply get down on the poor grower for failure to meet his obligation and say he is dishonest.

Mr. LEE : To a point of correction ! I never said that !

Mr. RAHAMAN : The hon. Member is advocating imprisonment. I know that at some periods of reaping the rains come and one cannot reap one's padi and so is unable to repay one's loan. After we have got proper irrigation and drainage throughout the Colony you will not see this item here.

Mr. LEE : To a point of correction ! I did not say the growers are dishonest. I say the loss is due to negligent collection of the money, because at the time the loans were made the security was there. Can the hon. Nominated Member say that the rains fell and caused any padi to be lost during the last four or five years, except in a few weeks this year?

Mr. THOMPSON : May I ask what is the effect of these objections we are placing to this Supplementary Estimate for 1945? I take it, these commitments have been already

made. After having taken up all this time with this matter, are we going to call on the Department to make good this amount? What, I think, we should be concerned about is the alarming supplementaries alongside the shrinking revenue. If commitments have been carried through for 1945, let us get down and see by what means we can remedy the situation in 1946. If we are going to spend a whole afternoon in going over matters already done, I do not know at what time we will get out of here. I have certainly got very much concerned about our supplementaries. It is a matter that does not go kindly with Heads of Departments who think one has no right to take up such matters. I think our duty in considering the coming year's estimates is to apply the pruning knife seriously and to see that there is a reduction of expenditure. Since 1945 has passed, let us get through these estimates early and do more important business.

Mr. VEERASAWMY : As one who has convicted persons under the Ordinance that the hon. Member for Essequibo River has referred to, I would like to support what he says. When these loans are advanced there are certain conditions to be observed, such as this : When the borrowers reap they must take the padi and store it at a certain place in the name of the person who is lending. When they fail to carry out those conditions, then they are brought before the Court at considerable expense to Government. I have known the Official Receiver to travel to Leguan to prosecute in such cases and the hon. Member for Essequibo River to be the defending counsel. What I would like to know, and I think, that is what the hon. Member wants to know, is the reason for the loss. For instance, if moneys are advanced, as the hon. Member who spoke last or previous to the last speaker said, no self-respecting body would want to prosecute those persons who, through no fault of their own lost their crop through rainfall and failed to repay their loans. The only point I am concerned about is, what is the explanation for this irreparable loss.

The CHAIRMAN : That is the only point. The hon. Member wants an explanation for this loss not being recoverable.

Mr. de AGUIAR : It is due to a

variety of reasons. One is, in the case where a loan is given for reaping padi which, as the hon. Member for Essequibo River stated, is in the ground, the advance is made before the padi is actually reaped and it is a question of identifying one man's padi from another's at the mill. If a man has an acre of land under rice cultivation it is estimated he will reap 20 bags, and when he receives a loan of \$25 you will have to trace his padi to the mill. Unless you are able to do that, the question of your security comes in, as you are unable to get repayment of the loan. The crop no longer becomes a security because the padi is not there. The hon. Member knows exactly what I mean. That man by merely taking his padi across somebody's sideline trench makes it exceedingly difficult for one to trace his padi, and you are forced to take criminal proceedings against him to recover the loan. The hon. Member says conviction in such a case seems to be easy. He is a legal man; I am not. But at the present moment I cannot agree with him. I cannot see how it is easy to convict a man on such premises. I do know that the question of identification is an exceedingly important factor in any case of that kind before our Courts of law.

Mr. LEE : Your Excellency, I would like to clarify that point. I am doing this because of what may occur in the future. Even if you have padi growing and ready to reap, you cannot get a loan from the Loan Bank except you have security in immovable property or movable property in respect of which you execute a Bill of Sale. I am pointing out that many rice tenants cannot afford to offer that security. You are therefore throwing them back on the mercy of the moneylender and rice-miller to obtain loans for the reaping of their padi. I am trying to draw Government's attention to the fact that if the officers were vigilant the loss would never have occurred, and that even now if they become vigilant the money can be recovered, because under the conditions of the loan the padi has to be taken to a particular factory. But many fail to do that, and they can be prosecuted as a result.

The CHAIRMAN : We have spent a long time over this. The whole point is the

machinery must be more vigilant in recovering the loans. Need we go on discussing that?

Mr. JACOB : The hon. Member for Central Demerara is Chairman of the Agricultural Department Advisory Committee. He has a big voice in this matter. He has suggested there may be consideration in the future not to give these advances. According to the figures given by certain Members, \$50,000 was lent and the amount irrecoverable now is just roughly two per cent. of that amount. The hon. Member for Central Demerara, as a businessman, makes provision against bad debts. I ask him to reconsider whether the advances should not be given on a larger scale in the future, seeing that only two per cent. of the amount advanced has been irrecoverable. Secondly, that the hon. Member for Essequibo River as well as other Members might do something about this matter, and he has stated that there may be partiality in the collection of this money. I suggest that the names of the defaulters be published and that the hon. Member for Essequibo River as well as other Members assist in getting this amount collected. Any self-respecting man may be hard up at some time, but he is not going to allow his name to go forward as having accepted an advance and declined to repay it. I think if publicity is given to this matter the amount can be recovered. I would like the hon. Member for Central Demerara to say that advances in loans will not die in the future.

Mr. de AGUIAR : If the hon. Member for Essequibo River had made that point at the beginning there would not have been need for this discussion.

Item passed.

PUBLIC WORKS—ANNUALLY RECURRENT

Item 16 — Unallocated Stores,
\$14,896.43

Mr. JACOB : I wish that this Department would pay more attention to this account and not allow such large sums to appear at this stage. It shows that the 1945 expenditure was not properly checked up until this time in 1946.

Mr. C. V. WIGHT : I would like to point out to the hon. Member who, perhaps, does not know as other Members who are members of the Public Works Advisory

Committee do and whom I have constantly heard making requests for the strengthening of the Department, that that has been done. We have had several clerks added to the staff, and the hon. Member would see the reason for it in the Secretary of State's Despatch of the 25th November, 1937. We also have a special clerk who deals with unallocated stores.

SUPREME COURT

Item 4 — Expenses of Jurors, \$359.13

Mr. JACOB : This is a rather delicate matter but, I think, I should raise it. I think, Sir, that the Law Officers of the Crown — I make no exception — should take a little more care in legal matters in this Colony. There are far too many delays. Too many cases appear before the Court with little or no merit. I saw in today's papers that a man charged with stealing a blouse valued \$24 and who had been tried in the Magistrates' Court and referred to the Supreme Court, was acquitted. I am not an expert in such matters, but a case of stealing a coat valued \$24 should have been concluded in the Magistrates' Court within a few hours. But there you had the whole legal machinery brought into play only to have an acquittal. I think far too much time is spent on these legal matters. I think the hon. the Attorney-General knows a thing or two about what I am complaining. A vast sum of money is being spent without any results. There should be a general collaboration among all parties, and steps should be taken to reduce litigation and to reduce this expenditure.

Mr. C. V. WIGHT : Does the hon. Member realize that the value of a stolen blouse is not the seriousness of the offence? The house may have been broken into. I do not know the particular case he has referred to, but he would not suggest that if a powder puff valued 24 cents is stolen from some lady's room, one should consider the value of the article stolen and not consider the fact that the thief broke and entered the house in the middle of the night. It is the seriousness of the offence and not the value of the article stolen that is important.

Mr. JACOB : What the hon. Member has said has no bearing on what I have said. I have read the case; it is not house-breaking.

Mr. C. V. WIGHT : I understand from the hon. the Attorney-General that it was a case of house-breaking.

Statement passed for \$1,501,187.02.

SUPPLEMENTARY ESTIMATE,
SEPTEMBER, 1946

The Council, in Committee, then proceeded to consider the Schedule of Additional Provision for September, 1946.

EDUCATION DEPARTMENT

Item 3 — Expenses, Education Committee, \$200.

Mr. ROTH : I take this opportunity once more to ask Government what I have been asking for the last two and a half years. What is being done about the Regulations for the Control of Private Schools? For the last two years I have been told that they are being considered by this same Committee. I am just bringing the matter to the notice of Government.

The CHAIRMAN : I will pass the query on to the Director of Education, I cannot tell you myself.

Mr. C. V. WIGHT : The Regulations are in draft. A deputation of teachers of private schools met Your Excellency when the Regulations were first in draft and a discussion took place when several of the clauses of the Regulations were objected to by the teachers. I understand, Your Excellency upheld the objections and asked that the Regulations be redrafted. I do not know whether that has been done as yet.

AGRICULTURE

Item 32 A — Fishing Industry Development, \$10,000.

Mr. JACOB : I am again going to appeal to the hon. Member for Central Demerara. He is responsible in a large measure for these advances to the fishing industry. When I said the other day, when the first amount of \$10,000 was voted, that sufficient care was not being taken in making these advances, the hon. Member objected very strenuously. I repeat again today that sufficient care is not being exercised in making these advances, and I am sure it will be found at a later stage, when

possibly I may not be here, that large sums have to be written off as being irrecoverable. This money is being voted to help the fishing industry but I do not think it is doing that. I think it is a hindrance to the industry. I do not know who gave this information, but the significant fact is that most of the people who got advances are at a standstill. They cannot get twine, tar, etc. When I was in Canada two months ago I was alarmed to find that Ottawa had instructions to release a certain amount of twine to this Colony from July, 1946 to June, 1947. That was about 15,000 lbs. less than what the licences issued in the Colony called for. Someone issued the licences here and prevented Ottawa from shipping the twine. This is a fact. As regards tar, it is another matter. There is practically no twine in the Colony. There is much bungling and the fishing industry is at a standstill as a result, and most of the people are unable to carry on.

In addition I was told that the industry is being helped by a refund of the duty paid on fishing gear. I spoke to the hon. Member for Central Demerara and suggested to him that the best way to assist the industry was not to collect the duty from the importer but to let him pass the articles to the consumer direct less the duty. He would not agree, and I place the responsibility on him because I have discussed it with him. The result is, the importer has to pay the full rate of duty and the buyer comes along and gets a refund of the duty; if he buys a small quantity it does not worry him but if he buys a large quantity he is apt to become fed up and give up the industry. Government is helping the industry by refunding the duty but the amounts are of no value at the present time. I feel hurt about it because the livelihood of many of these people has been endangered. Perhaps my hon. Friend does not appreciate it; perhaps he is a party to it. The Advisory Committee ought to change its methods and do something practical. If you want to help the industry do not help with the one hand and ruin it with the other. I place the blame on the Chairman of the Advisory Committee. It is his duty to do it in a proper way—to recommend to Government the proper way in which it should be done. I suggest that he and his colleagues should go into this matter and

help the industry because it has gone from bad to worse. To help it in Government's way is to ruin it. I would refer to the coffee industry, the rice industry, the coconut industry. All those industries have been partially ruined, and this fishing industry is being ruined by the advances and the kind of rebates which are being given. I suggest that the proper measure to take is to give the people real help. I am not opposed to the vote. I predict that 25% of this money which has been advanced is irrecoverable at the moment.

Mr. de AGUIAR : The hon. Member is so often having things placed on record, but quite frankly I do not think I need reply to what he has said. All the predictions about the various industries of the Colony going to ruin have not come true, and I venture to think that his prediction about the fishing industry will not come true. He has charged me with the responsibility for this vote. In a measure he is correct, but he is not entirely correct. I am only one member of the Committee that considers and grants these loans. Whatever responsibility I share in the matter I am quite capable of carrying and I am grateful to the hon. Member for thinking that I am quite capable of doing so. So far as the refund of the duty on fishing gear is concerned, I really do not know what he is trying to get at. He wants Government to permit the importation of all these articles free of duty into the Colony, whether they are to be used for the fishing industry or not. Surely he must know that is not the correct policy Government desires to adopt. When a fisherman buys gear from Water Street firm with a voucher handed to him by the Fishery Officer he obtains a refund of the duty paid on those articles. If the hon. Member knows a better way let him say.

Mr. JACOB : May I say that no voucher is handed him by the Fishery Officer.

Mr. de AGUIAR : I maintain that a voucher is handed him by the Fishery Officer as that Officer has to keep a record of all the duty refunded. If the hon. Member does not know what is a voucher, I am afraid I cannot help him. Refund of the duty should be done in a direct way. I sub-

mit that is the best way. If there is some delay in granting the refund, I say in reply that if he has to pay Government he has to wait his turn. Is the hon. Member suggesting that they should not wait their turn? If that is so, I am afraid I cannot agree with him. I suggest we are adopting an even course in granting this benefit, and certainly I advise Government to adopt no other course.

Item passed.

MISCELLANEOUS.

Item 48—Expenses. Dr. C. H. Wharton, Pan American Leprosy Conference, Rio de Janeiro, \$850.

Mr. LEE: May I enquire from Government whether this Officer is going to pursue special studies in this kind of disease and remain at Mahaica? As far as I know none of the Officers would remain there, but only on account of orders some Officers go there. Unless somebody takes up special studies in the disease I think progress would be slow there.

The CHAIRMAN : I think the answer is yes.

Mr. LEE : Is this Officer taking up special studies?

The CHAIRMAN : Yes; he is specialising.

Mr. LEE : Then I have no objection to the item.

Item passed.

POST OFFICE—TELECOMMUNICATIONS, ETC.

Item 4 — Maintenance — Telecommunications, \$2,500.

Mr. THOMPSON : I just want to refer under this head to conditions in two medical districts—Mahaicony and Fort Wellington. The residents there often experience great difficulty when persons become very ill, since they try to get at the doctor but find that there is no public telephone. They sometimes get the doctor through the Police, but very often information is wanted by the doctor as to the patient's condition in order that he should know what drugs to travel with. I suggest, therefore, that the Medical Offi-

cers in those districts be provided with telephones so that they could give better service to the public.

The CHAIRMAN : I have made a note of that.

Item passed.

COLONIAL DEVELOPMENT AND WELFARE
SCHEMES.

Item D. 4 — Interior Department,
\$5,280.

Mr. LEE : May I enquire from Government whether there is going to be a different Department for the districts in the interior ?

The CHAIRMAN : That is the intention. The three districts are the Rupununi, the Mazaruni and the North West District.

Item passed.

PUBLIC WORKS—EXTRAORDINARY

Items 1, 2, 3 and 5—\$38,449.75.

Mr. de AGUIAR : I am sorry to have to ask for the recommittal of this head, but I am very much concerned with the rate of expenditure on these items seeing that the total has gone from \$440,000 to \$810,000. I am going to urge that a decision be not taken today and that the matter be carefully reconsidered in the light of the high rate of expenditure in the Colony as a whole at the present time. I know the need for carrying out the various programmes referred to here is very great, but I think the time has come when we have to be very prudent and cut our coat according to our cloth. We are making a start, but I am asking Government to reconsider this question in the light of the remarks I have made. \$810,000 under this head is a very big sum of money and I am wondering what would be the position of the Colony's budget at the end of the year—whether we are going to be faced with a deficit far greater than we anticipated.

The CHAIRMAN : No.

Mr. de AGUIAR : I am inclined to think so; I may be wrong.

The CHAIRMAN : Would you like to

have a report on the expenditure of these amounts ?

Mr. de AGUIAR : Yes.

The CHAIRMAN : It would mean holding up the work.

The COLONIAL SECRETARY : would ask the hon. Member for Central Demerara not to do that. The Public Works Department is waiting for sanction to go ahead with the work. When this total was reduced on Your Excellency's suggestion, the Public Works authorities were given a guarantee by the Treasury that if they wanted more money and could do the work this Council would be asked to vote it. It was given — if I might say so — because Government did not think that this Council was not prepared to spend the \$800,000. It was given merely because it was no use stalling the expenditure if the Department could carry out the work. Now that the Department can carry it out the work is being held up because there is no money to do it. I would like hon. Members to realise that if they hold up the work on which these amounts would be spent, they would be holding up the Department.

The CHAIRMAN : I think that is true. The Department is in a much better position now to carry out the work than they were last December.

Mr. C. V. WIGHT : When the original estimate of \$875,000 was put before this Council, it was reduced to \$500,000 in order to give the budget a more satisfactory appearance and the undertaking was given that the amount would be put back to the original estimate of \$875,000. In other words, an arbitrary figure was fixed because the Department was then unable to do the work through lack of equipment, engineers and otherwise, and that amount — \$500,000—was considered safe. The Department has just brought out two or three new engineers and the work is being held up and nothing being done. I would ask hon. Members to consider carefully whether at this time — when we are approaching Christmas — it would be advisable to stop the works being carried out by the Public Works Department. A considerable number of people would be employed between now and Christmas if the works are continued,

but if they are held up these people would not get employment. Some hon. Member might get up and say this point is extraneous, but I think there are other Departments which can easily receive the pruning knife with much more advantage than the Public Works Department. I suggest that the Agriculture Department is one which should receive a very clean shaving — a very clean pruning — but I suggest to the hon. Member for Central Demerara that if he holds up all these works at this time when the Department is in a position to carry on, everything would be set back, as supervision, etc., would have to be discontinued.

Mr. de AGUIAR : I have no desire to prolong this debate, but the hon. Member for Western Essequibo has missed the point I made. I was not trying to “draw a red herring across the trail”. I rose merely on a question of policy and I might say that I was not aware of the promise to which he referred when this Council was in Budget Session last year.

The CHAIRMAN : It was not a promise; but that was the sense of the debate.

Mr. de AGUIAR : Now that the matter has come up again, I think it is better to review the position in the light of the remarks I have made. Can we afford it? That is the question.

The CHAIRMAN : We can afford it better now than we could last December.

Mr. de AGUIAR : I accept Your Excellency's assurance that the Budget position is a little better than it appears on the surface.

The CHAIRMAN : I am not speaking about the immediate present; I am speaking about the future.

Mr. de AGUIAR : When I see what the outcome of 1946 is likely to be, I urge very seriously that we should reconsider this expenditure. Unless we begin to take care now, we are going to find ourselves in a corner which would be very difficult to get out of.

Mr. FERREIRA : I think the Colonial Secretary summed up this situation properly

when this matter first came before this Council, pointing out that the members of the Public Works Advisory Committee had gone very carefully into the matter and it was found that the following year we could not spend the \$875,000 because of lack of equipment and staff. That position is, however, reversed today and if we do not spend the money we would be holding up the work because we have the staff. I think Your Excellency has said that we should go ahead.

The CHAIRMAN : There is a tremendous back log owing to lack of staff.

Mr. LEE : I have had complaints from two sections of people—at Bartica and Wakenaam—and I would ask the Chairman of the Committee to see that these people get employment on these schemes.

Item passed.

DEPARTMENT OF INTERIOR.

Item 1 — Personal Emoluments—Salaries, etc., \$2,124.

The CHAIRMAN : This small sum as regards the Department of Interior is merely to carry on until the end of this year. As I said a fortnight ago, I will put the total of \$30,000 against Development for 1947.

Item passed.

SUPPLEMENTARY EXPENDITURE

Council resumed.

The COLONIAL TREASURER : I beg to move :—

- (a) That, this Council approves the Statement of Supplementary expenditure which has occurred during the year 1945, and which has not been included in any previous schedule for the year 1945 and agrees that it be admitted as a charge to Public Funds under Colonial Regulation 265 (2).
- (b) That, this Council approves of the Schedule of Additional Provision for September, 1946, which has been laid on the table.

Mr. de AGUIAR seconded.

Motions put and agreed to.

The PRESIDENT : We can now pass, as I suggested, to the second Schedule and I

would ask the Attorney-General to take the necessary steps to bring before the Council, formally, the Housing Bill.

WORKING CLASSES HOUSING BILL.

The ATTORNEY-GENERAL: I beg to move that a Bill intituled

“An Ordinance to make provision with respect to the housing of persons of the working classes and for purposes connected therewith”

be read the first time.

Mr. WOOLFORD seconded.

Motion put and agreed to.

The PRESIDENT: I have already suggested that we might ask the Attorney-General to proceed with the motion on the second reading and put the principle before the Council. I think hon. Members feel that would be justified.

The ATTORNEY-GENERAL: I beg to move the suspension of the Standing Rules and Orders to enable me to move the motion for the second reading of this Bill.

Mr. WOOLFORD seconded.

Motion put and agreed to.

Standing Rules and Orders suspended.

The ATTORNEY-GENERAL: Hon. Members will appreciate the fact that the question of housing has received and is receiving considerable attention from the public—in the Press, from public bodies and by private discussion. That indicates, I suggest, that all classes in the community are affected by this matter, and it also indicates the need for legislation to deal with it. The Bill which now comes before this Council is of a comprehensive nature and deals with urban and rural housing. There is another Bill which was published at the same time and which, I believe, hon. Members have with them now. That is, the Town and Country Planning Bill which deals with plans. It will be appreciated, of course, that Government's aim is to provide housing accommodation for the working classes. It is within the knowledge of hon. Members that a Development Committee to work out

a 10-year plan for the Colony has been appointed by Government, and this Committee would have the benefit of sub-committees, one of which is the committee dealing with urban and rural housing. I think I am right in stating that these sub-committees have already begun to study their subjects.

This Bill which hon. Members have before them, as will be seen from the Objects and Reasons, is “to enact the provisions of the Trinidad Slum Clearance and Housing Ordinance, Chapter 37, No. 2 (as amended by Ordinances No. 34 of 1941, No. 21 of 1944 and No. 22 of 1944) with such modifications as local circumstances have rendered necessary.” Hon. Members are aware of the fact that in the report of the West India Royal Commission the question of housing was very fully and carefully considered, and it is there stated in Chapter IX, page 174, that;

“In both town and country the present housing of the large majority of the working people in the West Indian Colonies leaves much to be desired; in many places it is deplorable; in some the conditions are such that any human habitation of buildings now occupied by large families must seem impossible to a newcomer from Europe.”

Then at page 176 the report states:—

“It will be clear from what we have said that the housing problem in the West Indian Colonies is so acute that no means which makes for a solution of it should be neglected; however partial or limited its immediate results may be, every line of constructive action should be adopted and pursued with vigour. A sustained and complementary effort by Government local authorities, private enterprise and the people themselves is not merely necessary but of pressing urgency.”

Further at page 177, the report states:—

“We agree therefore with the view expressed by Major Orde Browne in his recent Report (Cmd. 6070) on Labour Conditions in the West Indies that it should be frankly recognised that any slum clearance scheme should be undertaken as an essential social service rather than an economic proposition.”

In the report by Sir Frank Stockdale, on "Development and Welfare in the West Indies", he states on page 25, par. 94, that

"From the public health as well as from other aspects, housing ranks as one of the largest and most pressing problems of the West Indies. The causes of the prevalence of sub-standard housing are numerous and often complicated. Poverty and apathy, lack of effort by occupiers to prevent dilapidation, and the small landlord who will not face the cost of proper maintenance, poor building materials, insecurity of tenure of the house site, absence or lax enforcement of building regulations, hurricanes and termites all play their part. Overcrowding of rooms occurs much more frequently than congestion of building sites and, from the public health point of view, is much more important. Overcrowded living conditions are important factors in the spread of tuberculosis, venereal diseases, yaws, leprosy, and many other diseases."

The Development and Welfare organisation has published a memorandum on "Housing in the West Indies" in which this matter is dealt with very fully and in Part I dealing with "General Policy", at par. 17, it says :—

"The first step towards a comprehensive housing programme is the enactment of housing and planning legislation on the lines now commonly accepted by local authorities in Great Britain. This legislation would set up a central authority to control the preparation and execution of housing schemes and would define the powers and duties of that authority. The execution of urgent housing schemes should not, however, be delayed pending the enactment of such comprehensive legislation. Existing legislation relating to housing, such as building and public health regulations, should be immediately reviewed as it may well be necessary to carry out piecemeal revisions as an interim measure. In connection with such revision, an attempt should be made to anticipate legislation for long-term planning under a Central Housing and Planning Authority, so that the administration of those laws affecting planning and housing programmes can be transferred to that authority without difficulty. In addition, urgent legislation is needed to provide for the compulsory acquisition of land at reasonable prices needed for housing schemes. These various legislative changes are considered below under the following headings:—

- (a) land acquisition.
- (b) housing and planning.
- (c) revision of building and health regulations.
- (d) overcrowding and density standards."

Then, at par. 18 it is stated that:

"The Royal Commission urged that the West Indian Governments should have easily-applied powers for the compulsory acquisition of land for housing. Most, if not all, West Indian Governments already have land acquisition legislation on their statute books, but it has been suggested by the Comptroller for Development and Welfare that this legislation should be reviewed in the light of the following three points:—

- (a) the need for an adequate definition of the purposes for which land can be compulsorily acquired in order to ensure that it can be so acquired for housing schemes.
- (b) the need for provision whereby work on vacant land can commence without awaiting the outcome of any legal proceedings which may arise in connection with the payment of compensation.
- (c) the need for provision whereby land can be acquired at a reasonable price."

The following observations in the said memorandum are very important :

"19. The acquisition of land at a reasonable price if rapid progress is to be made with housing schemes, presents a difficulty which must be tackled firmly. Land speculation has recently become common in some Colonies, and is likely to increase as Colonial Governments announce their intention to purchase land for housing and other public purposes. This speculation is due in part to the willingness of working men, if they have money available, to pay extravagant prices for small plots of land. Such men have often saved sums of money in connection with war employment and are willing, and eager, to spend their savings in order to acquire a house lot, regardless of the price of the land. These purchases are often made in spite of the fact that, having spent all their savings on land purchase, they will be unable to provide houses for themselves on their new plots. This situation is likely to have a serious effect not only on the economic position of

the people themselves and the Colonies concerned but also on housing programmes, as land acquisition legislation normally provides that the Courts shall take into account the current market value of the land when settling the amount of compensation payable. In Colonies where this speculation is in existence evidence can readily be produced by land owners to show that the market value of the land is the inflated price which they are receiving from workmen and others who are eager to own house lots. The funds available from local sources and under the Colonial Development and Welfare Act are not inexhaustible, and it will be a matter of difficulty to find sufficient funds to finance the immense housing programme which is so urgently needed. It is, therefore, impossible for Governments to consider the purchase of land for housing schemes at other than reasonable prices. The West Indian Governments have accordingly been invited to consider the desirability of introducing legislation to provide that a "ceiling" value of land should be fixed. Such legislation may seem drastic, but the introduction of adequate control is essential in Colonies where land speculation exists or is likely to develop, if funds urgently needed for housing schemes are not to be expended on the purchase of land at exorbitant prices.

"20. Legislation based on the United Kingdom Housing Act, 1936, has already been enacted in Jamaica and in Trinidad..."

As I have pointed out just now, this Bill is based on the Trinidad legislation.

"...The Comptroller has suggested to those of the West Indian Governments which have not already passed the necessary laws that legislation to deal with housing and town planning should be prepared in conjunction, and that the Slum Clearance and Housing Ordinance and the Town and Regional Planning Ordinance of Trinidad, having been found generally suitable for West Indian conditions, might well be taken as a basis..."

So hon. Members would see we have followed along the lines indicated in this memorandum prepared by the Comptroller of Development and Welfare in the West Indies. So far as the Bill itself is concerned, hon. Members will see that it is divided into ten parts. Part 1 deals with the incorporation and constitution of a Central Housing and Planning Authority. Clause 3 reads :

"(1) For the purposes of this Ordinance there shall be constituted a

housing and planning authority, to be called the Central Housing and Planning Authority, vested with the powers and functions in this Ordinance mentioned and charged with the duty of carrying out the provisions of this Ordinance.

"(2) The Central Housing and Planning Authority (hereinafter in this Ordinance referred to as "the Central Authority") shall be a body corporate and shall have perpetual succession and a common seal.

"(3) The Central Authority may sue and be sued in its corporate name.

"(4) The Central Authority may hold lands without the licence of the Governor in Council.

"(5) The seal of the Central Authority shall, when used, be authenticated by the signatures of the Chairman and of one other member of the Central Authority.

"(6) Judicial, and official, notice shall be taken of the seal.

"(7) The Central Authority shall consist of eleven members."

Clause 4 deals with the Constitution of the Central Authority. Sub-clause (1) reads

"The Central Authority shall consist of eleven members."

Sub-clause (3) reads —

"The Governor shall appoint—

- (a) five fit and proper persons,
- (b) five fit and proper persons who are not officers in the public service.—

to be the ten other members of the Central Authority."

The Chairman of the Central Authority will be appointed by the Governor as Chairman and member of the Authority and will hold office during the Governor's pleasure. The other members will be appointed for two years and will be eligible for re-appointment. Then follow provisions regarding leave of absence, revocation of their appointment and matters of that sort. In clause 5 provision is made for the appointment and remuneration of the Secretary, officers and servants. In clause 6 provision is made for pensions, and in clause 7 for insurance, Provision is also made in

clause 8 for meetings and the procedure which should regulate those meetings. I propose to emphasise the provision of clause 9 which states :—

“(1) The Central Authority may, whenever in their opinion any business before a meeting of the Central Authority renders the presence thereof of any person not being a member of the Central Authority desirable, invite such person to the meeting, and without prejudice to the generality of the power conferred by the foregoing provision of this subsection, the Central Authority may invite—

- (a) representatives of local authorities when matters affecting their area are under consideration;”

That is desirable because the Central Authority will thereby have the benefit of the experience and local knowledge of the representatives of the local community.

- “(b) a representative of the Education Department when matters affecting the sitting and design of schools and other matters connected therewith are under consideration;”

That also is desirable because in matters affecting education the Education Authorities will be in a position to give the Central Authority the benefit of their experience and general knowledge in regard to schools and education matters in that connection.

- “(c) a planning officer or architect (if available) when zoning, site planning or building is under consideration;
- (d) any other specialist officer (if available whenever the advice of such an officer is required.”

In clause 10 provision is made for the appointment of Committees which shall consist of such numbers of persons as the Central Authority shall think fit. Part 2 of the Bill deals with the general powers of the Central Authority.

POWER TO ACQUIRE LAND OR BUILDINGS

Clause 11 reads—

“Subject to the provisions of this Ordinance, the Central Authority may—

- (a) acquire land or buildings or an interest therein, for all or any of the purposes of an approved

scheme, which purposes may include the erection, construction, maintenance and improvement (whether by the Central Authority or by persons other than the Central Authority) of houses and gardens, factories, workshops, places of worship, places of recreation, and other works and building for or for the convenience of persons of the working class and other persons, and generally all such matters as are necessary or desirable for, or are incidental to, the development of the property acquired as a building estate;

- (b) with the approval of the Governor in Council—

- (i) acquire land or buildings or an interest therein, for the purpose of the development of the property acquired in any way which if, a scheme had been applicable to the property, could have been properly provided, for in such scheme;

- (ii) acquire land or buildings, or any interest therein, adjacent to a slum clearance area or re-development area, which, in the opinion of the Central Authority it is desirable should be acquired for the satisfactory further development or use of the slum clearance area or re-development area, as the case may be;

- (iii) acquire land or buildings, or any interest therein, in any area suitable for the purposes of a contemplated scheme;”

In other words, it may be desirable from every point of view not only to acquire the area to be developed but the environments as well, and all that is subject to the approval of the Governor in Council.

That contemplates a scheme; that is a general power. If there is a scheme in mind, the Central Authority can proceed to acquire the land or buildings for that purpose with the approval of the Governor in Council. Then follows the general power to carry out the purposes of the scheme.

- (c) carry out, in connection with any property acquired for the purposes of an approved scheme, the purposes of that scheme.”

“(e) Subject to the general or special directions of the Governor in Council, carry out in relation to land or buildings or any interest therein invested in the Crown or Colony, any purpose which could properly be provided for in a scheme in relation to property acquired for the purposes of the scheme including (but without prejudice to the generality of the powers conferred by this paragraph) the erection of houses for settlers participating in any Government land settlement scheme;

(f) without prejudice to any powers conferred by this section, let or lease any land or buildings vested in the Central Authority on such terms and subject to such covenants and conditions as the Central Authority may think fit :

Provided that—

(i) in exercising the powers conferred by this section, the Central Authority shall have regard to the provisions of section forty-four of this Ordinance, and

(ii) The Central Authority shall exercise such powers subject to the general or special powers of the Governor in Council;

(g) with the approval of the Governor in Council and on such terms as the Governor in Council may approve, sell or exchange any land or buildings or any interest therein, vested in the Central Authority;”

They may have an area which may not be suitable for their purpose. Power is given to exchange or sell that area which they have. Paragraph (h) gives power to accept donations of money for any purpose. I hope that paragraph will not be forgotten by members of the public.

“(i) guarantee or join in guaranteeing the payment of interest and capital on money borrowed by a person of the working class to purchase a dwelling-house or to erect a dwelling-house for his own use upon land the property of such person or the property of the Central Authority the Crown or the Colony and let or leased to such person, upon such terms and conditions as the Central Authority may deem fit;”

That provision enables them to guarantee to give assistance to those who wish to help themselves, those who desire to purchase and have not all the money or have no money at all but will pay by instalments.

“(j) with the approval of the Governor in Council, make advances upon such securities as may likewise be approved, to suitable social organisations for the purpose of assisting the erection of hostels for single men and women of the working class;”

If an existing organisation makes application and satisfies the Central Authority as to the efforts it is making to provide suitable accommodation by the erection of hostels for single men and women of the working class, there is this provision so that the Central Authority will be in a position to make advances.

“(k) invest at their discretion in any securities authorised by law for the time being for the investment of trust funds any moneys (whether consisting of capital or income) at any time at the disposal of the Central Authority and not immediately required by the Central Authority for the purchase of property or the construction of buildings or for other purposes as authorised by this Ordinance.”

That is generally to enable them to invest money to get returns if they have no longer an ideal. In clause 12 power is given the Central Authority to make arrangements with a Housing Association or a Local Authority for the purpose of enabling the Association or Local Authority to —

“(a) provide housing accommodation for persons of the working class displaced by action taken by the Central Authority under the provisions of this Ordinance for dealing with slum clearance areas or with re-development areas or for the demolition of insanitary houses or for the closing of buildings or parts of buildings;

(b) provide housing accommodation for persons of the working class for the purpose of the abatement of overcrowding;

(c) alter, enlarge, repair or improve houses or buildings which, or an interest in which the Central Au-

thority have acquired with a view to the provision of improvement of housing accommodation for persons of the working class."

I am sure hon. Members would appreciate the necessity for some such provision, because in the meantime when you have told the people to get out directly for demolition of the buildings, there must be some alternative place to which those people can go. That is necessary. I may refer hon. Members to the Interpretation clause—2—which says "persons of the working class" means—

- "(a) mechanics, artisans, labourers and other persons working for wages
- (b) hawkers, costermongers;
- (c) persons not working for wages but working at some trade or handicraft without employing persons other than members of their own family;
- (d) persons whose income in any case does not exceed an average of fifteen dollars a week or of such other sum as the Central Authority may in their discretion decide;
- (e) the families of any such persons who may be residing with them."

Clause 13 provides for advances by the Central Authority for the purpose of increasing and improving housing accommodation for persons of the working class. In other words, the Central Authority have power to make advances from the moneys they have for the purpose of enabling an employer of labour and any person of the working class to purchase, or construct, or carry out repairs or alterations they consider to any house or houses. Then follows the procedure—application with full particulars, etc. Clause 14 provides the powers of the Central Authority as to ruinous or dilapidated buildings. Sub-clause (1) reads :—

"Whenever any building normally occupied as a dwelling by persons of the working class is, in the opinion of the Central Authority, ruinous or so dilapidated as to have become and to be unfit for human habitation or a nuisance or injurious or likely to be injurious to health, the Central Authority may give notice in writing to the owner requiring him forthwith to take down, secure, repair or rebuild the same to the satisfaction of the Central Authority within a time to be specified in the notice."

Sub-clause (2) reads :—

"If the owner fails to comply with the requirements of the notice within the time specified therein, the Central Authority or any person authorised in writing by the Chairman of the Central Authority, may make complaint thereof before a Magistrate, and it shall be lawful for such Magistrate to order the owner to carry out the requirements of the notice within a time fixed by him in his order."

Hon. Members will appreciate that this Bill and the provisions of this Bill aim at getting rid of houses which are disgraceful, houses which are in a ruinous or dilapidated condition, and power is given in this clause to enable the Central Authority to carry out the objects of this Bill. Sub-clause (4) reads :—

"When the order directs the taking down of a neglected building, the Central Authority, in executing the order, may remove the materials to a convenient place, and (unless the expenses incurred by the Central Authority under this section in relation to such building are paid to them within fourteen days after such removal) sell the same or any part thereof as and if they in their discretion think fit."

Part 5 of the Bill deals with the preparation and approval of schemes, and what is the responsibility and duty of the Central Authority towards them. Clause 15 reads :—

"(1) It shall be the duty of the Central Authority—

- (a) to consider the needs of the Colony with respect to the provision of housing accommodation for persons of the working class in any particular area, and
- (b) as often as occasion arises, or after notice has been given to the Central Authority by the Governor in Council and within such period as shall be specified in the notice, to cause the area to be defined on a plan and to prepare and submit to the Governor in Council a scheme (hereinafter referred to as a housing scheme) for the exercise of their powers under the provisions of this Ordinance, and
- (c) to pass a resolution declaring the area so defined to be a housing area.

Sub-clause (2) sets out the steps to be taken by the Central Authority in connection with the housing scheme. Clause 16 gives power to the Central Authority to declare an unhealthy area to be a slum clearance area. That is important. Sub-clause (1) reads :

“Where the Central Authority, as a result of an inspection or upon consideration of an official representation or other information in their possession, are satisfied in respect of any area that the housing conditions in that area are dangerous or injurious or likely to be injurious to the health and welfare of the inhabitants by reason of the disrepair or sanitary defects of dwelling-houses or tenement rooms therein or of the bad arrangement of the houses or of the narrowness or bad arrangement of the roads and that those conditions can be effectually remedied—

- (a) by ordering the demolition, reconstruction, or repair, as the circumstances may require, of those dwelling-houses or tenement rooms which are unfit for human habitation; or
- (b) by the acquisition of the land and buildings thereon comprised in the area and themselves undertaking or otherwise securing the demolition, reconstruction or repair, as the circumstances may require, of those dwelling houses or tenement rooms which are unfit for human habitation; and
- (c) if it is so desired, by the acquisition by the Central Authority of any land or buildings in the area which it is expedient for them to acquire for the reconstruction and re-development of the area; and
- (d) if it is so desired, by the acquisition of any land which is surrounded by the area, the acquisition of which is reasonably necessary for the purpose of securing a cleared area of convenient shape and dimensions, and of any adjoining land, the acquisition of which is reasonably necessary for the satisfactory development or use of the cleared area,—

the Central Authority shall cause that area to be defined on a plan in such a manner as to exclude from that area any land or buildings in respect of which in their opinion sanitary defects do not exist or which they do not find it expedient to acquire for the remedying of badly arranged conditions, but including in such area buildings which in

their opinion are in a state of disrepair, and any surrounding or adjoining land which it is desired by the Central Authority to acquire.”

Sub-clause (2) reads :—

The Central Authority shall pass a resolution declaring the area so defined to be a slum clearance area and shall, within the period hereinafter prescribed, prepare and submit to the Governor in Council a scheme (hereinafter referred to as a slum clearance scheme) for the exercise of their powers under the provisions of this Ordinance.”

Clause 15 deals with matters in regard to a housing scheme and now you have matters in regard to a slum clearance scheme being dealt with in this clause, such schemes to be prepared by the Central Authority and submitted to the Governor in Council. In clause 17 power is given to the Central Authority to secure re-development. The clause reads :—

“Where the Central Authority, as a result of an inspection or upon consideration of an official representation or other information in their possession, are satisfied that in any part of the Colony there is an area in which the following conditions exist, that is to say :

- (a) that the area contains eighteen or more working-class houses;
- (b) that at least one-third of the working-class houses in the area is overcrowded, or so arranged as to be congested, or unfit for human habitation and not capable at a reasonable expense of being rendered so fit;
- (c) that the industrial and social conditions of the part of the Colony as aforesaid are such that the area should be used to a substantial extent for housing persons of the working class; and
- (d) that it is expedient in connection with the provision of housing accommodation for persons of the working class that the area should be re-developed as a whole,—

it shall be the duty of the Central Authority —

- (i) to cause the area to be defined on a plan, and to pass a resolution declaring the area so defined to be a proposed re-development area;
- (ii) within the period and in the manner hereinafter prescribed

to prepare and submit to the Governor in Council a scheme (hereinafter referred to as a re-development scheme) for the exercise of their powers under the provisions of this Ordinance."

They have to prepare and submit to the Governor in Council any housing scheme, slum clearance scheme and re-development scheme to be dealt with. Clause 20 provides for the approval of the schemes by the Governor in Council and sub-clause (2) reads :—

"(2) The Governor in Council shall not approve of any scheme unless he is satisfied that —

- (a) the size of the area is such that the housing conditions therein can be remedied within a reasonable period;
- (b) the financial resources of the Central Authority are or will be sufficient for the purpose of carrying into effect such scheme;
- (c) in so far as suitable accommodation available for the persons of the working class who will be displaced by the steps the Central Authority propose to take for the clearance and development of the area does not exist, the Central Authority will provide, or secure the provision of, such accommodation in advance of the displacements which will from time to time become necessary as these steps are taken."

It will be appreciated that the Central Authority will have a limited power. They have to submit the schemes to the Governor in Council and satisfy the Governor in Council that all necessary conditions have been observed and reasonable and proper arrangements made whereby buildings are demolished and arrangements have been made for them. Clause 2 deals with the demolition order. Clause 24 provides that if the owner says he can carry out a slum clearance scheme or re-development scheme himself, the Central Authority has the right to say he can carry it out subject to their permission and the approval of the Governor in Council. Clause 25 provides for certificates as to the condition of houses and exemption from slum clearance area. Clause 26 provides that a Judge or a Magistrate may empower an owner to execute

works on default of another owner. Part V deals with Acquisition and Compensation. This is a very important part of the Bill. Clause 27 provides for the acquisition of land, etc., by the Central Authority by way of gift or by way of private treaty or by compulsion. In Clause 28 which deals with the "Acquisition of land, etc., by Central Authority for purposes of approved schemes", it is stated that :

- "(1) Any land or buildings, or any interest therein, within a slum clearance area or any part thereof which is or are intended to be acquired by the Central Authority for the purposes of this Ordinance may be acquired compulsorily after the expiration of twenty-eight days from the first publication of the notice as required by subsection (1) of section twenty-one of this Ordinance."

Sub-clause (2) states :—

- "(2) In the case of land or buildings or any interest therein intended to be acquired by the Central Authority for the purposes of a housing scheme or a re-development scheme, it shall be the duty of the Central Authority, within the appropriate period specified in subsection (3) of this section, either to enter into agreements for the purchase of the same, or to decide, by resolution, that the same shall be compulsorily acquired
"Provided that this subsection shall not apply to land or buildings in respect of which the Central Authority have, within the appropriate period as aforesaid, made arrangements with other persons for securing the use of the land in accordance with a re-development scheme."

Clause 29 provides for the vesting of title in the Central Authority where the land is compulsorily acquired. The Deputy President is most concerned with the words "without any conveyance". He wants to know where the lawyers come in, but that is where they go out. (Laughter).

Then follows the question of "Assessment of compensation in case of compulsory acquisition", which is dealt with in clause 30, and here I may remind hon.

Members of what I have just read from the memorandum on "Housing in the West Indies". With regard to clause 30, I propose, when the Bill is being considered in Committee, to delete from sub-clause (2) (a) the words "at the time when the valuation is made", and also to delete from the sixth line of sub-clause (2) (b) the words "at their market value". From sub-clause (2) (c) I propose to delete the words "full market value at the time when the valuation is made", and to substitute therefor the words "value thereof". This sub-clause is tied up with sub-clause (7) which, I may point out, carries a misprint which time did not permit me to correct.

Hon. Members will appreciate that in order to prevent speculation and exaggerated ideas in connection with the price of land to be purchased or obtained for purposes of this Bill, it is desirable that some sort of ceiling value on land should be fixed. As I have already pointed out, the year 1945, and February 22 also, were mistakes. I shall therefore ask that this sub-clause be amended, and I shall give hon. Members copies of the amendments later on. We are using the date used in England in a matter of this sort, and that is March 31, 1939. The Governor in Council, having regard to fluctuations and changes, will ascertain the value of the land and there shall be added to the value so ascertained such percentage as they may from time to time prescribe. I venture to say that they would consider fully all the various fluctuations and conditions.

Part VI deals with the "Completion of Schemes and Consequential Powers and Duties of the Central Authority". I do not think it is necessary for me to go into details with regard to this. I pause here to emphasise that "the Wortmanville Housing Scheme shall be a scheme within the meaning of this section". Hon. Members will recollect that when that Bill was being considered by this Council, it was stated that as soon as the comprehensive Bill came forward the scheme would disappear and this would take its place as this is to be the comprehensive legislation. Clause 47 deals with "Financial and accounting matters", while clause 48 deals with "Special accounts to be kept". Then, at clause 50, there is provision for various

exemptions with regard to income tax, and certain fees and duties.

Part VIII deals with general provisions. Clause 54 deals with "Summary procedure", while clause 55 gives power to make regulations. The Central Authority is given power to make regulations, then follows the matters in connection with which regulations would be made. Clause 57 deals with the "Transfer to the Central Authority of certain rights, assets and liabilities", and deals particularly with the Wortmanville Housing Scheme to which I referred a moment ago. Then follows a provision for speeding up slum clearance, and it is taken from the Trinidad Slum Clearing and Housing Ordinance, No. 21 of 1944, as amended. Provision is made for the establishment of the Slum Clearance Committee, the constitution of that Committee, and meetings and procedure. In clause 64, provision is made for the Committee to exercise the powers of the Central Authority, while clause 66 deals with "Closing orders and dwelling houses unfit for human habitation". It says :—

- "(1) Anything contained in any enactment to the contrary notwithstanding, whenever any dwelling house is in the opinion of the Committee ruinous or so dilapidated as to have become and to be unfit for human habitation or a nuisance or injurious or likely to be injurious to health, the Committee may order that such dwelling house shall not be used for human habitation"

Then follows the proviso. There is power given to the Committee to declare an area to be a special slum clearance area under clause 67. In clause 67 (3) it is stated that :—

- "(3) The plan on which a special slum area clearance has been defined, or a copy thereof shall be deposited at the office of the Central Authority, and at the office of the Local Authority of the city, town or district in which the slum clearance area is situate, and shall be open to inspection during office hours."

Then follows clause 68 (1) which deals with the "Power of the Committee in rela-

tion to special slum clearance areas and dwelling houses unfit for human habitation". Then, there are in clause 69 "Restrictions on buildings in area declared to be a special slum clearance area". Then, at clause 72, there is "Provision for protection of owners and landlords", in reference to any building or dwelling-house in respect of which an order is made, or a notice requiring the execution of works is served by the Committee under this Ordinance. Then, clause 73 provides "Penalty for preventing execution of repairs and certain other acts". The penalty would be found in clause 74. Clause 75 provides that:—

"Any expenditure incurred by the Committee shall be deemed to have been incurred on behalf of the Central Authority and shall be defrayed by the Central Authority on the certificate of the chairman of the Committee."

In Part X, provision is made for the repeal of the Wortmanville Housing Scheme Ordinance.

I think I have dealt with the Bill as fully as I possibly can. I appreciate the fact that it is a long Bill and that hon. Members only got it into their possession a few days ago. Consequently, I thought it desirable that I should

go through the most important clauses so that hon. Members should be fully apprised of the terms of the Bill. I am very grateful to hon. Members for listening to the explanation which I have tried to give them and I venture to assert that this legislation would commend itself to all hon. Members and to the people of whom we are representatives. Your Excellency, I beg to move that this Bill be now read the second time.

Mr. CRITCHLOW seconded.

The PRESIDENT: We have 10 minutes more for today's sitting; does any Member care to address the Council? Otherwise, I am prepared to ask Mr. Laing who is with us this afternoon and who has knowledge of this subject, to speak, shortly. But, perhaps it might be better to adjourn now and come back fresh tomorrow afternoon, as Members might have had some strain in holding up to the exposition by the Attorney-General. Mr. Laing, I think, might more usefully address the Council after Members have spoken, rather than before. Is it the general feeling of Members that Council should adjourn now? There being no objection, I adjourn Council until 2 p.m., tomorrow.