

LEGISLATIVE COUNCIL

*(Constituted under the British Guiana
(Constitution) (Temporary Provisions)
Order in Council, 1953)*

THURSDAY, 28TH MARCH, 1957

The Council met at 2 p.m.

PRESENT :

His Honour the Speaker,
Sir Eustace Gordon Woolford, O.B.E.,
Q.C.

Ex-Officio Members:

The Hon. the Chief Secretary,
Mr. F. D. Jakeway, C.M.G., O.B.E.

The Hon. the Attorney General,
Mr. A. M. I. Austin,

The Hon. the Financial Secretary,
Mr. F. W. Essex.

Nominated Members of Executive Council:

The Hon. Sir Frank McDavid,
C.M.G., C.B.E., (Member for Agriculture,
Forests, Lands and Mines).

The Hon. W. O. R. Kendall (Member
for Communications and Works).

The Hon. G. A. C. Farnum, O.B.E.,
(Member for Local Government, Social
Welfare and Co-operative Develop-
ment).

The Hon. R. C. Tello.

Nominated Official :

Mr. J. I. Ramphal

Nominated Unofficials:

Mr. T. Lee.

Mr. C. A. Carter.

Rev. D. C. J. Bobb.

Mr. H. Rahaman.

Miss Gertie H. Collins.

Mrs. Esther E. Dey.

Dr. H. A. Fraser.

Mr. R. B. Jailal.

Mr. Sugrim Singh.

Clerk of the Legislative:

Mr. I. Crum Ewing.

Assistant Clerk of the Legislative:

Mr. B. M. Viapree (Ag.)

Absent:

The Hon. P. A. Cummings (Mem-
ber for Labour, Health and Housing).

The Hon. R. B. Gajraj—on leave.

Mr. W. A. Phang—on leave.

Mr. L. A. Luckhoo, Q.C.

Mr. E. F. Correia—on leave.

Mr. W. T. Lord, I.S.O.—on leave.

The Speaker read prayers.

Oath Of Allegiance

The Hon. the Attorney General
(Mr. A. M. I. Austin) took the Oath of
Allegiance and his seat as an ex-
officio Member of the Council.

Minutes

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

ANNOUNCEMENTS

Attorney General Welcomed

Mr. Speaker : Hon. Members, I am sure that each and everyone of you will join with me in extending a very hearty and sincere welcome to our new Attorney General who has just taken his seat. I do not know what his personal experiences have been in the other places where he may have served, but my advice to him is that he will, as far as possible, refrain in his own interest from making too many comparisons between what exists in those other places and in this Colony. He will learn in the course of time that the office of Attorney General in this Colony is one in which he becomes acquainted with every branch of the law, an experience which—I happen to know as a professional man myself—members of the legal profession in other parts of the world never gain.

In the course of time he will find that he has enriched his experience by living in this Colony. We meet each other so often that whatever his troubles may be in the performance of his duties the general knowledge and experience he will acquire will be of very great help to him.

But it is in this Council Chamber that the reputations of the Attorney Generals are made or lost. You, Sir, will realize that a very considerable portion of your time will be spent in

this Council Chamber and you will eventually become an experienced politician. I do not know precisely what is prescribed in the terms of your appointment, but you must be prepared to become a politician. Members of the Council, will, on occasions; offer various criticisms on proposed legislation some of which you may agree with and others you may be inclined to repel. But whatever may be the composition of the Legislative Council in this Colony, you may be assured of always having the co-operation and support of its Members. I mention that because we are on the eve of a general election. You will have heard of our past constitutional experiences and of the necessity of introducing emergency measures to meet the situation. You have now become a Member of a purely nominated Legislative Council.

I am sure that whatever duties you have to perform here, you will in the course of time realize that it is your good fortune, having regard to your family origin or part origin, to be considered "a son of the soil" or "a grandson of the soil," and that by reason thereof you will escape some of the criticisms that those not born here are made to suffer and endure. You hold a name that is well known by members of this community, many of whom, I believe are relatives of yours — the most distinguished of whom was the late Bishop Austin, the Anglican Bishop of this diocese who was much revered and esteemed in this Colony. I wish you a long and successful career of office, and that both Mrs. Austin and yourself will be happy and enjoy your stay here with us.

The Attorney General: I am greatly obliged.

Leave of Absence

Mr. Speaker: Leave has been granted to the hon. Member, Mr. Lee, who is in Essequibo, and the hon. Member, Mr. Gajraj, who has asked to be excused for the present. He may or may not be able to attend this meeting as he is engaged in a public meeting elsewhere.

HYDRO-ELECTRICITY DEVELOPMENT

Sir Frank McDavid (Member for Agriculture, Forests, Lands and Mines): Hon. Members, I have an important Government announcement to make, and I do so on behalf of the hon. Member for Communications and Works (Mr. Kendall) and myself. The announcement is one relating to the permission given to the Demerara Bauxite Company, Limited, to undertake a detailed site survey and engineering investigation at Great Falls, Mallali, on the Demerara River, to determine whether it would be economically feasible and economically sound to develop hydro-electric power at this site; and to proposals under consideration for the acquisition by the Government of the undertaking of the Demerara Electric Company, Limited, and the setting up of a Public Electricity Corporation.

The Government is pleased to announce that, in pursuance of the grant on 20th December, 1956, of a Permit to survey the Great Fall and Mallali Rapids on the Upper Demerara River with a view to making an accurate appraisal of the possibility of economic hydro-electric development, the Demerara Bauxite Company, Limited are now carrying out intensive and comprehensive surveys and engineering investigations of these sites.

In 1948, the Company was granted a Licence to install and operate metering stations at the sites of four falls in rivers of the Colony, one of which is at Mallali.

Hon. Members of Council will recall that in the report by Messrs. Preece, Cardew and Ryder tabled in Council on 15th August, 1956, it is emphasized that this particular site is the most promising for further investigations: Government had accordingly been exploring ways and means by which the necessary surveys and engineering studies could be carried out without delay. It is therefore most gratifying that this need is now and expeditiously being met without the expenditure of public funds through the enterprise of the Demerara Bauxite Company. In accord with the terms of the Survey Permit the surveys being undertaken by the Company include investigations of possible dam sites and storage areas in the Great Fall-Mallali area, and of possible routes for, and the feasibility of construction of, a canal from the Essequibo River to a tributary of the Demerara River.

The Government have also undertaken by a letter of intent to grant the Company, on notification by the Company not later than 31st December, 1957, of its wish to proceed with a hydro-electric development project at these sites, a Licence to be issued under the Hydro-Electric Power Ordinance, 1956. Agreement in principle has already been reached with the Company as to the main terms and conditions of such Licence. It has further been agreed that in the event that the Company decides not to proceed with the project or voluntarily to surrender the Licence, all plans, designs and engineering

[Sir Frank McDavid]

data obtained by the Company with respect to the project shall be supplied to the Government free of cost but the Government shall undertake to reimburse the Company the actual cost thereof should a licence to carry out the project be granted to any person or company other than a public undertaking established and operated wholly or mainly for the supply of electricity to meet a public demand.

The project, if it is established, would not be a "public undertaking" within the meaning of this term as defined by the Hydro-Electric Power Ordinance, 1956. However, one of the conditions referred to above applicable to the issue of a Licence would be that surplus power in excess of the Company's requirements shall be made available to the Government (or to an Authority to be set up by the Government), with a guaranteed agreed minimum initial supply, to be taken at Mackenzie for transmission to the coast to meet public demand. The Company would also be obligated to undertake future expansion of the installation as required to meet public demand over and above the Company's own requirements as need arises up to the maximum capacity of the whole project. Hydro-electric power so made available would be supplied at a mutually agreed price based on actual capital and operational costs.

It must be emphasized that it is not possible to predict the results of the surveys or determine in advance whether or not a hydro-electric power installation at these sites is practicable and/or economic.

Nevertheless, it is essential that Government should pay due regard to the possibility that hydro-electric power to meet public demand may be available in the not too distant future and should frame its plans for electricity development accordingly. Clearly, the benefit of economic hydro-electric power should be spread as widely as possible and should accrue to consumers in Georgetown (private, commercial and industrial) as well as to the rural areas under the rural electrification supply scheme, work on which is already in progress. The availability of economic hydro-electric power would, of course, be a major factor in stimulating the introduction of new, and the expansion of existing, industries in the Colony.

GOVERNMENT ACQUISITION OF D.E.C.'S UNDERTAKING

In terms of the Georgetown Electric Supply Ordinance, Chapter 238 and the Georgetown Electric Supply Order of 1927 the Demerara Electric Company Ltd., hold a franchise for the supply of electricity in the city of Georgetown (together with a prescribed sub-urban area) for a period of 50 years from 27th. May, 1927, subject to the right of the Governor in Council on the expiration of 27 years to give notice that improvements be effected to the undertaking before the expiration of 30 years from that date. Arising out of negotiations with respect to a notice served on the Company, proposals have been made for the voluntary sale of the undertaking to the Government. These talks have reached a stage at which a decision as to whether or not the undertaking should be taken over must shortly be made.

It is in any case essential that the existing plant should be expanded in order to cope with increased and increasing public demand; and the Demerara Electric Company is willing to install the necessary expansion of its plant to meet its supply obligations for the remaining 20 years of its franchise. As already stated, it is clear, however, that the Government must take into consideration the possibility of the availability of economic hydro-electric power before the franchise expires and this must indeed be one of two determining factors in reaching a decision as to whether or not the Company's undertaking should be acquired.

It had been intended to set up a statutory authority to operate the rural electricity supply scheme. The acquisition of the Demerara Electric Company's undertaking would, however, make it desirable to establish by law a Public Electricity Corporation which would be the sole authority for the distribution and sale of electricity for consumption throughout the Colony including supply of such power as may be derived by the Corporation from a hydro-electric project on the Upper Demerara River.

The Government have sought the advice of the Consulting Engineers, Messrs. Preece, Cardew and Ryder on all these matters and Mr. C. H. Pickworth, Senior Partner of the firm visited British Guiana in January for consultations. Mr. F. P. Egerton, a representative of the firm, is now in the Colony and, with the concurrence of the Demerara Electric Company, is engaged in preparing a preliminary inventory of the assets of the Company's undertaking. Mr. Egerton will also advise and parti-

cipate in the drafting of the actual Licence and subsidiary Agreement that would be required in the event that the Demerara Bauxite Company decides to proceed with a hydro-electric project as a result of the detailed engineering surveys now in progress. The Consulting Engineers have also prepared and furnished the first draft of a Bill to set up a Public Electricity Corporation.

The other determining factor in arriving at a decision to acquire the Demerara Electric Company's undertaking and set up a Public Electricity Corporation is the question of finance. The Government has been giving careful consideration as to the means by which the necessary capital can be secured. Provision has been made in the Development Programme to meet the cost of the rural electricity scheme which would, of course, become a responsibility of the Public Electricity Corporation. Part of the initial capital requirements of the proposed Corporation is therefore already available and discussions are taking place with the Colonial Development Corporation as to the means by which the remainder of the capital might be secured.

The Colonial Development Corporation have accordingly been invited to participate with Government in the detailed examination of the economics of the proposals as a whole.

The purpose of this announcement is to acquaint Honourable Members of Council and the general public with these significant developments and possibilities which are of such vital importance to the economic advancement of this country and the well being of its people. Council will be informed as soon as more definite information on these matters becomes available.

[Sir Frank McDavid]

Members have been supplied with this Paper by myself and my colleague, Mr. Kendall. It is being issued as Sessional Paper No. 5 of 1957 and I shall be laying it this afternoon.

PAPERS LAID

SKELDON INQUIRY COMMISSION REPORT

The Chief Secretary (Mr. Jake-way): I beg to lay on the table the

"Report of a Commission of inquiry into the Causes of a Disturbance which occurred at Skeldon on the 13th February 1957, and the action taken by the Police in connection therewith."

Copies of this paper have previously been circulated to hon. Members.

I also beg to lay on the table the

Draft Hospital Fees (Amendment) Regulations, 1957.

The Financial Secretary (Mr. Essex): I beg to lay on the table the

Report of the Directors of the New Widows and Orphans Fund on the working of the Fund for the year 1955, together with the Director of Audit's certificate thereon.

Secondly, the

Minutes of meetings of Finance Committee held on 4th, 19th and 26th October, and 2nd November, 1956 and on 5th January, 1957.

Sir Frank McDavid: I beg to lay on the table,

Sessional Paper No. 5 of 1957, which is the statement I have just read.

Mr. Kendall (Member for Communications and Works): I beg to lay on the table the

Report of the Director General of Colonial Audit on the Accounts of the Transport and Harbours Department for the year ended the 31st December, 1954—Sessional Paper No. 3/1957.

GOVERNMENT NOTICES

AMENDING HOSPITAL FEES

The Chief Secretary: I beg to give notice of the two motions standing in my name on the Order Paper. One relates to the Hospital Fees (Amendment) Regulations, and the other to the British Guiana United Broadcasting Company, Ltd.

"Be it resolved: That this Council approves of the Hospital Fees (Amendment) Regulations, 1957, made by His Excellency the Governor on the 14th of March, 1957, and which have been laid on the table."

SUBSIDY TO BRITISH GUIANA UNITED BROADCASTING CO., LIMITED

"Whereas Clause 5 (a) of the Agreement dated 20th March, 1950, between the Government and the British Guiana United Broadcasting Company Limited requires—

- (i) that Government should subsidize the Company by paying them 90% of the annual receipts from radio licences for the first five years of the Company's operation;
- (ii) that on the expiration of the above-mentioned five-year period the subsidy shall be subject to review and may be discontinued or reduced to such sum annually as may from time to time be determined by the Government with the approval of the Legislative Council; and

Whereas by agreement between the Government and the Company the

abovementioned percentage was reduced to 80% from the year 1952 when Government accepted a proposal by the Company that the latter should relinquish 10% of this subsidy on condition that Government assumed responsibility for the salary of an investigation officer hitherto paid by the Company, and for the employment of another officer to assist in the arrangements to enforce payment of radio licence fees;

Be it resolved: That this Council approves of action being taken under Clause 5 of the Agreement to—

- (i) substitute for the payment of a percentage of radio licence fees the payment to the Company of a fixed subsidy of \$30,000 per annum for the years 1957 to 1959, inclusive;
- (ii) discontinue the payment of the subsidy completely after the year 1959."

REPLIES TO QUESTIONS

Exploration For Minerals

Mr. Carter: On the 30th of August, 1956 I tabled a motion relative to the exploration for minerals in the area covering the head waters of the Mazaruini. I am very anxious to have that motion debated, and I would like the hon. Member in charge of the Portfolio dealing with this matter to give me an idea how soon this motion will come before the Council.

Sir Frank McDavid: I am aware of the motion, and what it seeks amounts to a reversal of what is now a settled Government policy. Consequently, the motion has been committed to the Executive Council for its consideration. That accounts to some extent for the lapse of time, and I will indicate as soon as possible when it will be brought forward.

Mr. Carter: Thank you very much.

INTRODUCTION OF BILLS

The Financial Secretary gave notice of the

Income Tax (In aid of Industry) (Amendment) Bill, 1957.

Sir Frank McDavid, on behalf of the Member for Labour, Health and Housing, gave notice of the

Factories Regulations (Validation) (Amendment) Bill, 1957.

and the

Dangerous Drugs (Amendment) Bill, 1957.

Mr. Farnum (Member for Local Government, Social Welfare and Co-operative Development) gave notice of the

New Amsterdam Electric Lighting Order (Extension) Bill, 1957.

ORDER OF THE DAY

BILLS—FIRST READING

The following Bills were read the first time:

A Bill intituled "An Ordinance to amend the Income Tax (In aid of Industry) Ordinance."

A Bill intituled "An Ordinance further to amend the Factories Regulations (Validation) Ordinance, 1955."

A Bill intituled "An Ordinance to amend the Dangerous Drugs Ordinance."

A Bill intituled "An Ordinance further to extend the duration of the New Amsterdam Electric Lighting Order, 1900."

FIRE BRIGADE BILL

The Chief Secretary: I beg to move that this Council resolves itself into Committee to resume consideration of the Bill intituled:

"An Ordinance to provide for the establishment of the British Guiana Fire

[The Chief Secretary]

Brigade and for purposes connected therewith”.

The Attorney General: I beg to second the motion.

Question put, and agreed to.

COUNCIL IN COMMITTEE

The Chief Secretary: Although I have no amendment to clause 22, I have to explain that the point made by the hon. Member, Mr. Jailal, has been considered in consultation with the Chief Officer of the Fire Brigade and Law Officer, and one of the Law Officers had consultation with the hon. Member himself, I believe. We do not feel it necessary to make special provision for a member of the Fire Brigade to control electricity: we feel it is adequately controlled under the existing law and I hope hon. Members will be satisfied with that explanation.

Now, looking through the Bill again, a small error has been discovered in clause 25 and I would like to recommit that clause. The words,

“in the last preceding section” appear in the second and third lines of that clause in the Bill as printed. They were put in while there must have been no clause 23 and clause 24 because the clause refers to section 22 of the Ordinance. So I beg to move that the words,

“section 22 of this Ordinance” be substituted.

Clause 25 recommitted.—*Duties and immunities of water undertakers.*

The Chairman: The question is, that the clause be amended by the substitution of the words, “section 22

of this Ordinance” for the words “in the last preceding section”.

Question put, and agreed to.

Clause 25 passed as amended.

The Chief Secretary: I would like to recommit clause 27, too.

Question put, and agreed to.

Clause 27 recommitted. — *Interference with brigade.*

The Chief Secretary: Two points were raised on this clause: one was as to whether this clause provided a penalty for an infringement of clause 24. I am advised that if any action were taken under clause 24 by a police officer and that action was disobeyed, there is appropriate sanction and penalty under the Police Ordinance. If any member of the Fire Brigade gave an order under 24 and it was disobeyed it would be a breach of 27 and it would be covered by 27, so there is no need for an amendment to cover that. But it was also suggested that it can be quite a serious offence and that the penalty did not seem sufficiently severe. That point has been considered and I would like to move that at the end of the clause as printed be added the words “or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment”.

Question put, and agreed to.

Clause 27, as amended, passed.

The Chief Secretary: I beg to move that the Council do now resume.

Council resumed.

The Chief Secretary: I beg to report that the Bill intituled: “An Ordinance to provide for the establishment of the British Guiana Fire Brigade and for purposes connected therewith” has been approved in Committee,

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

The Attorney General: I beg to second the motion.

Question put, and agreed to.

Bill read a third time and passed.

LABOUR (CONDITIONS OF EMPLOYMENT OF CERTAIN WORKS) BILL

Second reading of the Bill intitled:

"An Ordinance to amend the Labour (Conditions of Employment of certain Workers) Ordinance."

The item was deferred in the absence of the Member for Labour, Health and Housing (Mr. Cummings).

ADJOURNMENT

The Chief Secretary: I move that Council be adjourned to Thursday next.

Mr. Speaker: I think Mr. Jailal wishes to raise a matter of some importance.

The Chief Secretary: I do not know what the hon. Member wishes to raise.

Mr. Jailal: It is a matter of general public interest.

Mr. Speaker: What you have spoken to me about has already taken effect?

Mr. Jailal: Yes, Sir.

Mr. Speaker: I have no objection, if Members have none. The hon. Member wishes to draw Government's attention to something. I see no harm in his doing so.

INCREASED PRICE OF GASOLENE

Mr. Jailal: I really wish to draw the attention of Government to the situation with respect to the prices of gasolene, fuel oil and lubricants. Our whole economic programme, everything agricultural depends upon fuel. Now that we have condemned steam power and pushed it into the background we are dependent solely on gasolene and its by-products. I remember well that when the bulk storage tanks were being built here it was said that the aim of the companies was to provide fuel at a somewhat stabilised rate, and that bulk storage would ensure a supply of gasolene and gasolene products. But in course of time, the price of fuel has taken serious jumps. It is now up by seven cents. I am not referring to the extra penny per gallon demanded by the distributors of gasolene at the filling stations, but to the bulk supplies.

I am reliably informed that the price of fuel has jumped, and at a time when rice farmers are in the throes of ploughing, which means that production costs will go up more. In a few weeks we are going to be discussing about rice prices at the level of the Regional Economic Committee, and I wish to draw attention to the fact that while we have to negotiate through the Regional Economic Committee the price at which we are to sell our rice, which has assumed great importance in the economy of this country, in the case of the price of gasolene there is no such high level discussion. As a matter of fact the producers of gasolene just decide to demand higher prices and British Guiana, which is now a large consumer, has to pay the increased prices. I think that if Government permits such a state of affairs to continue we may one day wake up and find that Gov-

[Mr. Jailal]

ernment will have to subsidize all the industries which use this fuel.

I do not know how we could break the ring. It is a ridiculous situation that oil producing companies should be able to dictate their prices to the world at large. It is a wrong thing that while Trinidad just decides to charge more for its gasolene and British Guiana has to pay more, we in this Colony cannot arbitrarily decide to put one cent more on a pound of rice. I wish Government would do what it can in the circumstances, because these increased fuel prices will increase our cost of production. We are using oil fuel from the ploughing to the milling stage of our rice production. We have no more steam mills.

I remember the days when we were buying it at 18 cents a gallon. Today, the price is as high as 43½

cents a gallon. It is going to ruin our agricultural economy because we depend so much on its use.

Mr. Speaker: I cannot permit a debate on it. I hope that the statement you have made will be considered by those who have to deal with the question. Does the hon. Member know if there has been any increase of the price in Trinidad?

Mr. Jailal: I am not aware of what has happened in Trinidad, but from what I have learnt a similar thing has happened there. The Companies just decide to put on an increase arbitrarily. It is my feeling that they are just taking as much advantage as possible of the Suez Canal situation.

Mr. Speaker: Council stands adjourned to 2 p.m. on Thursday, next.

Council adjourned to 2 p.m. on Thursday, 4th April, 1957.