

**THE
PARLIAMENTARY DEBATES**

OFFICIAL REPORT

[VOLUME 7]

**PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE NATIONAL
ASSEMBLY OF THE THIRD PARLIAMENT OF GUYANA UNDER THE
CONSTITUTION OF GUYANA**

29th Sitting

2.00 p.m.

Wednesday, 24th November, 1971

MEMBERS OF THE NATIONAL ASSEMBLY

Speaker

His Honour the Speaker, Mr. Sase Narain, J.P.

Members of the Government

People's National Congress

Elected Ministers

The Hon. L.F.S. Burnham, S.C.,
Prime Minister

(Absent)

Dr. Hon. P.A. Reid,
Deputy Prime Minister and Minister of Agriculture

The Hon. M. Kasim, A.A.,
Minister of Communications

The Hon. H.D. Hoyte, S.C.,
Minister of Finance

The Hon. W.G. Carrington,
Minister of Labour and Social Security

The Hon. Miss S.M. Field-Ridley,
Minister of Health

(Absent - on leave)

The Hon. B. Ramsaroop,
Minister of Housing and Reconstruction (Leader of the House)

The Hon. D.A. Singh,
Minister of Trade

(Absent)

The Hon. O.E. Clarke,
Minister of Home Affairs

The Hon. C.V. Mingo,
Minister of Local Government

(Absent)

The Hon. W. Haynes,
Minister of State for Co-operatives and
Community Development

(Absent)

Appointed Ministers

The Hon. S.S. Ramphal, S.C.,
Attorney-General and Minister of State

The Hon. H. Green,
Minister of Works, Hydraulics and Supply

The Hon. H.O. Jack,
Minister of Mines and Forests

The Hon. E.B. Mc David,
Minister of Information and Culture

The Hon. Miss C.L. Baird,
Minister of Education

(Absent – on leave)

Parliamentary Secretaries

Mr. J.G. Joaquin, J.P.,
Parliamentary Secretary, Ministry of Finance

Mr. P. Duncan, J.P.,
Parliamentary Secretary, Ministry of Agriculture (Absent)

Mr. A. Salim,
Parliamentary Secretary, Ministry of Agriculture

Mr. J.R. Thomas,
Parliamentary Secretary, Office of the Prime Minister

Mr. C.E. Wrights, J.P.,
Parliamentary Secretary, Ministry of Works, Hydraulics and Supply (Absent)

Other Members

Mr. J.N. Aaron
Miss M.M. Ackman, Government Whip

Mr. K. Bancroft

Mr. N.J. Bissember

Mr. J. Budhoo, J.P.

Mr. L.I. Chan-A-Sue

Mr. E.F. Correia

Mr. M. Corrica

Mr. E.H.A. Fowler

Mr. R.J. Jordan

Mr. S.M. Saffee

Mr. R.C. Van Sluytman

Mr. M. Zaheeruddeen, J.P.

Mrs. L.E. Willems

(Absent - on leave)

Members of the Opposition

People's Progressive Party

Dr. C.B. Jagan, Leader of the Opposition

Mr. Ram Karran

Mr. R. Chandisingh

Dr. F.H.W. Ramsahoye, S.C.

Mr. D.C. Jagan, J.P., Deputy Speaker

Mr. E.M.G. Wilson

Mr. A.M. Hamid, J.P., Opposition Whip

Mr. G.H. Lall, J.P.,

Mr. M.Y. Ally

Mr. Reepu Daman Persaud, J.P.,

Mr. E.M. Stoby, J.P.,

(Absent)

(Absent)

Mr. R. Ally
Mr. E.L. Ambrose
Mrs. L.M. Branco
Mr. Balchand Persaud
Mr. Bhola Persaud
Mr. I.R. Remington, J.P.
Mr. L.A. Durant
Mr. V. Teekah

(Absent - on leave)

(Absent)

United Force

Mrs. E. DaSilva
Mr. M.F. Singh
Mr. J.A. Sutton

Independent

Mr. R.E. Cheeks

OFFICERS

Clerk of the National Assembly – Mr. F. A. Narain

Deputy Clerk of the National Assembly – Mr. M.B. Henry

The National Assembly met at 2 p.m.

[Mr. Speaker *in the Chair.*]

Prayers

PRESENTATION OF PAPERS AND REPORTS

The Minister of Finance (Mr. Hoyte): I beg to present Financial Paper No. 6 of 1971 – Schedule of Supplementary Provision on the Current and Capital Estimates for the period ending 30th November, 1971 totalling \$9,207,917.

Your Honour, I beg to name Friday, 26th November as the date for its consideration.

QUESTIONS TO MINISTERS**GOVERNMENT PRIMARY SCHOOL BUILDING – MIBICURI**

Mr. R. Ally: I wish to ask the hon. Minister of Education Question No. 17 standing in my name on the Order Paper:

- (i) Will the Minister say whether she is aware that the condition of the Government Primary School building at Mibicuri, Black Bush Polder, is in such a state of disrepair that the teachers and children fear injury and the safety of their lives?
- (ii) Will the Minister say how soon it is proposed to repair the school?

The Deputy Prime Minister and Minister of Agriculture(Dr. Reid): I wish to answer the Question on behalf of the hon. Minister of Education. There should have been attached to this Question on the Order Paper, another Question. One Question is left out from that Notice Paper No. 48. I should like to answer both of them, No. 17 and No. 18.

Mr. Speaker: The Question is divided into two parts:

- “(i) Will the Minister say whether she is aware that the condition of the Government Primary School building at Mibicuri, Black Bush Polder, is in

such a state of disrepair that the teachers and children fear injury and the safety of their lives?

(ii) Will the Minister say how soon it is proposed to repair the school?"

Dr. Reid: There is another Question appearing on the Notice Paper that was published, but it is not on the Order Paper. *[Interruption]* I could have answered all the Questions that came from the hon. Member. Question No. (i), the Ministry of Education is aware of the condition of the Mibicuri and Joanna Schools and did arrange for the Ministry of Works, Hydraulics and Supply to carry out maintenance works.

2.25 p.m.

Mr. Wilson: May I ask a supplementary question. How long ago did the Minister make the arrangements for the Ministry of Works, Hydraulics and Supply to carry out these works? Was it done after the Question was submitted or before?

Dr. Reid: Before the Question was submitted.

Dr. Jagan: Will the Minister say what is the state at the present time? Have the works been completed?

Dr. Reid: The works were completed, but it is sad to note that continuous vandalism in the area poses a constant problem of disrepair. The windows are broken, pipes are broken and thus the state of disrepair is continuous.

Potable Water supply at Black Bush Polder

Mr. R. Ally: I wish to ask the hon. Minister of Works, Hydraulics and Supply Question No. 18 standing in my name on the Order Paper:

- (i) Will the Minister say whether he is aware that school children at Black Bush Polder are, due to the absence of potable water, forced to drink trench water?
- (ii) Will the Minister say whether he does not think this is dangerous to the health of the children; and if so, will he say whether it is proposed to make a supply of drinking water available to the settlers in the residential areas of the Polder?

The Minister of Works, Hydraulics and Supply (Mr. Green): I am not aware that the children at Black Bush Polder are forced to drink trench water; however, the schools at Joanna and Yakusari were getting their supply of water from shallow wells drilled during 1962-1963. The well supplying the school at Joanna was found to be blocked with stones, old pens and sundry garbage and, despite attempts in 1970 to wash these things out, the Pure Water Supply division was unable to make it as operational as before.

At Yakusari a supply is still available to the school from the shallow well there. The Pure Water Supply Division is now mobilizing for drilling operations first at Yakusari and then at Joanna and when these two wells are completed, supplies will be made available to the schools there. Adequate supplies are available at Mibikuri and Lesbeholden from wells in those areas.

With respect to the second part of the Question, I think everyone should be concerned about practices that are dangerous to health. It is, however, sadly apparent that the people of the area themselves are the least concerned.

The Ministry's officers have reported that in this area there has been large-scale and rampant vandalism. Destructive actions, such as the blocking of the well at Joanna area only too

prevalent. However, though a new well will be drilled to replace the blocked well it should be understood that the community is expected to act as guardians of social property.

Mr. R. Ally: Is the hon. Minister aware that there is a well at Lesbeholden and the water from it has been diverted to the Police Station and the G.R.C. houses at Lesbeholden and not to the schools in that area?

Mr. Green: That information is inaccurate, Mr. Speaker.

Mr. Speaker: The hon. Member, Mr. Teekah.

Mr. Teekah: I was going to ask the question which has just been asked by the hon. Member.

Mr. Wilson: As a supplementary question: In view of the fact that the Minister admits that certain wells have been blocked – let us say, through vandalism, as he puts it – is the Minister not admitting that there is no proper potable water available to the schools served by those wells that are blocked.

Mr. Green: I am not sure that is a question. It is abundantly clear that if something is blocked there is a restriction on the normal flow of water. I think the hon. Member is aware as to the way in which shallow wells dug between 1962 and 1963 operate.

Mr. Wilson: As another supplementary question: Since the Minister says that these wells were dug since 1962 and are blocked, will he say how long ago they were found to be blocked?

Mr. Green: From time to time wells were blocked and cleared. However, in 1970, we had a report which suggested that there was an unusual effort at blocking the wells and a serious

attempt was made to clear these wells as I said in my earlier statement, but the effort was not successful.

Mr. Wilson: As a further supplementary question: In view of the fact that the wells have been found to be blocked, will the Minister not agree that his Ministry has delayed too long in clearing the blockage? Does the Minister agree that shallow wells are unsatisfactory and, even if they were put in as a temporary measure in 1962 and 1963, does he not consider it is too long a period to have them remain as shallow wells if they are inadequate?

Mr. Green: I agree that the works done in 1962 and 1963 were most unsatisfactory. I also agree that it is an objective point of view whether we took too long or too short a time to deal with a particular complaint received by the district engineer.

Mr. Hamid: May I ask a supplementary question, sir. In view of what the Minister has said, will he inform the House whether the P.N.C. Government was displaying ignorance when it promised the nation at the 1968 elections that every home in the country would have a water tap on or before 1970.

Mr. Speaker: I shall not allow that question until it is framed properly and in parliamentary language.

Mr. Reepu Daman Persaud: Will the hon. Minister say whether any steps are being taken to bring temporary relief immediately to the schools so that children can get water in the mean time?

Mr. Green: We are already mobilized, as I said, to move into the area to provided relief. May I repeat: I did not put this in my original reply. Members across the floor are aware that the vandalism is not by accident. I think it is unfair for any Government to spend funds to repair public property, particularly in a place like a school, when some people who

come here make no effort to ensure that those things are properly kept and maintained. That is the crux of the matter.

2.35 p.m.

Mr. Speaker: In other words, those who perpetrate vandalism must suffer for it.

Mr. Green: I did not want to put it quite so bluntly, Mr. Speaker.

Mr. Wilson: Will the Minister say whether it is incompetence on the part of the Government to allow the area to remain in that way for persons to carry out vandalism and not for it to be properly protected?

Mr. R.D. Persaud: Will the Minister say if the schools at Black Bush Polder are provided with watchmen to protect that area?

Mr. Speaker: I think you will have to give notice of that.

INTRODUCTION OF BILLS

The following Bill was presented and read the First time.

Capital Issues (Control) Bill [*The Minister of Finance*]

PUBLIC BUSINESS

MOTION

SUSPENSION OF STANDING ORDER NO. 46

“Be it resolved that Standing Order No. 46 be suspended to enable the Second Reading and the remaining stages of the Capital Issues (Control) Bill, 1971, to be taken at the Sitting of the National Assembly on Wednesday, 24th November, 1971. [*The Minister of Housing and Reconstruction (Leader of the House)*]

The Minister of Housing and Reconstruction(Mr. Ramsaroop): Your Honour, I beg leave to move the Motion standing in my name. The Bill whose passage is now sought to be endorsed by this Motion is by its very nature one that smacks of urgency and immediateness, involving as it does, the movement of capital in current and pending transactions. In view of that circumstance, therefore, sir, no significant notice could have been given in this matter and the procedures contemplated by Standing Order 46 could not have been complied with. I am therefore asking, in view of the reasons I have just outlined that these Motion standing in my name be passed. I commend this motion to this honourable House.

Question proposed.

The Leader of the Opposition (Dr. Jagan): Sir, I wish to raise very strong objection to the taking of this Bill through all its stages in this House today. This House has grown accustomed to the Government almost without any exception rushing through major matters by the suspension of the Standing Rules and Orders. Bills which do not matter very much one gets notice of them in the appropriate time, for publication etc. But all bills which are either controversial or enunciating something new are tabled at the very last moment. This Bill was not published in the Official Gazette up to yesterday. I do not know if it was published today.

Mr. Speaker: I am so informed.

Dr. Jagan: Sir, we have from time to time objected to this procedure. In this particular case the hon. Minister a moment ago said that it has to do with something which is current and pending. If by this he refers to the public issue by the *Guyana Graphic*, I wish to remind the House that the Minister of Finance, nearly a month ago, if I am correct, issued a public statement

that the Government proposed to introduce legislation to deal with this matter. If that was so why is it it has taken a whole month for the Government to come at the last minute with such a Bill before this House and wanting to rush it through. Why did we not have it a week ago or two weeks ago? Is this the way to conduct the business of the House in this slipshod manner, in this cavalier manner.

Repeatedly, I have said that the Opposition must have time to study, all the members of the Opposition must have time to meet to have discussions on matters which are pending before the House, and you know, sir, it is our practice to do so. On many occasions there are legal ramifications; we would like to propose amendments if necessary. How can all these things be done, apart from the matter of principle, if there is not enough time for proper consideration.

It is disgraceful to act like this on so many occasions – repeatedly; this is not a question of an exception, it has become a practice in this House for the Government to act in this manner. I do not know whether the Government wants just to close up the Parliament. If it wants to do so, let it do so, and save the taxpayers the money all this paraphernalia and all the expenses involved. It has the power, it has the guns it can do so. It can move dictatorially.

Wednesdays are supposed to be reserved for Members Motions. I sent you a letter yesterday about taking a matter which I consider urgent, that is the shooting up of Dr. Joshua Ramsammy. Nothing has been heard about this matter. It has not been put on the Order Paper today. This National Assembly hardly meets; on rare occasions it meets. Motions are not brought, Questions few and far between are brought. Wednesdays which are reserved for Members Motions are by-passed and skipped. And when we meet on this one day, over night, we are presented with the bill. The public has no opportunity to see this bill much less to comment on it. Surely, democracy which we hear so much about from the lips of the Government Benches does not only imply a debate in this House. The public must also be aware of what is going on, other organizations must have a right to say, to give their views. There are many organizations and bodies which are vocal, and because of this vocal criticism the Government has resorted to shooting up its opponents. It does not want to discuss Motions like

that; it does not want to conduct an enquiry. And you, sir, allow the Government not to have those Motions brought here.

2.45 p.m.

This Bill confers all kinds of powers on the Minister as he may think fit to impose. There are no Regulations before the House by which he will act – something like the N.I.S. We agreed in principle then the Regulations are passed afterwards with a lot of loopholes which even the Government had to admit and up to now it has not corrected. I submit it is wrong in principle for this House to proceed on this basis and I further submit that the Speaker should use his authority not to allow applications of this type to be put on the Order Paper.

Mr. Speaker: Hon. Leader of the Opposition, may I invite you to address me on which Standing Order I have that power. If you are going to make a statement, it must be based on some Regulation or Rule.

Dr. Jagan: I should have been writing you a letter relating to the Standing Orders. We are dealing with Motions and Questions. You will get it.

Mr. M.F. Singh: The United Force objects in the strongest possible terms to this Motion before the House for the suspension of this Standing Order. These Standing Orders are supposed to govern the normal operations of this House and it is interesting to read what the Standing Orders say:

“An interval of not less than three clear days must elapse between the first and second reading of a Bill. . .”

and (3) states:

“No Bill shall be read a second time - -“

Mr. Speaker: I think hon. Member you should read the whole portion of the Standing Order.

Mr. M. F. Singh: The normal pattern is, three clear days must elapse between the First and Second. This is the exception, where it deals with the “unless”. That is the only reason we have it before the House. I did not think it was necessary to read it because if it were not right, we would not have had it here. If it were in order, it would not have been here. “. . . unless the Assembly on motion made and question put, agree to proceed with the Bill at an earlier date, or forthwith.” It also states in sub-paragraph (3):

“No Bill shall be read a second time before the expiration of seven clear days from the date of its publication in the Gazette and until it has been printed and circulated to Members.”

The Gazette publication is dated 24th November, today. The normal time should be seven clear days. Why is this indecent haste to get this legislation passed? The hon. Leader of the House attempted to give a reason. I cannot understand the reason up to now. If the reason is that the Government wants to stop the Graphic issue of shares, why was it not done so long ago when the Graphic issue of shares was first made known to the public.

I received a copy of this, it is true, yesterday, but I am not a dictator and my party does not work along dictatorial lines. My colleagues are entitled to see, to read, and to study this Bill. So indeed are the people of Guyana entitled to study, to read and criticise. We are entitled to seek advice from our advisers. We are entitled to enough opportunity to take advice as to the real provisions of this Bill. We are entitled to see what Amendments, if any, may be necessary to the legislation. How can we possibly do this? In the case of my colleagues, they are seeing it for the first time.

It seems to me that the result of this suspension of the Standing Order would be to pass legislation to stop the Graphic issue of shares, and it seems that this legislation is intended also to control any issue of shares to the public, or transfers of shares to the extent that the Registrar

before registration will have to ascertain whether the person to whom the transfer is being made is an alien or not. Stopping the Graphic issue may well result in frustration for the Graphic and the end result may be that the Graphic will pull out of the country with 170 to 180 people, direct employees of the Graphic, being out of employment, with an unemployment situation which is really terrible.

This is what we are asking the Parliament to do. We are asking the Parliament to suspend this Standing Order in order to push through this legislation which will have these results at a time when the Prime Minister is calling foreign entrepreneurs to come and invest in this country. Here is legislation going through in a single day, without any prior consultation, to prevent people from coming into the country to invest their money. If there is not the political climate, if there is not the kind of legislation which is conducive to investment, nobody will come here to invest.

How has this come about? This has come about after the Government entered the newspaper field, after Government participation in the Chronicle venture. It suddenly realized that the Thomson enterprise was a monopoly, that in Guyana the Graphic was a monopoly. But it is only one of two daily papers. I am talking about the results of this Motion if it is passed. How can we make a meaningful contribution to this or to any debate here? How can we put forward Amendments? No prior consultation. Just stuck before my colleagues this Morning. What are we here, a mere rubber stamp? What have we got in Guyana today, a dictatorship whereby Government says by virtue of a monopoly we will go through this Bill in all its stages today and as long as we say so it will be so? That is the end of the matter.

Forget about the Opposition, forget about their views, forget about consultation, just let us pass the legislation through Parliament. Mr. Speaker, we could not be a party to this and we would urge you not to allow this Motion. We feel that this is stifling the individual. It is really directly and fundamentally opposed to our human rights, the fundamental rights embodied in the Constitution. Indeed, it is a breach of the Declaration of Human Rights of the United Nations. This is what I say and this is certainly my view.

Mr. Speaker, I think it would be a sad day indeed in Guyana and this Parliament were to be faced with the kind of situation which the Government wants, merely to rubber stamp Parliament, indeed, merely to insult Parliament by sticking something under our noses and saying, yes we must go through this today in all its stages. We could not possibly agree to this.

Mr. Wilson: Mr. Speaker, this Government usually makes two boasts. Number one, that it is a consultative democracy, number two, that it is a workers' Government. I should like very briefly to discuss this aspect of the matter.

2.55 p.m.

Where is the consultation, when an important measure like this is thrust upon this House with such indecent haste? How can this be in the interest of the workers when, as I understand it, the workers at the *Guyana Graphic* are in the process of acquiring and controlling the company? The workers are purchasing shares and they should be consulted.

Will the Government say to what extent it has consulted the workers at the *Guyana Graphic* whose interests are, or will be, very much affected by this measure? Have the workers been given an opportunity to say that this Bill should have been published long ago so that they, the workers at the *Guyana Graphic*, especially those who are purchasing shares, could have expressed an opinion? Perhaps the Government thinks that it is protecting their interests, but they should have been given an opportunity to say what are their views on this matter.

This Government has failed in its boast about consultative democracy. It has also failed the workers because it cannot claim to be a workers' Government when it denies workers in an enterprise an opportunity to be consulted.

I would like, in passing, to say that the haste with which this measure is brought indicates one of two things: either incompetence on the part of the Government that although it has been thinking along these lines for over a month it has taken such a long time to bring this measure forward and in so doing has denied this House its proper right of studying the Bill; or if that is

not so, then it shows total disregard for this House and for the people and workers concerned. Because of this, I do not think my party will be in a position to support this Motion.

Mr. Sutton: Just by a casual glance, I would say that this measure is very vital. I saw this Bill when I came in here today. The Order Paper has been in my house for a few hours but this Bill was not sent with the Order Paper. I saw it for the first time here.

At a casual glance it is clear that this Bill is one of the most vital Bills ever published in this country. It is a Bill that will affect the economy of the country as a whole, the whole investment climate. Whether one agrees with it or not, is at the moment academic.

This Bill is so vital that it must be studied in order that constructive amendments may be put up in relation to the controls to be effected. It is impossible to think that this measure does not need as wide a consultation as possible. This should be studied by the best brains in the country because it is introducing a factor important to the economy of the country. This change is being made overnight without anyone being given an opportunity of contributing, constructively or otherwise, to the method of change.

This is a situation that cannot be allowed to continue. If you, sir, the hon. Speaker of this House, permit this, you will be the person who, in the end, will have to accept the blame for allowing what may be a rape of the Constitution.

Mr. Speaker: I am afraid, hon. Member Mr. Sutton, that I do not have the control. There is a Motion before the House and if the House approves of the Motion, then the blame is on the House. If the House does not approve of it, then it does not.

Mr. Sutton: I apologise for my choice of words in this matter. One thing I would say, however: this is so important that we think that whatever influence, by way of advice or otherwise, you may have, sir, we hope you will recommend caution when such a Bill is put through at a moment's notice.

Under the provisions of this Bill private companies, family companies, will not be able to move their own private money in this country. This reminds me of the proverb that we all know: To get at Peter you have to punish Paul.

We are not questioning whether it is right for the Government to bring this Bill. This is not the point at all. What we are questioning is the undue haste. Months ago the Guyana Graphic published that it was selling shares. A temporary stoppage could have been made in order to give persons an opportunity to study it. Now, at a moment's notice, there is a comprehensive Bill to control the whole situation. It will be pushed through and the members of the Opposition, the organizations and financial houses that will be vitally affected will not get a moment to consider it. Is that what we have come to?

As the hon. Leader of the Opposition said, if this is to be a dictatorship, wipe out Parliament and be finished with it. We stand here and talk about democracy. I am underlining in a different way what has been said by the Leader of the Opposition and the leader of this section of the Opposition. Their views must be endorsed very strongly.

I hope that the Government will be dissuaded from attempting to rape democracy in this manner when it attempts to push through such an important measure without giving anybody an opportunity to study it. The question as to whether it is right or wrong to bring such a measure is strictly academic.

Mr. Speaker: The hon. Member, Mr. Ram Karran.

Mr. Ram Karran: Today is Wednesday. Today is reserved for Members' day.

Mr. Speaker: Hon. Member, I do not think that is a precedence. It does not say that Wednesday is reserved for Members' business.

Mr. Ram Karran: It has been the practice in this House for many years, and in many Houses of Parliament, that a day is reserved for Opposition business.

Before Your Honour interrupted me I was going to say that this has been the tradition except for the period since our friends across the Table have taken responsibility in Guyana.

Let us take your interpretation, sir, that Members' business takes precedence on Wednesdays. Can you recall when last Members' business was taken up in this Assembly? Can you recall the large number of Motions and large number of Questions which still await attention in this House?

One can readily sympathise with my friend the hon. Deputy Prime Minister and Minister of Agriculture when he fumbles through to find the reply to the Question asked by my friend on this side of the Table. Actually, the hon. Deputy Prime Minister and Minister of Agriculture was a little bit more honest than his party wanted to be. The party was carrying out its policy of sprinkling the Questions and Motions of Members one a month, so that by the end of the year they will be able to say, "We met on so many Wednesdays and we dealt with a few Questions asked by the Opposition. The Opposition has been given a fair deal." That is what the members of the Government were trying to do.

I referred to them the other day as smart alocs. They propose to be smart alocs in so far as the Motions and Questions of the Opposition are concerned. That is why the second Question did not appear on the Order Paper. It gives them an opportunity to include it at another sitting when a Bill like this comes up. They can then say, "The Opposition is being attended to."

I have given notice of a Motion urging censure against an hon. Minister who is now parading in People's China as a great senior Minister. I have urged action against him for dishonesty. In that same Motion is a request to investigate a senior police officer who admitted in the Supreme Court of this country that he had tampered with elections in this country. That Motion has not yet seen the light of day.

What is Government doing about those things? It brings before us a few Questions about Black Bush Polder and says, "Today is Wednesday; Members get precedence, and therefore we have dealt with those Questions."

3.05 p.m.

The issue is that today should be allocated for Members but the Government is not bringing Members business here. What it has brought? It has brought a Bill; a Bill that has far-reaching

consequences; a Bill which I saw for the first time when I came in this Chamber today; a Bill which requires the attention of a large number of people who will be affected but the Government does not give you time.

Your Honour says that you have no power to stop the Parliament from debating this Bill. What does the Standing Order says? My friend the leader of the United Force was saying that with certain exceptions so many days' notice should be given. One would understand from that that in the case of minor bills and amendments to bills the House might be able to waive the notice, but in a case where this thing is of such a fundamental nature, where this thing is of such importance to a large section of the Guyanese community, not necessarily the P.P.P. because we do not hold shares and so on, the Government ought to give an opportunity for its reaction. That is what hon. Members demanded when they were over here. I am sorry the hon. Minister is not here.

Why is it they are treating their friend differently than they wanted to be treated? Why? This Government is now moving towards a dictatorship. We have said so a long time ago and these are writings on the wall. It wants to set up a dictatorship. You know why, sir? The point was made the other day and perhaps it is worth repeating. This Government claims that it wants to protect the Guyanese people, they must not buy shares in this Company. The hon. Minister of Finance said that he had a talk with Lord Thomson and perhaps Lord Thomson did not treat him as he expected to be treated – he did not say so. But it wants to protect the Guyanese people. It is not that it wants to protect the people what it wants to do is to protect itself.

We are no supporters of the *Graphic* or Lord Thomson, we are not friends, but if the Guyanese people were to buy shares in the *Guyana Graphic* throughout Guyana and that the concern becomes the property of the Guyanese people or – *[Interruption]* There is mass support for the *Guyana Graphic*; the *Guyana Graphic* has been its supporters. You will remember all the time through 1957 up to 1964 the *Guyana Graphic* had been supporting this Government. In fact, the Prime Minister's relative is the Editor of the *Graphic*. Up to now it is still feeling that because it believes in the same ideology that the *Graphic* will not go. But if a large number of Guyanese take shares and they buy the *Graphic* newspaper it means that the property of the

dictatorship is going to flop, the *Daily Chronicle* is going to flop as it has flopped so many times before. That is what this Government seeks to protect, not the Guyanese people. My friend talks about vandals! But these are the vandals! There they are! The owners of Green Land Co-operative, they raid the country and the treasury and come here and call people vandals!

Mr. Speaker: The hon. Minister of Finance.

Mr. Hoyte: Your Honour, it is interesting to observe and to note the ravings of the hon. Leader of the Opposition, and also of the hon. The hon. Deputy leader of the Opposition who reminds me of an amoeba every time he gets up to speak. But sir, I recall in 1967, if I am correct about my date, when the hon. Leader of the Opposition and others of his colleagues had the temerity to bring a libel action against the *Daily Chronicle* when that paper had said that they were responsible for murdering people in 1964. When the case started and that distinguished lawyer, Mr. J. T. Clarke, started to cross-examine and the facts started to come out, they withdrew. The hon. Leader of the Opposition withdrew a case of libel in which he and others like him had been accused of murder. Therefore it ill lies in their mouths to - - *[Interruption]*

Mr. Speaker: Order, order.

Mr. Hoyte: Therefore, it does not lie in his mouth to sit down there and talk about this Government killing people. Perhaps if we were to go into that sort of thing and refer to the killing of Akbar Alli by the P.P.P., if we were to talk about the Killing of Clifford, - -

Mr. Speaker: Hon. Minister of Finance will you please go on with the reply.

Mr. Hoyte: All sorts of assumptions have been made for the bringing forward of this Bill. Many reasons have been attributed to the Government which the Government has never said, which no Minister has ever said, which I have never said. This Bill is urgent and, because of its very nature, it is necessary that it be treated with dispatch. I will ask hon. Members to support the Motion moved by the hon. Leader of the House.

Mr. Reepu Daman Persaud: Mr. Speaker, any responsible person would have expected the hon. Minister of Finance this afternoon to tell the House the reason why this Bill

had to be brought in the present fashion. Hon. Members of this House who have been elected by the people and who have got a responsibility and duty to the population of this country are expected to know from the mouths of those who the people pay, when Standing Orders which are suppose to govern he affairs of the Parliament are to be suspended in order to rush through a matter. Probably one was expecting the hon. Minister to say that he did not have enough officers in the Attorney General's Office or the Attorney General was not there to do the work. The time is right for a separation of the Attorney General's Office and the Ministry of External Affairs.

Mr. Speaker: Hon. Member Mr. Persaud, we need not go into what the hon. Minister ought to have said. Please confine your remarks to the Bill before the House.

3.15 p.m.

Mr. Persaud: Mr. Speaker, as a Member of Parliament I am sure it is my right to say what was expected of the Government. This is allowed in any Parliament. I had the opportunity of sitting in the House of Commons and I saw members in that forum allowed that privilege. I am not speaking against your ruling, sir, but I say in all humility that the Minister owes this House an explanation for calling upon Members to vote for the suspension of the Standing Orders.

Mr. Speaker: Hon. Member Mr. Persaud, you are entitle to say that but you are not entitled to say what the Minister should have said.

Mr. R. D. Persaud: Mr. Speaker, in order for me to justify my arguments, I must suggest to the House and at least to the hon. Member, what was expected of him in order to persuade me as a Member with a vote to vote on this important question. The Motion has passed the stage of mere suspension because a suspension is made, as one hon. Member made the point earlier, only when the circumstances are such that it would not be possible or convenient to expect the Government to do better to comply with the requirements of the

Standing Order. The Minister of Finance is a lawyer and this is the type of argument which the Members on this side would have expected from him to justify the suspension of the Standing Order. I am disappointed in his contribution this afternoon.

According to the Standing Order, the Bill is handed to the Clerk. It is envisaged that the Bill is circulated, even before it is printed in the Gazette, to the Members of this House in that the Standing Order states that the Bill can be given to Members and then subsequently published in the Official Gazette.

Mr. Speaker: I am informed that ten copies were sent to the Leader of the Opposition.

Mr. R. D. Persaud: Ten copies were sent very late to the Leader of the Opposition. He was not even in his office.

Mr. Speaker: I am merely saying it was sent before it was published.

Mr. R. D. Persaud: Mr. Speaker, I tell you what the Standing Orders say. It is not the duty of the Clerk to send ten copies to the Leader of the Opposition. It is the duty of the Clerk to circulate it to every Member of the House. The Leader of the Opposition is no messenger; he holds a constitutional post as provided in the Constitution; it is not his duty to do the work of Government by circulating copies of a Bill to every Member of the House. The time has come not only for members of the Opposition to be vocal about the growing dictatorship in the country and the disregard by the Government for the feelings, wishes, and aspirations and rights of the people of this country, but the time is ripe for every person who is worth his salt, whether that person be the highest person in the land, whether that person be a Speaker or otherwise, to stand up for what is right and just in the country.

Mr. Speaker, earlier you were trying to find out how you can be involved in this matter. My humble suggestion is, looking at Standing Order 20 (2) as a layman, I would wish to interpret the Standing Order to mean that Mondays, Tuesdays, Thursdays, and Fridays, four days of the week, are available for Government business. It is my humble view that the Speaker is the custodian and guardian of these Standing Orders. It can mean nothing else. Secondly, if Members of Parliament feel that these Standing Orders are not being upheld and the Government

is moving to violate the Standing Orders, then to who must Members turn for a ruling. I submit that Members have no one except you, holding that important position, to turn for your ruling and guidance.

My further layman's interpretation of the Standing Order is that Wednesday is clearly a day when Private Members' business takes precedence over Government's business. If the Office of the Speaker is in possession of Motions and Questions from Opposition members, it is reasonable to assume that the Speaker is the person who will direct what Motion should go on the Order Paper on Private Members' Day

Mr. Speaker: Hon. Member, let me disabuse you mind immediately of that. It is not the Speaker who fixes the Order Paper.

Mr. R. D. Persaud: I am not discussing the Order Paper in general. I am merely speaking about Wednesday. I am saying that as a Member of Parliament, I wish to complain to you that you are the only one to whom I can complain if these Standing Orders are not observed. Since the Standing Orders say that Wednesday is the day on which Private Members' business should take precedence over Government business, I am saying this Standing Order is not being adhered to. If it is not being adhered to, I am not saying who is responsible for the violation of this particular Standing Order, but I wish to call your attention to the fact that as a Member I have got several Motions tabled and I would have expected my Motions today to take precedence over Government business. This is my interpretation of Standing Order 20 (2). This is where I submit that you come in as Speaker of this Parliament.

Mr. Speaker, I had the special privilege and honour to speak with the Speaker of the Indian Parliament, Mr. Dhillon, when he was here, and he assured me that he was the person who decided on these matters. He is the one who is vested with that authority.

Mr. Speaker: Surely, hon. Member Mr. Persaud, that is dependent on what the Standing Orders of the Indian Parliament provide. We are concerned with what we have here and I am pleased that you have brought this to my notice and invited my views on it.

Mr. R.D. Persaud: He said that his Standing Orders are more or less based on the Standing Orders of the House of Commons after which our Standing Orders have been patterned, so there is a similarity between Guyana's Standing Orders and the Standing Orders of India.

Mr. Speaker: On what basis have you rationalized this when we have no illustration here to show that.

Mr. R.D. Persaud: I only included that name of Mr. Dhillon to point out how he acts as a Speaker in India. Forget Mr. Dhillon. I say with all humility that the provision of our Standing Order gives you the right and authority to protect us as Members of this House. The provision of Standing Order 20 (2) gives you the right to ensure that Private Members' business takes precedence over Government business on Wednesday.

Mr. Speaker: It means that whatever Private Members' business is on the Order Paper, it must take precedence.

Mr. R.D. Persaud: Mr. Speaker, my reply to that is simply this, that unless you, Mr. Speaker, place our business on the Order Paper on Wednesdays, it will not get on the Order Paper.

3.25 p.m.

Mr. Speaker: I have already said that it is not my duty.

Mr. Reepu Daman Persaud: Probably the advice given to you by the Law Officers is not correct. I think you should seek outside advice on this matter.

Mr. Speaker: Parliament has voted no money so it cannot go to a private independent council for advices.

Mr. Reepu Daman Persaud: Today the Motion before the House is not merely to suspend Standing Order 46. The Motion does not include Standing Order 22 but Standing Order 22 is being suspended. As a Member of Parliament, I think I am entitled to discuss my business here. Today the Government is not merely suspending Standing Order 46 to prevent Members of the Opposition from having a reasonable time for the examination of the Bill, and to prevent the public from scrutinizing it, but it is violating 22 of the Standing Orders. This is where I feel that you come in, sir, to ensure that Standing Order 22 is observed and to ensure that on this day our business takes precedence over Government business.

As you look around this House, Mr. Speaker, you will see that two of our lawyers are absent. This Bill has serious implications. When one reads the Bills, one sees that it is not only a move to interfere with the Guyana Graphic. The Guyana Graphic is likely to be the first victim but one sees, on scanning through the Bill, that there are provision which will put tremendous powers in the hands of a single Minister to permit him to interfere with almost every existing company registered under the Companies Ordinance.

I am grateful to the hon. Minister who has conceded that I did not read the Bill. He did not expect me to read the Bill when I first saw it today at midday. The Minister is therefore adducing facts to support the Opposition's suggestion that this matter be deferred.

I wish to point out to the Government that this Bill has far-reaching implications. We would like to examine it in its entirety. We would like to be advised, legally, or all the implications of the Bill so that as elected representatives of the people we can come into the House and make an intelligent contribution on this matter.

I would therefore urge the Government to allow postponement of the Bill for a minimum of two days – This is not an unreasonable request – to allow us to read and examine the Gill, to discuss it with our members and to come back to state one views and take a stand on the matter.

If the Government believes in its many slogans of “consultative democracy”, “meaningful participation” and so on, it is offered an opportunity this afternoon to demonstrate these by action. If the Government ignores the pleas of the Opposition and our suggestions for a

reasonable amount of time to examine the Bill, then it stands indicted as a dictatorship, as a ruthless and arrogant Government that cares little about public opinion and the rights of the people of this country.

The Government can vindicate these charges by acceding to our request for a postponement for a minimum of two days.

Mr. Speaker: The hon. Member, Mr. Harry Lall.

Mr. Lall: It is my duty to report to you, Mr. Speaker, when hypocrisy is practiced instead of democracy. You are the guideline to justice. I look at that chair given to us as a gift from India and I observe the works above your head, sir. Whether we are in the Opposition or in the Government we expect you, sir, to hold the balance evenly, because we are all under your jurisdiction and your protection is this House.

We were not elected by two, or five, or fifteen thousand people. We were elected to this Parliament by over 125,000 adults. These were not phantom votes. That being so, it is clear that when we make a contribution we should make a contribution we are making and we should make our contribution in the interest of the nation and country as a whole.

Your Honour, I should like you to be the judge. If I came into this Parliament at 2 o'clock and received a copy of this Bill at that time, I would ask the Government, through you, what type of contribution the Government would expect me to make? Does the Government want the people in the outside world to say that sheer ignorance is in the Parliament of Guyana? I surely do not want this and I am sure that you, sir, who are holding the highest office in this honourable House, do not want this.

3.35 p.m.

We are here to make law and break law. Here we have a Bill to make law in Guyana to include it in the Statute Book of Guyana. Is it democracy not to allow us to study the Bill before making

our contribution to include a law in the Statute Book of Guyana? Is this justice Your Honour? Through you let me appeal to the Government for the sanity of the nation. We can say that we are indispensable, we are strong, we are powerful. No one is indispensable in this world. Therefore, anything you do, anything the Government does, it must be justified not by the Parliament but by the nation.

It is said the world is based on an orderly progression of life and death, of living and dying, with the old making way for the new. At least let the Government know that when the new replaces us in this House we have set a democratic standard which the new should follow. We should build a country; we should build a nation that should follow the pathway of democracy.

Your Honour, I know the Government has the majority, If the Government brings legislation to protect the Guyanese people, to protect the finance of Guyana, we will not stand in its way. The writing is on the wall. When this Government wanted to nationalize the Demerara Bauxite Company we stood shoulder to shoulder with it and we agreed. A Motion was passed in this hon. House to nationalize DEMBA.

Is it unreasonable for us to ask to be given two days to read and consider this Bill before we can make our contributions? Is that too much for the Government to give the Opposition? I am appealing to the democratic conscience of the Members of the Government to allow democracy to prevail in this House. I am appealing to you, Your Honour, to uphold the dignity of your office and let justice not only be done but let it appear to be done.

The Motion might look simple, but it is downright bulldozing. In conclusion, I am appealing to your Honour to use your good office, to use your democratic office and to use your jurisdiction asking the Government to withdraw the Motion and to allow the Opposition a few days to consider the Bill before we make our contribution.

Mr. Speaker: The hon. Member Mrs. DaSilva.

Mrs. DaSilva: Mr. Speaker, it is amazing that according to which side of the House you sit so you speak. When Dr. Jagan's Government sat on that side of the House and when Mr.

Burnham was over here Dr. Jagan was accused of trying to take absolute control of the right of the citizens of Guyana. We of the United Force even joined in those days and supported and got the Constitution to give our country Independence when we were all against the right to stop an individual's freedom. Today we are having these Standing Orders suspended in order that the Government might push through a Bill that is going to control and interfere with the rights of people to transact their business whether it is a private company or a public company and the share issue of it. I am only a housewife and I know absolutely nothing about law but I have a right as a Member of the United Force, as a person elected to this Parliament, a representative of the members of the United Force, to be able to understand and to explain intelligently to members of the United Force what this Bill is all about. I am not a legal person. I do not understand legal terminology – the “ands”, the “buts” the “ifs”, the “whereas”, the “fors”, and the “because.” I have to seek advice. Our parliamentary group meets regularly. My leader is not a dictator. My leader was honoured by the hon. Minister to be given a draft copy of the Bill; my other colleague and myself did not have a similar copy. My leader did not say, “I have a copy so I can come here and speak. It is all right, it must go through”. We believe in democracy and the right of consultation and my leader meets with his parliamentary group to discuss the matter in order that we may know all about it. My learned colleague the hon. Member Mr. Sutton is well versed in the matters of high finance but as I said being a mere housewife I just know that 5¢ will buy one bora and things like that. Therefore, I must have my right, and I have a right to demand my right that more time is given for consultation. There are many other people in Parliament like myself, but maybe their pride would not allow them to admit that they only know that two and two make four, and they just cannot go into high finance, and they must meet with the rest of their group to have it explained to them.

3.45 p.m.

I wonder how many of the P.N.C. members on the Back Benches know what is in the Bill. Some were laughing away like mad, they do not know and could not care less yet they sit there and say they represent some of the citizens of Guyana. I wonder if the Prime Minister

asked some of them to get out at the street corners and explain what the Bill is all about if they would be able to do it. I do not think if they had six years they would understand. Let me give them that courtesy of saying they would if they had the opportunity to consult with the legal brains of the party. Let me give them that courtesy that they will have the sense and intelligence to go to Bourda Green and tell their people what the Bill is all about.

With regard to the issue of shares in Guyana, thanks to the patron of my party, Mr. Peter d'Anguiar, at Bank Breweries so many P.N.C. supporters have been given an opportunity to be real men because they were able to purchase shares in a public company. It is not the prerogative of the rich and the wealthy. Any small man with a couple of dollars to spare can purchase shares and he has a right to know and to be able to go into the matter and have it explained.

Seventy per cent of the employees of the Graphic bought shares in the company. What is going to happen? Is it democratic? These people do not really know what the word means. They just come here and bulldoze things through. As the hon. Leader of the Opposition said, if it were not a controversial Bill and the Government wanted to get it through, we would be willing to cooperate. This is a matter of vital importance. It not only concerns the people of the Graphic, the family concerns, the business organizations, but also the ordinary man and woman who has a few hard-earned dollars invested, who try to get a little interest for themselves, and they have a right to discuss and debate. Many of them belong not necessarily to the three recognized political parties but to church organizations, organizations that are pressure groups, organizations that are concerned. Everybody is more politically aware than they used to be and they know to go to the people who can help them, but with this Bill being bulldozed, how can they do it? And these people have the nerve to get up and say they are talking for the small man.

We hope the small man understands they could not care less what is happening to the small man or this Bill would not be pushed through the way it is being done today. How can this go on? This is a terrible state of affairs. The hon. Prime Minister gets up at the agricultural exhibition and tells us how we must make dhol with black eye instead of split peas. They want

to tell us what we must eat. The Minister of Information said the other day we must stop buying shoes and we must buy local-made sandals. Soon they will tell us what air we must breathe, or what newspaper we must read because if the Guyana Graphic is forced to close down, we will have one paper, only the Daily Chronicle selling the government propaganda.

What is the difference between the P.N.C. and what we used to say about the P.P.P.? The hon. Member Dr. Jagan must be smiling happily about this because what he wants is being put into practice. We are being forced to do things just because the Government says so. We are not given the opportunity to go into this matter and make a worthwhile contribution. From the time I have been in this House I have been wondering if the Government does want a worthwhile contribution. There again, we talk about consultation and constructive criticism, but when there is constructive criticism from this side in the general interest of the citizens of Guyana, the Government does not take it. Bills that are not controversial come before the House, Bills that are in the interest of the public, and when constructive suggestions come from the P.P.P. and from us in the form of Amendments, they are thrown aside. The Government uses its ill-gotten majority to throw them out.

Sir, I think we have been talking about Wednesday being Members' Day and you have been saying that all the Members' business has been dealt with and now this Government matter is pushed in. Only two weeks ago, I sent in to the Clerk, a Motion that concerns the health of the citizens of our country. I am asking that we have a flying doctor and radio doctor service established. I do not wish to speak on it but I wish to say that it has not even been circulated. I do not know when it will get on the Order Paper. And there are many other Motions.

Surely, Members' Day is Wednesday. Mr. Speaker, I think you have a duty to the Members of this House to see that their business does not pile up. Questions that one asks have never seen the light of day. It is your duty to see that a fair square and honest deal is given to the Members of this House where their business is put before the House for consideration. Then the Government's matters can come forward on any other day. Today is Members' Day. True the Standing Orders do not say you have got to tell them what is to go on the Order Paper, but I

am sure you will agree that you have ample opportunity, ample powers of persuasion whereby you can point out very discreetly: what about these Members' things that are piling up, let us get them through.

Let the citizens of Guyana see that everybody is given a chance; let them realize we have people in the House representing them, even though we have been allowed only so many votes, courtesy of the Government, and that we are given an opportunity to speak.

3.55 p.m.

This is not happening. It is, as I said, being pushed to one side. All the Questions and Motions by Members of the Opposition are not coming forward and yet here today we have this Bill the Capital Issues (Control) Bill, 1971, and an attempt to push it through. The Government wants us to support it but we cannot support it. This is not right; it is not democratic. This is absolutely wrong and to expect us to support it is absolutely ridiculous. Therefore, I would ask you, sir, to use whatever power you have to see that this matter is not bulldozed through today.

~~Mr. Speaker: – The hon. Member, Mr. Hamid.~~

Mr. Hamid: Mr. Speaker, the Motion to allow the Bill to be taken in all its stages before the Parliament today is rather wicked and malicious and offers even greater dictatorial powers to this fascist Government in Guyana.

Everyone seems to be asking the question: Why this haste? What has prompted this Government to bring this Bill before the House at such short notice and to move a Motion so that everything can be done within a limited time? In fact, the question asked is: Where is the consultative democracy? I have looked on top of the Table; I have looked below the Table; I have looked on the Front Bench and the Back Bench and I cannot find consultative democracy. I have looked at your head and I cannot find it; I have taken a peep at your seat, sir, to see if I could find consultative democracy and even there there is no trace of it.

I speak here today as Whip of the Opposition. This haste places me in a very difficult position to make the necessary contacts with our members so that we can have consultation prior

to attending this Parliament. The reason is that amendments may have to be made in many parts of the Bill. To this end, I find it rather restrictive when I try to organize members and to bring them together at a particular time to discuss a Bill of this nature.

The hon. Minister of Communications should have been here to listen to this because even telephones are not made available to Members of Parliament. There are, in fact, many Members of Parliament who have removed from one area to another. They have on several occasions made applications to have telephones installed in their homes but there seems to be no proper arrangements to have this done.

In cases like these, one must make the necessary communication. It becomes a very difficult thing to make these arrangements when Bills of this nature, pertaining to the interest of the country, are brought before the House to be discussed at such short notice.

It only goes to show, from the actions of the members of the Government, that they knew in advance what was going to take place at Sandbach Parker and C.D.C., in terms of retrenchment, that 500 to 600 persons would be retrenched at C.D.C. and about 400 at Sandbach Parker. When a Bill of this nature is brought before this House we must envisage that there will be greater unemployment in the near future.

— Why is this? Is the Government trying to destroy the relationship between the working-class people of this country? Is it really a Government of the people by the people? Surely it has been clearly indicated that rigging at elections and forcing Motions and Bills down the throats of members of the Opposition when making legislation is getting the Government nowhere.

The members of the Government have seen this from the very inception. There have been several other Bills. Nothing seems to be constructive; everything has to be brought back into this House time and again for amendments.

In view of this I call on this Government to withdraw this Bill immediately and give Members of the House an opportunity to study it in its entirety so that proper arrangements can

be made to discuss it and to make the necessary amendments so that it will serve a useful purpose.

Mr. Speaker: Hon. Member, Mr. Hamid, do you propose to be much longer?

Mr. Hamid: About one minute, sir.

Mr. Speaker: Proceed!

Mr. Hamid: As I was saying, if the Government is moving to prevent the circulation of the *Guyana Graphic* so that the *Daily Chronicle* can take its place, then it is doing something very wicked which is doomed to failure. Already we have seen that practically nothing that the Government has put into motion has produced anything worthwhile. A Bill which is put before this Parliament with such haste, which aims at monopolising news media by bringing the *Daily Chronicle* into circulation, is also doomed to failure.

Mr. Speaker: Hon. Members, perhaps this is convenient time to take the suspension

Sitting suspended at 4.00 p.m.

4.45 p.m.

On resumption - -

Mr. Speaker: When the House suspended the sitting the hon. Member Mr. Hamid had finished speaking on the Motion. The hon. Member, Mr. Teekah.

Mr. Teekah: Mr. Speaker, when the House was adjourned on Monday evening to today, Wednesday 24th November, it seemed rather strange to me that the Order Paper was not circulated to members although the Government knew that the Assembly would be meeting in two days' time.

Knowing that Wednesdays are Private members' days, it occurred to me that it was possible that my Motion, or Motions from the Opposition benches, might be taken at this sitting. Not having the Order Paper, yesterday afternoon I telephoned the Clerk of the Assembly and

enquired what was being taken today. I have tabled several Motions and I was interested to know if any of those Motions were coming up today.

The Clerk said that no Motions from Private Members were on the Order Paper and that the Order Paper would be circulated last evening. As explained by the Clerk, I did have a copy of the Order Paper last evening, but the Bill which was mentioned in the Order Paper was not circulated with it.

It is indeed regrettable, and must be criticized, that Private Members' Motions have not been taken today, Wednesday. It is clear in the Standing Orders of the National Assembly that on Wednesdays Private Members' business must have precedence over the Government's business.

As a matter of fact, when the discussion was going on earlier as to the authority of the Speaker in fixing the Order Paper, or seeing to it that Motions of the Opposition Members get on the Order Paper, I checked the Standing Orders and I see, sir, that paragraph (2) of Standing Order 20 states:

“Subject to the provisions of these Standing Orders, Government Business shall have precedence on every day except on Wednesdays when Private Members' business shall have precedence.”

Paragraph (3) points out:

“Government business shall consist of motions and Bills sponsored by Ministers and shall be set down on the Order Paper in such order as the Government think fit.”

The Standing Orders are clear as to who shall set down Government's business on the Order Paper, but they are silent as far as the setting down of Private Members' business is concerned. That is why on this side of the House we feel that there could be no other person we could look to but you, sir, to set down Private Members' business on the Order Paper. The

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Standing Orders are silent as to who shall set down Private Members' business on the Order Paper.

4.50 p.m.

Therefore it seems correct for us to look forward to you, sir, to see that our Motions and our Questions are placed on the Order Paper, and that on Wednesdays Private Members business should have precedence over Government's business. Today's Sittings and the arrangement of the Order Paper the priorities violate the Standing Orders.

It is true that the P.P.P. did not support your candidature to the Speakership of the National Assembly, but it is on your part that you should try to win the confidence of the Members on this side of the House.

Mr. Speaker: May I invite your attention to Standing Order 84? May I read for you?

“(1) In any matter not here in provided for, resort shall be had to the usage and practice of the Commons House of Parliament of Great Britain and Northern Ireland, which shall be followed as far as the same may be applicable to the Assembly, and not inconsistent with these Standing Orders nor with the practice.”

As far as I am aware and I have been advised the practice of this Assembly is that the Government fixes matters on the Order Paper.

Mr. Teekah: Mr. Speaker, the same clause 20 (2) states that Private Members' business shall have precedence on Wednesdays.

Mr. Speaker: Your question should have precedence over the others?

Mr. Teekah: No, sir. The point is that there are many other matters emanating from the Benches of the Opposition.

Mr. Speaker: Certainly hon. Member you can only deal with the Order Paper before the House. The procedure is Government fixes it by virtue of Standing Order 20 (3). That has been done as far as I have been advised from as long as this Parliament has been going on.

Mr. Teekah: That is good. That does explain why Government's business has taken precedence over Private Members' business today.

Mr. Speaker: That is not a correct statement hon. Member. Government's business has not taken precedence.

Mr. Teekah: Yes, sir, because Questions always come before Motions on any Order Paper.

Mr. Speaker: There is no Members' business.

Mr. Teekah: Yes, sir. There is Private Members' business. I have three Motions lying with the Clerk.

Mr. Speaker: Hon. Member please proceed.

Mr. Teekah: The point which I want to make very forcefully is that it seems clear from today's behavior of the Government that it is a studied policy of the Government to railroad any controversial piece of legislation in this Parliament. Name any controversial piece of legislation whether it be the Peoples Representation Act 1968 or the National Security Act.

The Government seems to have a studied policy of not allowing debate or a thorough debate on it. Here is another bit of manifestation of such a policy. It ought to be condemned because it recurs all the time. Why does the Government not allow controversial legislation to be fully debated and examined by the representatives of the people and by organizations in the country? Why does the Government not allow a free discussion and a free debate to take place? Is this asking too much of a Government which speaks about democracy? Is this too much to expect of the Government especially things which are controversial in character? It seems to be a regular policy of the Government always to push through controversial pieces of legislation.

Now Mr. Speaker, it is no getting away from the facts that the Bill which this Motion seeks to have debated through all its stages today is extremely controversial. If that Bill is made an Act it will have far-reaching consequences, very grave consequences. Therefore, it should be allowed to be thoroughly debated.

The Government speaks about consultative democracy. It is not the PPP Opposition which spoke about consultative democracy. It was the same Prime Minister who heads the Government now. It was not the PPP who spoke about the Co-operative Republic or introduced the Republic. It is that Government. Where is the consultation? Where is the co-operation? Could it be seen? One thinks about consultation and co-operation especially in matters like these, especially in things where the economy is involved. According to the Explanatory Memorandum of the Bill it is stated that the Bill will have far-reaching effects in relation to the economy of the country. But has the Consultative Association of Guyanese Industries been consulted? Have the Chambers of Commerce of Georgetown, Berbice and Upper Corentyne been consulted? This has not been done.

This Government speaks about involvement of the people. But where is involvement of the people in the Government's affairs? Right here the peoples' representatives are not being allowed to have a full debate on measures being proposed by the Government. By doing that sir, it means that the Government is violating its own principles set down by itself. The Government is ignoring what it says it believes in.

I would think that the hon. Leader of the House was not very serious when he said that this Bill ought to be rushed through all its stages today because there is a great urgency for it and there is very little time. Because what the Bill seeks to have accomplished could have been done not today but last week, or two weeks ago. There was knowledge of what was going on in the country. Therefore, there was ample time to set machinery in motion to counter what it is against.

Is it that the Minister of Finance ought to be blamed? Is it that the Minister of Finance is not competent enough to have brought this Bill before the House earlier? Is it that the law office is not competent enough? These are questions which come to mind immediately.

If the Minister of Finance is competent and the law officers are competent, and the fault does not lie with the Minister of Finance or in the law offices of the Government, then it has to be a studied policy, a deliberate effort on the part of the Government, to bring it today and not earlier. If it is not their fault, then it has to be that they did not want to bring it earlier because they wanted it to have the least possible discussion in the Parliament and not only in the Parliament but among the people. When people would have read the Bill, then people would have started expressing their views, the Consultative Association of Guyanese Industry, the various Chambers of Commerce, the trade unions and so on. Public opinion will have been expressed on this matter, very major in character, but the Government has shown clearly that there was a purpose of the Bill not being brought earlier and why a full scale debate was prevented.

It is very important that we should all speak out against grave infringements of the fundamental rights of the Guyanese people. It is important that all should express dissatisfaction and disgust with anything that is wrong and incorrect. Why must the parliament be run in this cowboy manner? Why must the Guyanese taxpayers' money go to pay 53 Members of Parliament and the Guyanese people's affairs are not properly conducted? We have a duty on this side of the House to explain to the people who we represent, what was passed on the 24th November. It is also true that those on that side of the House have an obligation to the people, who elected them, to explain to them what is being passed.

In all sincerity, I am sure that 25 of the 30 Members over there probably do not understand what is in the Bill. I am positive that no Member on the Government side, who is not a member of the Cabinet, has read that Bill from cover to cover, and I doubt whether all the Ministers have had the opportunity to study the Bill. Speaking for my party, we have not been able to study the Bill. We would like to contribute to the debate. This Bill puts some degree of control on the issues of capital but the Government knows very well that the P.P.P. has very

leftist views and it should know that the People's Progressive Party would give its support to any act in the interest of the people. If the Bill has things which are in the interest of the Guyanese people, we will support it but how can we support it or even oppose constructively if we have not read the Bill.

We are not contending that the Government ought not to have its measures put on the Order Paper. This is the Government's democratic right. But according to the norms of this Parliament, both sides of the House should have equal opportunity to discuss this measure. If we were to spring a Motion overnight on the Government and expect a Government Minister to reply to that Motion, sir, you would not allow it. It was only Monday that the Leader of the Opposition was told by you, that you would like to have letters coming from him, which signify his intention to raise matters of urgent public importance, not later than 11 o'clock that day, because Ministers would not have enough time to look at these Matters and to offer explanations.

One hon. Minister said that the Leader of the Opposition was sent ten copies of the Bill this morning. All the P.P.P. members do not live in Georgetown; one of our members lives in the North West. Others live in the Berbice area; others live in the Essequibo area. Anyhow, it is not his job to send out these things, and if the members on this side of the House are to constructively contribute to the business of the House, it means we must have ample time to discuss business. That is why it is important that we appeal to no less a person than you, sir, to see to it that the norms of a democratic Parliament are respected.

It is important that we struggle to see that the little bit of democracy that remains is not snuffed out overnight. It is our duty to struggle to see that the little bit of democracy that is here is retained. In short, it is our duty to see that there is greater democracy in this country. It is part of our struggles to see that greater democracy is achieved and that is why we must forcefully oppose this Motion proposed by the Leader of the House, because it is wrong to rubber stamp an edict of the Government.

And let it be known. This Government is becoming highly unpopular every day, and it must not want to rule by decree. Many of its former supporters are openly opposing the Government. Recently, at a meeting at Critchlow Labour College, many well-known supporters

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of the Government expressed opposition to Government's activities and it means more than ever, all its activities should be exposed to the people so that the people could have a say.

One hon. Member said, sir, that you are the custodian of the Standing Orders, therefore we look forward to you to follow in the footsteps and tradition of all good Speakers, to protect the rights and privileges of all Members, especially Opposition Members of this National Assembly.

5.10 p.m.

It is not asking too much when we ask the Government to defer debate on this Bill for at least two days. We have not said that we oppose the Bill. We are speaking about the principle. Let us be very clear: We have not said we oppose the Bill or we are in favour of the Bill. What we are saying is that we would like to have time to study it to see if it is in the interest of the people. If it is in the interest of the people, we will support it. If there are clauses which are bad we will criticise those clauses and will propose amendments. This is what we want. Therefore, the ball is now in the Government's court. It is for the Government to see that the correct thing is done. Defer the debate for at least two days and then let us have a full-scale debate. Where we think it necessary to support we will support; where we must oppose in the interest of the people we will do so. *[Applause]*

“Be it resolved that Standing Order No. 46 be suspended to enable the Second Reading and the remaining stages of the Capital Issues (Control) Bill, 1971, to be taken at the Sitting of the National Assembly on Wednesday, 24th November, 1971.”

Assembly divided: Ayes 21, Noes 17, as follows:

AYES

Mrs. Willems
Mr. Van Sluytman
Mr. Safee

NOES

Mr. Sutton
Mr. M.F. Singh
Mrs. DaSilva

Mr. Jordan
 Mr. Fowler
 Mr. Corrica
 Mr. Correia
 Mr. Chan-A-Sue
 Mr. Budhoo
 Mr. Bissember
 Mr. Bancroft
 Mr. Ackman
 Mr. Thomas
 Mr. Salim
 Mr. Joaquin
 Mr. Clarke
 Mr. Ramsaroop
 Mr. Carrington
 Mr. Hoyte
 Mr. Kasim
 Dr. Reid

Mr. Teekah
 Mr. Remington
 Mr. Remington
 Mr. Balchand Persaud
 Mrs. Branco
 Mr. R. Ally
 Mr. Reepu Daman Persaud
 Mr. M.Y. Ally
 Mr. Lall
 Mr. Hamid
 Mr. Wilson
 Dr. Ramsahoye
 Mr. Chandisingh
 Mr. Ram Karran
 Dr. Jagan

- 21

- 17

Motion carried.

Dr. Jagan: I do not think, sir, it will be necessary for us to take part any further in this debate and I therefore wish to withdraw.

[At this stage members of the People's Progressive Party bowed to the Chair and withdrew from the Chamber.]

Mr. M.F. Singh: We in this section can make no further contribution to this debate.

[Members of the United Force bowed to the Chair and withdrew from the Chamber.]

BILLS – SECOND AND THIRD READING

A Bill intituled: CAPITAL ISSUES (CONTROL) BILL, 1971.

“An Act to provide for the control of issues of capital and for purposes connected therewith.” [*The Minister of Finance*]

The Minister of Finance(Mr. Hoyte): Your Honour, no modern state today permits anarchy in public financial transactions within its boundaries. Most states have, by means of legislation, exercised regulatory powers over those types of transactions. And, particularly, where the issue of capital is concerned, states have been very careful to exercise the type of control to ensure that neither the public nor the economy of the country is in any way jeopardised.

This Bill seeks to bring a measure of order into public financial transactions in Guyana. It is a familiar type of legislation which is found in the statute book of the United Kingdom and the United States, for example, and nearer home, in Trinidad and Tobago.

The purpose of exercising the type of control envisaged by the Bill is twofold: first of all, to protect the citizens who might be solicited to make contributions to capital issues and, secondly, to protect the economy of the country.

With respect to protection of citizens, it is important, too, that, when prospectuses and other advertisements inviting contribution to capital issues are made, full disclosure of all relevant facts is also made so that citizens can have before them every detail, every fact, every bit of information which is likely to help them to make a fair and honest assessment of the offers.

For example, it is important that a prospectus should show if there has been a revaluation shortly before the prospectus has been issued, and, if there has been an upward revaluation, the basis of that revaluation and the justification for it.

Again, when shares are offered at a premium, it is fair and desirable that the public should know how the selling price has been arrived at. Where the issuing company, or entity, is not resident in the country it might become a matter of importance to shareholders to know who the directors are.

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It may be a matter of importance, also, both to the citizens and to the state, to know whether the capital raised will be for reinvestment in the country by way of expansion or entering into new business enterprises, or whether there is an intention to export that capital, thereby reducing the external reserves of the country.

5.20 p.m.

While at present there is provision under our Companies Laws for the issuing of prospectus when a Company is making a capital issue, it does not provide for the kind of information which becomes important in the present circumstances of this country.

Another reason for legislation of this type is to protect the economy of the country, and there is a threefold aspect to this. First of all, every State tries to ensure that its economy is not dominated by aliens, and, particularly in developing countries, it is important to ensure that certain critical sectors of the economy are not dominated, sometimes are not owned at all, by aliens. We have had within recent times very bitter experiences of the manipulation of companies by expatriate owners and shareholders. It is no longer satisfactory that people should sit in London or elsewhere outside of Guyana and decide whether Guyanese are going to have work, whether there is going to be employment or unemployment in Guyana.

Therefore the Government must take to itself the necessary regulatory powers to ensure that there are adequate safeguards for the country and for citizens of the country when there are dealings in capital issue. Of course, the Government will very often have a very real interest in preventing "taken over" bids.

The second aspect of this matter relates to a situation where foreign companies or foreign controlled or owned companies in Guyana raise issues of capital but as a means of disinvestment which obviously will have very adverse effects on our balance of payments.

Thirdly, within the past ten months or so, no less than three foreign-owned companies in Guyana have raised or attempted to raise on the local market money in relation to the issue of

securities. This becomes a very important thing for Government. When one considers that there is a scarcity of capital in a small country like Guyana, one realizes that every time there is this kind of tapping of local resources there is in fact competition between the development needs of this country and the needs of certain private people.

The Government will therefore have a duty to ensure that there is a rational use of capital available in this country. I will illustrate it this way. There could be no question of Government permitting a foreign company to raise capital in this country to finance a gambling institution, for example, the Monte Carlo. Surely, if that kind of operation was competing with an operation mounted by another company to raise capital for the establishment of the ceramics industry to use kaolin and to manufacture for the export trade, surely there is no question in the mind of the Government that the latter company will be permitted to raise capital and not the former. We are dealing with an extremely scarce commodity within our State and indeed within the world today. As in all other countries and particularly developing countries, we have got an overriding duty to ensure that we protect our economy by making use of the regulatory powers envisaged in the Bill.

I should say, sir, that there seems to be some misunderstanding about the nature and purpose of this Bill if one is to judge from the contributions made by Members of the Opposition when we were considering the Motion for the suspension of the Standing Orders. This legislation is not aimed at any particular transaction or at any particular person. This is general legislation which was contemplated some time ago when two foreign-controlled companies raised issues of capital. This caused the Government some concern. Therefore legislation was requested to deal with the situation which had arisen. While the legislation was being drafted there was a third effort to raise capital in this country by the offer of shares to the public. The Government, through the Ministry of Finance, as an act of courtesy, over a month ago called in the representatives of the people who were offered those shares, explained to them Government's intention and requested that in the light of the fact that the legislation was likely to catch the present share issue, they should take certain action. Government has no apologies to make for the fact that the pending issue of shares will be caught by the legislation. I repeat that every opportunity was given to the people concerned to co-operate with the Government to ensure that

there was a certain smoothness in the continuation of that particular exercise. Perhaps it is right to say that there has not been that co-operation. And indeed, there seems to have been a clear intention to defy the efforts of the Government.

5.30 p.m.

May I now deal with the general scheme of the legislation. Central to the administration of the legislation will be a capital issues committee called an advisory committee in the Bill, and clause 13 refers. This advisory committee will comprise the Secretary to the Treasury as chairman, the Governor of the Bank of Guyana, and not more than three other persons qualified and experienced in matters relating to banking, finance, commerce, industry, and trade, and it is to this committee that the various matters arising from the administration of the Act will be referred. Also, it is this committee which will give the Minister the necessary technical advice and guidance.

Briefly, the Bill attempts first of all to protect citizens who may be solicited by way of prospectuses and otherwise to contribute to capital issues. Clause 4 requires that a prospectus should first be cleared by the Minister before it is released to the public. That is a very simple and, I think, essential provision. I have already pointed out that many prospectuses are issued, which are misleading and which do not give sufficient information. Therefore, the result is total unfairness to persons who might be interested in putting up their money. The Minister will have power to require the person issuing that prospectus to give additional information, so that the whole purpose of clause 4 is to ensure that when a prospectus is issued, it contains full and frank disclosure of matters which are pertinent to the share issue.

Then there is the other aspect of the legislation which seeks to protect the economy of the country. The relevant clauses are clause 3 and clause 7. Under clause 3, a company incorporated in Guyana requires the consent of the Minister to make an issue of capital outside of Guyana. Secondly, it requires the consent of the Minister, if the company is incorporated outside of Guyana but seeks to make an issue of capital or other security inside of Guyana. In both cases, the particular operation will have an impact on the economy of the country.

Therefore, it is considered right and proper that these operations should be monitored and regulated.

Clause 7 deals with the transfer and acquisition of securities. Wherever a party to the transfer or acquisition of securities is an alien as defined in the Bill, the consent of the Minister will be required for the transfer of that security. Again, that is a precaution to make sure that companies do not pass willy-nilly into the hands of a aliens. For example, a company might be floated in Guyana, might obtain concessions from the Government of Guyana for the exploitation of some particular resource in Guyana, and it would be unforgiveable⁴ if Government were to permit a company originally Guyanese-owned and controlled to transfer its shares to aliens, so that, in fact, aliens were put in a position where they control resources in this country. That is just a simple example illustrating why it is considered necessary to put restrictions on the issue or transfer of securities where aliens are concerned.

There is provision for penalties for people who do not comply with the requirements of the legislation; but I should like to draw attention to clause 6 which has been specially inserted to deal with pending transactions. Clause 6 merely requires that pending transactions should conform to the legislation. It does not stop anything. It does not prevent anybody from making or offering to the public an issue of shares; it does not say you cannot. What it does say is that, notwithstanding the fact that you have done certain things before this legislation was passed, you must now comply with the requirements of the legislation. In other words, you must submit your prospectus, you must comply with the directions which may be given, you must furnish such information as may be required, and make the necessary application to the Minister.

5.40 p.m.

Particularly important is the provision in paragraphs (3) and (4) of clause 6, which protects people who have paid money pursuant to an application for shares in respect of the pending transaction to which I have referred. It is provided that that money must be repaid and shall be

deemed to be a debt in the event of two things, that is, first, if an application is made and that application is refused by the Minister; secondly, if within 30 days of the commencement of this Act no application is made.

If no application is made within 30 days after the commencement of this Act, the persons who have paid money are automatically entitled to have their money back. That money is treated as a debt. It can be recovered and enforced as a judgment of a civil court.

Of importance, too, is the fact that where the money is in the hands of an agent that agent becomes liable to repay the money in the two events which I have just related, that is, first of all if the application is refused and, secondly, if no application is made within 30 days of the commencement of the Act.

In this particular case, the money is still with the agent. The money is still in Guyana, so that the Guyanese people who have paid their money are fully protected by the provisions of this legislation. The money is still in Guyana because we know it is here and, secondly, by virtue of the Exchange Control Ordinance it has to be here. There is no question of that money being elsewhere than in Guyana.

Those, sir, are the main elements of a very simple and desirable piece of legislation which I commend to members of this honourable House. I ask that this Bill be read a Second time. *[Applause]*

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Clauses 1 to 8 agreed to and ordered to stand part of the Bill.

Clauses 9.

Mr. Hoyte: May I propose a slight Amendment to clause 9. In the sixth line delete (4) and substitute (3). It will now read “pursuant to section 3 (3)”.

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Question put, and agreed to.

Clause 9, as amended, agreed to and ordered to stand part of the Bill.

Clauses 10 to 17 agreed to and ordered to stand part of the Bill.

Assembly resumed.

Bill reported with an amendment to clause 9; as amended, considered; read the Third time and passed.

5.50 p.m.

CUSTOMS (AMENDMENT) (NO.2) BILL

“A Bill intituled and Act to amend the Customs Ordinance.”[The Minister of Finance]

Mr. Hoyte: Your Honour, hon. Members, this is a short Bill which seeks to amend Section 16 of the Customs Ordinance. Under Section 16, the Comptroller of Customs and Excise is empowered to make certain charges on importers and consignees of goods in respect of duty which had been short-paid on previous occasions. But, under Section 251, if after demand that amount has not been paid the Comptroller is required to sue in the Magistrate Court to recover. This procedure has proved to be Very cumbrous and time wasting, because very many people do not pay relatively small sums. The Amendment here seeks to give the Comptroller another re-course. Apart from being able to sue in the Magistrate Court, this Amendment seeks to give him the power to endorse the amount due owing and payable on any subsequent shipping documents which that importer or consignee may present. The amount then becomes payable in respect of those documents.

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Of course, this does not take away any right from an importer or another person because if he disputes the amount he still has a right to appeal to the Customs Tariff Tribunal and, of course, he has further right to appeal to the Court.

I think that this Amendment will serve both the Customs Department and the importer. I therefore, recommend this Bill to hon. Members of the House.

Question proposed.

Bill read a Second Time.

Bill considered and approved.

Assembly resumed.

Bill reported without Amendment, read a the Third time and passed, as printed.

ADJOURNMENT

Resolved, “That this Assembly do now adjourn until Friday, 26th November, 1971, at 2 o'clock in the afternoon. [Mr. Ramsaroop]

Adjourned accordingly at 6 p.m.
