

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

[VOLUME 3]

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

42 nd Sitting	2.00 p.m.	Tuesday, 14 th October, 1969
--------------------------	-----------	---

NATIONAL ASSEMBLY

The Assembly met at 2 p.m.

Prayers

Mr. Deputy Speaker in the Chair

Present

His Honour the Deputy Speaker, Mr. O.E. Clarke

Members of the Government

Ministers (8)

The Honourable L.F.S. Burnham, Q.C.,
Prime Minister

Dr. the Honourable P. A. Reid,
Deputy Prime Minister and Minister of Finance

The Honourable R. J. Jordan,
Minister of Agriculture and Natural Resources

The Honourable M. Kasim,
Minister of Communications

The Honourable H.D. Hoyte,
Minister of Home Affairs

The Honourable C.M.L. John,
Minister of Local Government

Mrs. the Honourable S.M. Patterson,
Minister of Education

The Honourable B. Ramsaroop,
Minister of Housing and Reconstruction

Parliamentary Secretaries (4)

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

Mr. W. Haynes,
Parliamentary Secretary, Ministry of Works and Hydraulics

Mr. A. Salim,
Parliamentary Secretary, Ministry of Agriculture and Natural Resources

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

Other Members (12)

Mr. J.N. Aaron
Miss M.M. Ackman
Mr. K. Bancroft
Mr. E. F. Correia
Mr. M. Corrica
Mr. E.H.A. Fowler
Mrs. P.A. Limerick
Mr. S.M. Saffee
Mr. D. A. Singh
Mr. R.C. Van Sluytman
Mr. C. E. Wrights
Mr. M. Zaheeruddeen, J.P.

Members of the Opposition (18)

Dr. C. B. Jagan, Leader of the Opposition
Mr. Ram Karran
Mr. R. Chandisingh
Dr. F.H.W. Ramsahoye
Mr. E. M. G. Wilson
Mr. G. H. Lall
Mr. M. Y. Ally
Mr. R. D. Persaud, J.P.
Mr. R. Ally
Mr. E. L. Ambrose
Mrs. L. M. Branco
Mr. Balchand Persaud
Mr. Bholu Persaud
Mr. I. Remington, J.P.
Mr. R. P. Sahoye
Mrs. E. DaSilva
Mr. M. F. Singh
Mr. J. A. Sutton

OFFICER

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

Absent

His Honour the Speaker, Mr. R. B. Gajraj, C. B. E., J. P.	- on leave
The Honourable N. J. Bissember, Minister of Trade and parliamentary Affairs	- on leave
The Honourable W. G. Carrington, Minister of Labour and Social Security	- on leave
The Honourable S. S. Ramphal, C.M.G., Q.C., Attorney-General and Minister of State	
The Honourable M. W. Carter, Minister of Information	
The Honourable H. Green, Minister of Works and Hydraulics	
The Honourable H. O. Jack, Minister without Portfolio	- on leave

Dr. the Honourable Sylvia Talbot,
Minister of Health

- on leave

Mr. P. Duncan, Parliamentary Secretary,
Office of the Prime Minister

Mr. J. Budhoo, J.P.

- on leave

Mr. L. I. Chan-A-Sue

Mr. D. C. Jagan

- on leave

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

- on leave

Mr. E. M. Stoby

Mr. V. Teekah

- on leave

Mr. R. E. Cheeks

PUBLIC BUSINESS**MUNICIPAL AND DISTRICT COUNCILS BILL**

Assembly resumed the debate on the Second Reading of the following Bill:

A Bill intituled an Act to make better provision for local government in the city of Georgetown and the Town of New Amsterdam and in other areas of Guyana. [**The Minister of Local Government**]

Mr. Deputy Speaker: Hon. Members, when the Adjournment was taken last evening the hon. Member Mr. Y. Ally had concluded his speech. We will now proceed with the next hon. Member who is to speak, Mr. Aaron. [*Applause*]

Mr. Aaron: Mr. Speaker, Local Government has been established not only to make life possible, but it is also there to make life good. The Bill now before the House is introduced to make better and more meaningful the good life we in Guyana have been having under this Government. [*Applause (Government)*]

Some important provisions in the legislation are:

Elections under adult suffrage: This is a most progressive and enlightened provision. No longer will the opportunity to exercise a right be restricted to a certain group of persons. Now the entire community will be made to have a say in the running of its affairs by having an opportunity to decide on the persons who should serve on their local government body.

More and more, throughout the world, emphasis is being placed on decentralising the functions and activities of Government, and it is only right that persons on the spot, persons who would have a more intimate knowledge of the problems facing them and so be in a better position to solve those problems, should be given a real opportunity, as is proposed in this legislation, to grapple with and solve their many problems.

14.10.69

National Assembly

2.10 – 2.15 p.m.

This new legislation creates larger and more viable local government units and brings the entire country under proper control. The new local authority will have control over larger areas and, with imagination and initiative, will be able to dictate and accelerate the pace of development in their areas, not only for their own good but for the good of the nation.

2.15 p.m.

Mr. Speaker, provision is made for the fuller and more effective use of the committee system and what all of us must agree on – as do the most far-sighted – is the use on these committees of persons who are not councillors but who, because of their special skill or experience, will be able to assist in the work of the committees. In this way, local government bodies will be able to draw on and benefit from all the human resources in their areas.

Until now local government suffers in this country from the lack of adequate staff. Local government bodies would now be in a position to recruit and retain the type of officers who would be able to effectively meet the challenge ahead and the setting up of a Local Government Service Commission, as proposed by this Bill, would ensure security of tenure for officers in the employ of local government bodies and so give councils the stability so necessary if development is to be steady and unimpeded.

Mr. Speaker, the functions of the councils have been prescribed and these give councils wide powers over such works and services as: drainage and irrigation; roads; water supply; control of animals; burial grounds; sub-division of lands. I can continue like this for the next hour to enlighten this House on the wide powers given local authorities under this Bill. But to continue further, if we should turn to clause 301 of this Bill, subclauses 8, 10, 11, 21, 24, 25, 28, 30, 31 (f) and 34, these show the extent of the powers given local authorities under this Bill.

When a member of the Opposition was speaking he said that the Minister has been given too much power, but I must say this: formerly, we used to bemoan the fact that power was placed in the Local Government Board and the Members over there were seeking to abolish it. This Bill seeks to abolish the Local Government Board, and if this Bill seeks to do this, well then who

14.10.69

National Assembly

2.15 – 2.25 p.m.

should be given the power to control these local authorities? I can see that the power must be given to no other person than the Minister responsible.

The Leader of the Opposition said yesterday, that, in 1958, when the P.P.P. was in office, it tabled a White Paper on Local Government and that in 1969 a White Paper has been tabled by this Government which, he claimed, is going backwards. If I give a brief recap to show the progress this Government has made since it assumed office, so far as local government is concerned, you will agree with me that this Government has done more than the P.P.P. when it was in the Government.

My area was given local administration by the name managing committee in the year 1918, and the 4th August, 1926, brought a change to that of country authority when councillors were nominated through a board called the Local Government Board. Apart from my area, on the 8th August, 1935, the following places were changed from Country Authority to Village District: Golden Grove/Nabacalis; Beterverwagting/Triumph; Buxton/Friendship; on the 6th June, 1934 – Kitty/Alexanderville; on the 16th June, 1947 – Mahaica, Helena and Supply; on the 30th August, 1951 – Sheet Anchor; and on 31st May, 1955, Wismar/Christianburg was given their village status. In 1965 Mackenzie became a country authority and, on 16th December, 1967, after Mackenzie became a country authority with Wismar/Christianburg village authority, we sought the opportunity then to make Wismar/Christianburg a more valuable area and institution and we decided to merge the two local authorities into one local authority. After we did this, we sought the Government's permission to merge these two bodies into one and this has been done, and now Mackenzie, Wismar, Christianburg, with the passage of this legislation, would be given their township.

2.25 p.m.

Mr. Speaker, the hon. Leader of the Opposition has said that during 1958 they presented a White Paper on Local government. That White Paper was presented through their imperialist masters but we on this side of the House do not seek to implement the White Paper of the

imperialist masters, we seek to implement the White Paper of Guyanese. In 1959 the then Government promised that it would hold free elections among the people of this country. For ten years the Opposition only talked about it but in a period of a few months we give this freedom right to the people of this country. This Government having seen fit to have free elections goes further by bringing forward in this Bill universal adult suffrage which would be the first time it is used at local village elections. This is to show our friends across the Table what kind of Government we are sure to carry on.

Mr. Speaker, this Government has the devotion of its people and so it is making sure that the inhabitants of this country play their part where development is concerned. Perhaps I should go on further to tell you of the ills of this local government reform proposed by the then Government. I listened yesterday when the hon. Leader of the Opposition said that local government elections should be brought forward in three phases. One must be by local personnel and another by efficiency. But where is the efficiency of the past Government? We can boast of efficiency because during 1965, as I said before, Mackenzie became a Country Authority and in 1967, Mackenzie-Wismar-Christianburg merged into one authority and now this Bill before this House seeks to make Mackenzie a township. That is efficiency on the part of this Government as far as local government is concerned.

Mr. Speaker, I listened to the hon. Member, Mr. Y. Ally, when he mentioned taxation, that this Bill seeks only to tax the poor and not the rich, but I can give him this assurance that at Wismar-Christianburg-Mackenzie, our valuation exercise has been completed and I can assure him that the taxation there is not only for the poor but it is also for the rich. To quote an example which everyone, I think, is aware of, the hospital at Mackenzie is owned by DEMBA but I can assure you that the valuation for that hospital is \$484,000 so when our friend across there, the hon. Member, Mr. Yacoob Ally, spoke about this yesterday, he was speaking an untruth. I want to enlighten him that not only the hospital has been valued but the house in which the Manager lives has been valued to the tune of \$50,000.

Mr. Speaker, this Bill not only seeks to tax the poor people but it is also there for the rich and I wonder why the Minister did not make sure to embody in this Bill a tax on Gimpex because GIMPEX needs to be taxed.

Mr. Speaker, I want to show the progressiveness of this Government. If we should turn our eyes back, we would find that a candidate at local authority elections and also a voter at those elections required a basic qualification. He had to have property to the value of \$250, but today it is not so. This Bill seeks to make sure that each and every one living in Guyana, so long as that person has attained the age of 21 years, can take part in his village affairs through local government administration.

To conclude my remarks, sir, I wish to say that this legislation is most sensible and all-embracing and shows in no uncertain manner the faith this Government has in the ability of its people to deal successfully with the problems facing them. The conviction this government has is that its people can mobilise themselves to be a real force concerned with their own development and with the development of their country.

Mr. Balchand Persaud: Mr. Speaker, the last speaker seems to be in dreamland especially when he makes his pronouncements that there is in the country today, confidence in the government. Today, throughout the country, village fathers, ratepayers, all and sundry, are very much concerned about the Government's approach to local government reform. This is so because of the fact that people do not have confidence nor were they consulted on the proposals for these reforms. The Minister said that there were consultations, but his consultations were done just in words and the people are not aware of what the Government's intentions are.

The Government said it was going to carry out reforms to help the village fathers all over the country but how can the Government help the village fathers when the village fathers do not have a say nor were they consulted, nor at any time give confidence to the Minister that he would be able to put forward such a Bill that all could accept. This is a very grave mistake on the part

14.10.69

National Assembly

2.25 – 2.35 p.m.

of the Government and people are not so enthusiastic towards the whole reform in local government.

We have seen on numerous occasions Government institute certain legislation which it claimed was geared to satisfy and assist the working-class people of this country, and as I understand it, the philosophy is to make the small man a real man. Surely, in local government affairs this is not so because if the Government seriously wanted to mobilise the people and by their own initiative participated in community development looking after matters of their own interest, then the people should be able to have a clear say in these reforms. The Minister did not do this.

I wish to deal with certain parts of the Bill which I hope the Minister will take into consideration so that he can take the initiative in making the necessary adjustments. Part II of the Bill deals with Constitution of Councils. This is another matter where we can see that the Government did not pay much attention to its own legislation because in clause 8 (2) of the Bill, the Minister says that the City Council shall comprise of councillors not less than twenty-five and not more than thirty in number.

2.35 p.m.

One understands that whenever a Committee is organised – even in Parliament we have 53 members, an odd number, yet we see that the hon. Minister is indicating that we must have 25 or 30 persons. Why not 29 or 31? Surely, the hon. Minister, if he has given serious thought to it, can see that an equal number of councillors will result in problems in making decisions; the hon. Minister should give consideration to this point.

The second important is that normally, at elections, for Mayors, Deputy Mayors, Chairman, Deputy Chairmen, the procedure in most of the village councils is that the election is held by secret ballot; in other words, if the hon. Minister does not want to put the question of the secret ballot in words, then, surely, he could give the authority to the councillors so that a council

would have the right to determine how the election should take place. The hon. Minister cannot tell them, just like that, that they must have elections by secret ballot.

Then, further back, in Part II of the Bill, it provides in Clause 33 that the hon. Minister will have the right to declare any area in a town and a local government district. There must be consultation in this type of thing. The hon. Minister hardly has anything to do except to usurp the national wealth; if he wants to find work for himself he must consult the people. He will name the town and its boundaries without consultation from the rate payers or the village fathers, without taking into consideration the numerous problems confronting such a proposal. The hon. Minister should pay attention to that part of the Bill; that is why I say that there is reservation in people's minds to these reforms because it is not what the hon. Minister wants but what the people want; if there was cohesion there would be better results and a better Bill.

Then there is another important point in the said Part II dealing with the omission of Members of the National Assembly to participate in the local government elections. This is a grave omission. How could the hon. Minister very dictatorially deny the people the right to

choose whom they want? A Parliamentarian is a rate payer; he has the community interest at heart and he gives leadership to the people on numerous occasions. Why should the hon. Minister deny the people the right to choose – [**Hon. Minister:** “You want the salary!”] The question of salary does not matter. The representation for the interest of the people is what matters. Denying Parliamentarians the right to participate in these elections is a very great mistake! This is something which the hon. Minister should give attention to because everyone knows that local government is a sort of a training ground for people who wish to move on to leadership at higher levels; we must be in a position to have equality if we are going to have adult suffrage, we must have our constitutional rights established. This is something which the hon. Minister should consider and try to change.

To continue, I wish to speak on Clause 55 in Part III of the Bill – the question of quorums. Now, in country districts, the hon. Minister said that a quorum in all councils should be one-third of the members of the council. What is the position in the country districts? It may be that a council has from nine to eighteen members. If this is so, I wish to make the additional point that eighteen is not an odd number. We know for a fact that much attention was not paid to the Bill and that it was decided to copy old Bills and let his appear to be a new Bill. Let us assume that the hon. Minister decides to appoint nine persons; then three persons will make decisions for one big area. Can one have confidence in three persons? A quorum should be about 45 or 50 per cent. Encourage members to attend meetings so that there can be better discussions and more people participating in village matters.

Part III, clause 68 – interest in contracts. This is desirable, but I wish to point out that in any council, whether the Georgetown Town Council or in country districts, there is always a group of people in the favour of the councillors and there is the danger of bribery and corruption. There is no clause to prevent people from taking bribes and so on to give contracts and I hope that the hon. Minister will give consideration to this.

In Part IV of the Bill, as I said earlier, one finds the philosophy of the Government to make the small man a real man. This part deals with local government officers. I wish to speak on clause 81 and I hope that the hon. Minister will take these points into consideration so that he can correct himself. Only yesterday before Parliament started, in front of the building there were a few persons picketing the Government. The position is that there is grave dissatisfaction in every single government department about the National Insurance Scheme. The hon. Minister is asking people in local government to join new schemes. Join the national insurance by law, then, if the council agrees, a Group Life Plan and so on. This is where the councillors and workers will have to pay double for insurances. Some of these officers whose salaries are over four hundred dollars are already committed financially. If the government is going to impose on

14.10.69

National Assembly

2.35 – 2.45 p.m.

people to join things dictatorially, where is the freedom of choice? Surely Government should give consideration to this point. In every single store one meets employees and when they are questioned they say that they have already committed themselves. People should be able to decide on their own whether they want to join a scheme or not. Then, further, the council will have a right to tell its employees which insurance to join.

2.45 p.m.

This is a very serious matter. If a person joins an insurance company and that person feels that that insurance company is the best one – *[Interruption]* One can see that the Government is forcing the people to do things they do not want to do – very dictatorially imposing itself on people to join such insurance schemes as it may think fit. Clearly this is a collaboration of the so-called socialist Government with that of the insurance companies. The government is now facilitating insurance companies to make more profits and as a result it is squeezing the working class. This is something which the hon. Minister should take into consideration.

I wish to deal with the Local Government Service Commission which is to be set up by this Government. The government is setting up another commission, no doubt, most of its lackeys will be able to get the top positions, and the Commission will function just as how the others are functioning. People have absolutely no confidence in these Commissions. There is a lot of dissatisfaction in the Police Service Commission and the Public Service Commission; the Judicial Service Commission is in the same light. The Government is now going to set up another Commission. To do what? And what is more the members appointed will have to take an oath before the Prime Minister – a person who is a political personality. One would have thought that persons like the Chief Justice or the Governor-General would have performed these duties, not a person who is a political personality. One cannot hope to have impartiality when, in appointing a Commission, one has to take an oath before the Prime Minister. This is a very serious matter and I hope that the hon. Minister will take this also into consideration.

We must also be able to consider whether the Commission will serve any useful purpose. This Commission will be set up to recruit personnel who will be working for more than \$400 per month. As I understand it, a commission is set up to deal with a number of people – to recruit staff, to re-grade their salaries etc. The situation here is very clear: only a few people will be involved in this exercise, and the Government is setting up a commission to re-grade their salaries and pay them. This is only wasting taxpayers' money. It is not the Minister's money; it is the taxpayers' money. The P.N.C. is only there to usurp the wealth of the people. [**Mr. Hoyte:** "That is not the correct way to use that word."]

I wish to deal with the question of grants. I wish to quote from the Bill. Clause 162 states:

- “(1) There may be paid to councils out of moneys provided by Parliament grants, in respect of any expenditure incurred or to be incurred by them in discharging any of their functions, of such sums as the Minister may direct and subject to such terms and conditions as he may determine; and different sums may be paid, subject to different terms and conditions, to different councils.”

There is nothing clear here as to what yardstick will be used. One can see that the Minister does not have any judgement at all. This is not the Minister's local government; it is the people's local government. Therefore, there must be certain yardsticks. [**Mr. Ram Karran:** "The Minister is a hijacker."] The Local Authorities will be able to get grants if there is some yardstick. This leads also to favouritism.

The hon. Minister said that his philosophy is to support the working class. How do you expect people to believe you when you are doing contrary to what you have said?

I go on now to the question of raising funds for the local authorities. I wish to deal with Part VI of the Bill. When we discussed the Valuation for Rating Purposes Bill we raised certain objections and the Government did not take heed because the Minister feels that he is almighty

14.10.69

National Assembly

2.45 – 2.55 p.m.

and what he does is right. The Government would rate the urban areas on the basis of rental value and in the country areas, on capital value. I should like to ask the hon. Minister to look into this matter because in the country areas there are demands for proper cultivation areas since the prices of those lands tend to rise. The Government can have the rating in residential areas on capital value and in the country areas on the value of rents. It would be better in the interests of the workers and farmers in those areas.

There should have been more time to study this Bill. One can see quite clearly that the intentions of the government are to railroad the Bill in the sense that people are now learning what this Bill is all about. The Village Districts should have been consulted properly so that we can get the best results. The intentions of the Government may be good. And if the intentions of the Government are good and the people do not believe it, then the chances are that the system will not work.

I wish to urge the Government to take into consideration some of the points which I have made to see how best we can be able to improve local government.

Mr. Wilson *rose* –

Mr. Deputy Speaker: The hon. Member Mr. Wilson.

Mr. Wilson: Mr. Speaker, when Mr. Llewelyn John was appointed Minister of Local Government, my first re-action was one of agreement. Because as I looked around and examined the various persons who could have been selected to head the Ministry of Local Government, I felt that the present Minister certainly had the edge over the others.

And not only in one respect; the hon. Minister (Mr. John) has been associated with local government for quite a long time. As a matter of fact I think it can truly be said that local government provided the training ground for him to enter the field of national politics.

I am sure that if there are any persons disappointed in what is before us today, it can truly be said that the members of the Guyana Association of Local Government Authorities are a disappointed set of people in that the Minister had formerly been one of their colleagues and had worked with them, yet the manner in which this measure has been brought forward does not at all reflect the confidence which the members of the Guyana Association of Local government Authorities should have in the Minister. The Minister has, perhaps, been able to take this step without the necessary consultation and without taking the people in the villages along with him because, as is happening in the trade union movement, certain leaders are being given certain plums. They are being given certain benefits which compel them to keep quiet instead of championing the cause of the people.

Only the other day the Minister of Labour and social Security (Mr. Carrington) complained about lack of co-operation in the trade union movement. I think that if the Minister of Local Government sounded opinions in the villages, in the areas that have been accustomed to local government, among the people who have been his associates and colleagues, he would find there is great dissatisfaction about the manner in which this Bill has been brought forward.

The Minister (Mr. John) claims that inquiries were made of certain people and that for a long time persons knew that this measure was to be brought forward; he claims that it was announced in the throne Speech that this legislation would be coming forward, but let us see how much care is being taken before the Trade Disputes Bill is brought before this House. Workers have been provided with an opportunity for consultation. Why is it that the leaders of local authorities have been denied this same opportunity? Why is it that they have not been provided

contacted certain troublesome leaders, perhaps given them positions on the Local Government Board or in some corporation and that he will thereby muzzle them, so that he can ride roughshod over the heads of the people and bring forward as important a measure as this, a measure which affects the very sinews, the life of the people, without consultation. The Minister agrees that local government is nearer to the people than central government. It affects them more immediately; it affects them more vitally, and for this reason he ought to have done better with regard to the question of consultation and preparing the people for what has been put into this Bill.

I saw some mention made of training. Is the Minister honestly claiming that people have been trained for the wider responsibilities that the Bill proposes to thrust upon them? I cannot remember when steps were taken not only to have the people involved and to let them know what is happening, but to give them specific training for the new functions that the Government talks about. I am sure that there is no one who could honestly say that any action has been taken to afford local leaders an opportunity for training.

As we pass on in the White Paper, under the heading "Proposals" and the subhead "The System", the Minister seems to pat himself on the back for the fact that the Bill provides for a one-tier and not a two-tier system.

3.05 p.m.

There are a lot of wild arguments – we have heard some of these expressed before – about why the one tier system is better than the two tier system, but anyone who really understands the ramification of local government, the detailed matters that have to be looked after, will agree that the two tier system is more suitable to the circumstances of the situation in Guyana. In this connection, let me look at the long list of functions which the Minister has put forward here to be carried out by the councils, particularly with regard to the miscellaneous

14.10.69

National Assembly

2.55 – 3.05 p.m.

the same opportunity as trade union leaders for discussion and consultation before this measure was brought here and railroaded in this House? The very minimum of time has been allowed as notice for this Bill to be considered and debated.

I am sure that the Minister (Mr. John) and this House in general, will agree that local government is as important as, if not more important than the trade union movement, and if workers can be given so much opportunity to discuss a measure which affects them, then it is only fair that the village fathers, the leaders of the villages, should be given a similar opportunity.

In the White Paper there is a lot of talk. I quote:

“Moreover the need for creating a greater involvement of the populace in local government is considered an urgent prerequisite to meaningful reform and this is underscored in the programme now proposed by the Government.”

It is a laudable proposition that people should be involved as a prerequisite to the promulgation of local government measures but, although this is said here, we see the opposite taking place. Very important and vital measures affecting the lives of people have been put forward without the necessary consultation, without the necessary involvement of the people.

Somewhere else in the White Paper – *[Interruption]* My friend has asked me to read the White Paper. What is the White Paper? It does no credit to the Minister to produce this and to call it a White Paper.

I read that the Leader of the Opposition referred to what the P.P.P. did in Sessional Paper No. 5 of 1958 when we showed what Dr. Marshall recommended, what we would accept and what we would not accept. We made a detailed comparison, but this shows that the Minister really has not done his homework and, as a matter of fact, does not care. He feels that he has

powers of councils. I refer to clause 301. It is indeed a long list but this very list condemns the Minister's argument that there should be a one tier system.

Is the Minister really saying that such small matters, certain matters as we see listed here, should be the concern of this bigger local authority? Surely, he is actually saying that you must take a sledge-hammer to kill a flea when he puts forward his proposition. These are some of the things which I would think – or anyone who really understands local government business in this country would agree – should form the duties, functions, of a lower tier local authority.

Subclause (4) of clause 301 states:

“(4) to establish, erect, equip, maintain and carry on hostels for accommodating and caring for young and aged persons;”

Is the Minister saying that this town authority must look after a hostel in Kitty or at Meadow Bank and that it would not be more efficiently handled if there were a lower tier local authority to take care of such matters? There are a good many of them listed under subclause (7) – (a), (b), (c), (d), (e), - and I will read some of them because I want to be very practical, very pragmatic. Perhaps the Minister has copied out these duties from some other legislation, dumped them all here, without reference or consideration to the layout of the country, the habits of the people. All these are things to take into consideration. Now this is what the Minister is going to make this big town Council responsible for:

“(7) (a) to establish, maintain and control recreation and sports grounds (including swimming pools), theatres and promenade gardens, in parks, open spaces and on any other land vested in the council;”

There are small matters which ought to be dealt with by a small local authority. They could be handled much more efficiently by a small local authority because when the members are near to these things they can act more efficiently and pay more attention than members of a local authority for removed from them.

Subclause (7) (d) states – I am just quoting some of them at random:

“(d) to establish, maintain and control refreshment rooms, cafés and restaurants in or adjacent to recreation or sports ground or theatre;”

This big mighty Town Council must condescend to take care of a little café, a little refreshment room. There are many of them but I think that the ones I have referred to establish the argument I am putting forward.

Let us take subclause (31) of this same clause 301:

- “(a) to establish, maintain and carry out sanitary services for the removal and destruction of, or otherwise dealing with, all kinds of refuse and effluent;
- (b) to establish, erect, maintain and control public lavatories, closets and urinals and employ attendants thereof;
- (c) to establish, maintain and control public baths and wash-houses;”

This is simply ridiculous! You say that you are going to establish these district councils. Let us take a rural district council. From Sophia to Lusignan is going to be one council area. Are we to understand that the little culverts, the little by-ways in Beterverwagting, the foot-path in Beterverwagting and Buxton, must be looked after by this local authority which is so far removed and which has so many things to do? The Government talks about efficiency, but it does not really want efficiency. I heard it being said – of course they may not want to tell him before his face – that the Minister has not had adequate consultation with G.A.L.A. on this matter. This is the unkindest cut of all.

I have hinted somewhat about functions. Let us have a look at finance.

Part V, Finance. I shall deal with grants. The Minister says he wants to move away from the pattern. It is the Minister himself in his White Paper who said that,

“The purpose of this memorandum is to explain Government’s policy and aims for local government reform in Guyana in the light of the recommendations contained in the Marshall Report, the comments which have been received from interested parties in consequence of the notices inviting same, and Government’s views on the requisites for local government reform.”

The comments which have been received from interested parties. I am sure that the Minister cannot bring forward to this house any great number of views from parties other than his own. As I said before, the villages have not been consulted to the extent that the trade union organisations are being consulted with regard to the Trades Disputes Bill. The Government’s views are for the purpose of discrimination, to see in what way it can manipulate its powers to the detriment of those who do not support it.

We come right back to the other aspect of the matter on which is based the Minister’s reform. Page 45 of the Marshall Report.

“Government grants are given to local authorities for the following reasons:-

- (a) to share the burden of services which are not entirely local, for example, roads or health;
- (b) to stimulate local authorities to activity;
- (c) as a means of control, the grant being withheld if the local authorities do not keep the local services up to the prescribed standard; and
- (d) to provide for special circumstances, for example, to help with financial expenditure of an unusual kind, or to assist very weak areas.

What does the Minister have to say about grants? He says:

“There may be paid to councils out of moneys provided by Parliament grants, in respect of any expenditure incurred or to be incurred by them in discharging any of their functions, of such sums as the Minister may direct and subject to such terms and conditions as he may determine; and different sums may be paid, subject to different terms and conditions, to different councils.”

How vague. How indefinite. These are the conditions. If grants are to be paid to local authorities, there should be substantial terms and conditions. This is not the method one would expect from a Minister who has been associated with local government and knows how the village fathers think. I think he would have done a service to local government if he had stated that grants would be made on the following terms and conditions. If you do so-and-so you would receive so-and-so. This is the only fair way. Those local authorities in P.P.P. strongholds would not receive grants. If a local authority is in favour of the P.N.C., it would receive grants.

Let us look at what the Minister himself participated in some time ago. This is a document signed by C.M.L. John. It is from the B.G. Association of Local Authorities, dated 30th January, 1964 and it was sent to the then Minister of Home Affairs.

“The Association is of the view also that since an extended franchise will entail additional and extended duties and responsibilities there should be included in the present bill the provisions which were included in the Local Authorities (Constitution, Election Procedure and Financial Provisions) Bill 1960, and that some comprehensive pattern should be set for the extension of local government to coastal and riverain areas not under local government at present so that all areas can be treated alike, and for extended powers in respect of housing and planning, social welfare, education and community development, public health, non technical aspects of drainage and irrigation, agriculture, pure water supply and poor relief.”

Let us go back to the front page. The memorandum states,

“To that end the Association recommends that the receipts of a local authority should be made to include:

1. 50 (fifty)% of local taxation licences and duties, death duties and local taxes on road transport;
2. Taxes not limited to crafts and animals but to include vehicles;
3. Government grants and subventions;
4. Rates on Government properties within the villages.”

I would like to see where the Minister has anything about 50 per cent of local taxation licences in his Bill. The hon. Minister says he has provided for grants. There is no proper provision here. It is evasive provision. What the Minister should have had in this Bill are specific provisions under which grants would be allowed but there is this more simple method, a percentage grant system. Why does he not say that local authorities would be given grants to the extent of 50 per cent the cost of their roads, or 30 per cent the cost of drainage or so much percentage for recreational facilities and the like.

3.25 p.m.

If this had been said then nothing would have been said about discrimination and matters like that but now the hon. Minister says that there may be greater councils - - -. This is unfair.

Mr. Deputy Speaker: Are you concluding now?

Mr. Wilson: Yes, in the next two minutes. I think that this is most unfair to local authorities.

I turn now to a point about default powers. In the White Paper I saw reference to it but, in reading through the Bill, the only reference I saw to default powers was in connection with the Commissions which do not carry out their powers. The hon. Minister can come down on them. In any part of the Bill it should be the local government officers who should be subject to some sort of discipline if they were to blame for the local authority not carrying out its functions as it should. If a local government officer failed to do certain things thereby exposing the local authority to censure, then the hon. Minister should discipline by way of default. There should be some provision made so that he could be disciplined, but I do not see it clearly set out in the Bill.

Now, just one last mention about the Local Government Service Commission. I wonder if this Local Government Service Commission is going to follow the pattern of the national Public Service Commission. I wonder if that is what will happen, if so, the hon. Minister need not praise himself that he has put these things in the Bill. I heard the hon. Member Mr. Aaron referring to this as something that the Government has to applaud itself on but there is nothing about which to praise the Government with regard to the Public Service Commission which is the footstool of the Prime Minister. Over a telephone persons are being appointed. There are several persons who came to me and said: I went for such and such a job at the Employment Exchange or the Public Service Commission and was told to see a certain officer at Congress Place. When one goes to see this officer, he asks for the membership card. There is a lot of frustration among the young people in this country.

They feel that they cannot get a job through merit and qualification. Do not let this Government fool itself! Eighty per cent of the people in this country feel that it is impossible to get a job because of qualification and merit. One must pull a string at Congress Place and if one cannot, well then, one is nowhere. We would like to urge the Government to be more sincere in its claims of doing anything, any service for local government in Guyana especially with regard to this. I hope that the hon. Minister will see fit to amend this Clause dealing with the Local Government Service Commission and make it a little more specific and definite.

Mr. M. F. Singh: Mr. Speaker, Guyana has waited for a long time indeed for local government reform and, as the memorandum by the hon. Minister of Local Government states, draft legislation was presented to Parliament since 1960. Now, finally, when we have something before this hon. House I suppose we should be thankful.

Paragraph 3 of the memorandum of the Minister of Local Government says:

“The only draft legislation presented to Parliament on 19th October, 1960 in consequence of the proposals outlined above was the Local Authorities (Constitution, Election Procedure and Financial Provisions) Bill, 1960 which was debated on the second reading on 28th October, 1960”

So, at least, since 1960 legislation in some form was before Parliament. As I said before now that we have something again before Parliament we must be thankful I suppose, but, on the other hand, we must examine this very critically. We must see and analyse what we have before us. Although we can see it, is it what we expect it to be or is it other than what we expect it to be?

Mr. Speaker, let us have a look at the memorandum by the hon. Minister of Local Government. On page 5 we find the philosophy of reform. The hon. Minister says:

“The aim of the reform is the establishment of local government throughout Guyana”

Now, what are the Government’s present proposals? As I see it, they are contained in the paragraph immediately following this paragraph on the philosophy of reform. It is the establishment of three municipalities:

“. . . Georgetown, New Amsterdam and Christianburg/Wismar/Mackenzie and soon thereafter two district councils – one in Essequibo and one in Berbice.”

14.10.69

National Assembly

3.25 – 3.35 p.m.

What do we really have? After nine years what we do know definitely is that Georgetown, New Amsterdam and Christianburg/Wismar/Mackenzie will be Municipalities. As regards the two district councils what do we know of them? Where will they be and where will they begin? Where will they end? All we know is that one will be in Essequibo and one in Berbice. From the last paragraph on page 5 what do we know of the other district councils?

“It is not possible to say at this stage, the total number of municipal and district councils that will be created as this will depend, among other things, upon the extent of the area of each such municipal or district council which will be determined by the constitution order creating same . . .”

What we are really being told is that it will be determined by the Constitution Order. What is the position? It is even worse than in 1960 when we knew exactly what would take place because, in 1960, as this memorandum says, it was known that one of the areas in which the local government district would be was - - - . It was known at that time, but do we really know the true position at the present moment?

As regards these municipalities, even though we are told what is the boundary of the municipality, let us take a closer look at it. If we are to consider the legislation with regard to the boundary, that could not be the true position, because under section 38 (2) – and I must refer to this because the hon. Minister has referred to the Elections Bill when dealing with the present Bill.

3.35 p.m.

Section 39(2) of the Local Authorities (Elections) Bill gives the Minister the power to sub-divide electoral areas into such number of electoral areas as he pleases. Therefore, for one electoral district you can have a sub-division of electoral areas with a special list to be submitted in respect of that district as a proportion of the number of councillors for that district being set out to represent that particular area. To my mind this is not even telling you exactly where you

are in respect of municipalities because you do not know exactly how many sub-divisions the Minister may, in fact, care to make in respect of municipalities. Surely this is almost repudiation of the system of Proportional Representation because P.R. envisages one electoral area with one set of people voting for one set of councillors.

Here the Minister has power to sub-divide an area and to have a different list for these different sub-divisions. It is a form of gerrymandering; obviously this lends itself to a lot of manipulation. This pattern of rascality will be seen if we take a look at the Elections Bill. Clause 8 of the Explanatory Memorandum states:

“- - - .However, the Minister may sub-divide a local authority area into as many electoral areas as he may think it fit. These lists may contain the names of not more than the number of candidates to be elected set out in the order of priority for which their election is sought.”

What do we really have here? Where will it end? First of all, we have a sub-division of the areas and, now we have a further fiasco. The sub-division of the areas and now the lists which will be put forward will not be in alphabetical order but in order of priority. I notice that the object of the legislation does not mention a single word about priority lists. Is it that the priority list will be stipulated by one of the wide powers of the Minister?

At the present time, after nine years, what we know is that there will be elections and we do not really know the areas. Mr. Speaker, is it because the Government does not know what it is doing? Or is it because the Government knows what it is doing but it is absolutely refusing to tell us because it will do things at the last moment? To my mind the Minister knows what he is doing; he is very capable – [Dr. Jagan: “In fraud, that is the biggest capability.”] – and in more than one respect. I would not imagine that the Minister does not know what he is doing. In fact, when I was a member of the Cabinet I also knew what the Government intended to do but I do not know now; I knew at that time. *[Interruption]* It is only reasonable to assume what the

Government intends to do. We on this side of the House are all in the dark as to what is the position. [Mr. John: “Look at the Explanatory Memorandum.”]

If the hon. Minister is telling us that it is a mistake, I must say that this is one of the most serious mistakes. [Mr. John: “Section 44(3).”] What we have is the Explanatory Memorandum telling us something very specific. What we have also in respect of these areas, is the very wide powers given to the Minister in Clause 33 of the Bill. Clause 33 states:

- “(1) The Minister shall have power, by order to establish –
- a) Towns;
 - b) Local Government districts,”

and a whole host of ancillary powers.

It is stated in the White Paper on Local Government that the establishment of local government should be throughout Guyana. But in this same White Paper, on the last page, we are told that the areas at present administered by the Interior Department will continue to be administered by the Interior Department. So how is it we are having local government throughout Guyana? Is it being said that the coastland alone is Guyana? What about the Amerindians in the Interior areas? Aren't they also entitled to the benefits of local government? Aren't they entitled to a better standard of living to improve their environment as the other people of the country are so entitled? Why is it they are being neglected? [Interruption.] we strongly advocate that this present Government should stop paying lip service to these Amerindians and get down to doing something constructive for these people who have suffered so long. Surely, if this Government wants to make a small man a real man it must also do so in the Interior areas.

Mr. Speaker, another aspect of this matter which is worrying us, is the way – [The Prime Minister: “Who is the Amerindian over there? The only person who can pass for an

14.10.69

National Assembly

3.35 – 3.45 p.m.

Amerindian is Sutton.] *[Laughter]* I want to give the hon. Prime Minister an opportunity to speak. Can I proceed now, sir?

Mr. Deputy Speaker: You still have the Floor.

3.45 p.m.

Mr. M. F. Singh: Thank you, Mr. Speaker. As I said, another aspect of this local government reform which is worrying us is whether it will be merely a demarcation of boundaries or whether local government reform will be meaningful to the extent that money will be budgeted in order to affect those very necessary capital works which would make local government really meaningful.

We do not want local government to be merely a setting up of boundaries. It must be more than a setting up of boundaries. It must be something more beneficial and fruitful to the people. We all know that throughout the length and breadth of Guyana there is a tremendous amount of rates unpaid to local authorities. Only recently I read in the newspapers that the District Commissioner in Berbice, when talking to the Union of Local Government Authorities in that area, spoke of the tremendous amount of rates owing by local authorities. He castigated them and encouraged them to pay up those unpaid rates.

I also know that only a few years ago, in respect of debts incurred by local authorities for pure water supply, those local authorities were so poor that they could not pay the debts. The Government converted the debts into loans and up to now the loans are still not repaid. It shows that these local authorities are really in a very bad way financially so that Government must budget for funds to be able to help them along with their capital works, such as roads and drainage and irrigation. Unless money is made available, local government reform in the area will not be meaningful because there will be no money with which to carry out these works.

14.10.69

National Assembly

3.45 – 3.55 p.m.

I should like to know also whether the Government has addressed its mind to the question of people who will become unemployed as a result of the bigger local authorities that will be set up. Has the Government any plans to absorb these people into gainful occupation? As I understand it, the aim of the Government is to set up larger, more efficient units, with more economic management, to provide local services. This must necessarily mean that when the larger, more economic units are set up, there will not be the need for the same number of people like messengers and overseers who are at present employed by the smaller units. Some of these people will not be able to find employment; they will not be absorbed by the local government areas. Will they be thrown out? Or will the Prime Minister employ them in his yard? What will be the position of these people? The Government cannot throw them out on the road.

There are many things that the Minister has not told us, but I see that he has given himself the power, under clause 333, to modify the provisions of this legislation. The Government will have to tell us a lot more if it is to give meaningful expression to the catch phrases of “consultative democracy” and “Co-operative Republic”. If the Government is going to talk about consultative democracy, if it is going to talk about a “Co-operative Republic” is being unfair to us when it brings forward a Bill that tells us as little as this tells us.

Mr. Remington: This Bill is a complete negation of the democratic rights of the people of Guyana, especially those in the rural areas. It is the slow but sure process of dictatorship and the people cannot see it. Formerly only one person was required to propose and second a candidate for election but under this system the supporters of a candidate are exposed and the ballot is no longer secret.

GALA, the mouthpiece of the rural districts for the past sixty years, is quaking in its boots with fear. GALA is the mouthpiece of the village districts and I feel that the Minister should get the consent of this organisation in respect of these reforms.

Today what we are faced with is local government reform. The people in the rural districts need reform. For many years we have been pressing for these changes but today, without the consent of the people, we find ourselves in this House discussing this Bill. I think it is fair that the Minister of Local Government should give the people in the rural districts and opportunity to study these reforms but the Government intends holding elections. Elections, yes, but we know this Government's intention of rigging elections and that is what we are afraid of. The Government talks about consultative democracy. This is not consultative democracy, this is consultative hypocrisy.

We have seen this Government performing from time to time, doing what it likes, an action of take it or leave it. When one observes the functions of the Government, one wonders whether this Government's intention is to hold free and fair elections. The answer is, "No". The Minister is given very wide powers. The Minister alone determines that a council is independent in the performance of its duty and we know this will always apply to those councils that are not the tools of the Government in power. Subclause (2) of clause 305 gives the Minister an opportunity, on any pretext, to remove the representatives of the people in a district and put creatures of his own in order to get done what he wants.

As I said, we are debating a Bill with the intention of giving more power to the local authorities so that they could have more say in their affairs, but why is this Government rushing this Bill, what is the purpose of doing so? [**Mr. Aaron:** "Who is rushing the Bill?"] We know this Government's intention is to rush this Bill to hold elections, but the holding of elections is not all. We on this side believe in fair elections. We believe that in a fair election the P.P.P. will win. We know from past experience that this Government is bent on controlling the central Government and now, with the passage of this legislation, it will take over local government.

The time has come when the people of this country should know, they should be aware of the practices this Government is carrying on.

Clause 305(1) states:

- “(1) If the Minister is satisfied that –
- (a) A council has exceeded or abused its powers or has made default in the performance of any duty imposed upon it;
 - (b) The council has failed to achieve or maintain a reasonable standard of efficiency and progress in the discharge of its functions;
 - (c) The expenditure of the council has generally or on any particular head of expenditure been excessive or unreasonable, having regard to its financial resources and other relevant circumstances of the council area; or
 - (d) The council has failed to observe any financial instructions,

He may by order, declare the council to be in default and either –

- (i) Direct the council to perform any of its functions in a manner and within a time specified in the order, or
- (ii) Transfer to such person or persons as he may deem fit such of the functions of the council as may be specified in the order, and such person or persons shall exercise and perform all powers and duties of the council in relation to the functions transferred, or
- (iii) Dissolve the council, or suspend the council for such time as he may think fit from the performance of such of its functions as may be specified.”

This provision gives the Minister absolute power to remove any council he feels to remove.

The Minister said that we need local government reform but reform must be in its true sense. You must give the people an opportunity to speak and to make some kind of contribution towards this reform. But what we are seeing today is that this corrupt Government is bent on

14.10.69

National Assembly

3.45 – 3.55 p.m.

rigging the elections. It is bent on a policy of either you take it or leave it. This does not spell well for this young nation.

Mr. Deputy Speaker: I think this is a good time for us to suspend.

Sitting suspended at 4.02 p.m.

4.35 p.m.

On resumption –

Mr Deputy Speaker: When the suspension was taken the hon. Member Mr. Remington was speaking. He may continue.

Mr. Remington: The people in the rural areas need radical changes, they need something worthwhile. I heard today that the Local Government Board will be replaced by the Minister. We know from experience that the Local Government Board was really a tool of the Minister and we are not doing anything by removing the Board and putting the Minister. All we are doing is changing names. The local authorities in this country need meaningful changes.

There are quite a lot of restrictions. For a period of years the local councils, because of experience and hard work, have been doing better than the Central Government in their restricted situation, and if the Government intends to give the local authorities and the councils some sort of preparation in respect of their areas, it must do so on a broad scale. We need changes. We want to keep abreast with the Central Government but we cannot do so with this restricted proposal that we see here today.

I am appealing to the Government to give the people something better than what is presented in this Bill. We feel that the people in the rural areas are being penalised and victimised because they are not in favour with the present Government. Big stick methods were used to get me out of office. We feel that we need changes, but not these changes.

Dr. Ramsahoye: When Dr. Marshall presented his report he wrote a few lines which I read in 1955 and which I have never forgotten but, in case I should not be accurate in my quotation, I refer to his preface. It is short, it said:

“My fears come from the disturbing way in which in British Guiana so much conspires to ensure that so little is achieved.”

That, I am afraid, is a view with which I concur.

4.40 p.m.

I would begin by saying the production of this legislation is very welcome because it is for years and years that the people of this country have been trying to have some sort of improvement upon the local government legislation of 1945. [*Interruption by the Prime Minister.*] Because you caused us to work on a battlefield.

Your Honour, Sir, this is indeed a peace-time occupation and while welcoming the promulgation of this bit of legislation which is indeed historical, I wish to analyse its introduction in the circumstances which now prevail in this country. Save for certain provisions to which I shall refer briefly, which I think are rather vague and put in the hands of the Minister powers which are so wide that the people of this country could not have a clue to the way in which they are going to be exercised, the provisions are indeed a welcome step forward. But in bringing local government reforms to this country, we are presented with a situation in which there are many inequalities.

We are presented with the legislation at a time when taxation is very high and there can be no doubt that the formation and creation of new institutions of local government with greater powers will result in further tax burdens on the community. These tax burdens will be worthwhile if the payment of the rates results in improvements in the welfare of the people but there is a chance that what we are going to do at least for the present is to increase the

bureaucracy in local government and there is a danger that whatever rates will be collected will have to go to pay for the new administration and the new bureaucracy, leaving very little to be spent on the social services which we so need.

This problem, I presume, will recede with significance with the passing years but for the moment in the present situation of this country, it presents a real danger. The danger is that with the establishment of the new Local Government Service Commission, the establishment of councils and authorities which will be recruiting more staff and which will have a larger framework than exists at the moment, more of the money will go towards administration costs and little towards social welfare. In time, this problem is not going to be a significant but it is going to be significant immediately and there is need for the Minister and the central government to exercise a very great measure of control in this regard.

I see there are provisions for differential rating and some parts of council areas may not benefit as much as other parts but the difficulty of the exercise of powers under differential rating provisions is that the discretion of the Minister is not in any way circumscribed. He is the sole arbiter of saying whether he will reduce the rates in one area or not reduce them in another. What we would have welcomed is a restatement or a statement of principles which would govern the exercise of that discretion. It is as objectionable as the provisions which allow the Minister to declare local government districts in his discretion subject only to debate in the National Assembly, when as we know, the Government has the votes anyway and it will pass whatever order it makes.

Another vital objection is the system of making grants. Again, no principles are stated as to whether grants will be on the basis of population or whether they will be given on the basis of area served by the Government and we are left in the dark as to the way in which the central government will exercise its discretion and power of authority in giving grants to the people. At the moment, many citizens are in grave difficulty. When we pass Vlissengen Road and go into suburbia, we notice all the roads are blocked off. In the morning, there is considerable traffic on

the roads. The outlets, two in number, from the East Coast are inadequate to take off the traffic causing great inconvenience.

This inconvenience, I understand, has arisen because the local authorities in that area claim that they have not been receiving any help to maintain the roads and so they cannot allow members of the public to use the roads. This situation should be remedied. It is not in the interest of the Government or the people to have roads blocked like this and to have large communities treated like a private community in this age and at this time. The system of grants does have a direct bearing on many important aspects of our life and the Minister would be assisting the public by directing his attention to these matters.

There is a provision at the end of the legislation which I find extremely disturbing. It is a provision to the effect that where a new council has transferred to it the property of a dissolved council or authority, then the employees of the dissolved body should so far as is possible be given employment with the new authority. "So far as is possible" is a very vague expression indeed and it could mean that people who are now working with existing authorities may find themselves out of employment when these changes come about.

If the Government is going to permit a situation like this, then the only fair thing to do is to include a redundancy payment provision or a severance payment provision which would ensure that the new authority to which the property is being transferred will make some sort of severance or redundancy payment to those employees who will not be given back their employment. What we are looking for is improvement. That provision clearly contemplates that such a situation will arise in which people now in the employment of local authorities will lose their jobs when changes come about and the least that can be done is for a proviso to be put to that clause so that when the time comes for people to leave their jobs, they will receive severance pay or redundancy payments.

14.10.69

National Assembly

4.40 – 4.50 p.m.

Many of the old provisions which we see in the local government legislation of 1945 have been retained in manner and form and I have in mind proceedings by way of *parate* execution, which have been of great help in many cases, not for distressing ratepayers but for getting titles when for generations their property has been enjoyed by persons in succession without legal titles having been granted. These provisions are welcome but there is, as I say, a great case now to be made out, for example, for Greater Georgetown, and where there is going to be the problem of people paying rates for services which are very unequal unless the provisions for differential rating are justly and sincerely planned.

4.50 p.m.

I presume that the same problem will arise in New Amsterdam. We would expect the hon. Minister to tell us if he can, what principles he has in mind for exercising his discretion in that area as well as in relation to the making of funds for the Central government. In an age of equality there is much to be said for making awards from the central government on the basis of population but there can, of course, be cases where population is sparse but, by reason of the large areas and the difficulties of communications, special work would have to be done in order to enable the advancement of the welfare of the inhabitants of those large areas, sparse as they may be, to be taken care of.

There is much to be said for treating certain areas in this country as depressed areas with special positions in relation to both central and local government. There are many parts of this country where people endure greater hardships than others. There are place where tides come in and places are under water; I have in mind the Western Berbice areas where this is a frequent occurrence. I do feel that there is some gap in the proposals of reform in the omission of provision for depressed areas.

Maybe the government could introduce legislation separately which will assist the development of these areas by granting consultations where needed, but I ask the Government to bear this in mind because, in passing this legislation as it is, the opportunity is missed.

Finally, I would like to say a word of congratulation to the draftsmen who must have worked very hard to produce this bit of legislation on the books. The last time that such multitude was enacted was in 1945. Abortive attempts were made later but never reached the Statute and I presume that it will be another 15 or 20 years before the country will need development of this type of legislation; so, whoever has done it should take pride in his work, in the fact that he has made a contribution which will last a decade and a half.

Mr. Sutton: Mr. Speaker, what strikes us in this section of the Opposition so forcefully is that what should be well-laid plans for an improvement of local government is certainly conditioned by the need for political expediency. In trying to evaluate how we should proceed in trying to improve our local government institutions, as was so ably expressed by the hon. Minister, we must have a clear appreciation of the historical background of these institutions and what caused them to arrive at causes which led to their present condition.

If this legislation for our plans and efforts to really move forward meaningfully in local government is to be successful it is absolutely necessary that the legislation which comes forth in order to endeavour to obtain its objective should be preceded by a careful examination of the weaknesses and shortcomings in the local government institutions as they are today. Now, it is clear that such an examination took place and was intended to take place when Dr. Marshall examined these institutions and, from his examination, the Marshall Plan flowed. There seems to be no question, and there is not much room for using the excuse, that we do not know what we want to do or where we want to go, but what makes the situation so tragic is the fact that there is not much doubt and any government in power at this time will have a very clear conception of what should be done, but their doing of what should be done is conditioned by whether it will improve their political position or whether it will be a disadvantage to their political aspirations.

Our real problem is that the government of the day finds itself on the horns of a political dilemma. This White Paper is obviously a very nicely worded document. It must attract your attention – you look, you study it, because it is ten years since the last White Paper on this matter was laid in this House and, as has been mentioned by my colleague here, it was way back in

14.10.69

National Assembly

4.50 – 5.00 p.m.

1960 since any action was taken. As a result of these prolonged investigations, it is clear that there were other political involvements which were considered of more importance to the political party then in power and, as a result, the action that should have been taken was not taken as other political efforts seems to have been necessary to entrench their position, and prevent them from real meaningful action for Guyanese people in rural areas in particular. Local Government is not to be just a sham if it is to last for a long time.

This White Paper shows us that they are conscious of the fact that there is need for local government improvement.

5 p.m.

I must repeat once again, their philosophy of reform because it is necessary to have it clearly in mind the difference between what is written and then put it alongside of what you are actually doing to be able to judge the sincerity of your actions. The philosophy of reform by the Minister of Local Government is very well put out in the white Paper on Local Government. This is what the Minister said. I quote from page 5 of the white Paper:

“The aim of the reform is the establishment of local government throughout Guyana and the making of it all embracing and an important concomitant of the democratic way of life. Moreover the need for creating a greater involvement of the populace in local government is considered an urgent prerequisite to meaningful reform and this is underscored in the programme now proposed by the Government.”

Mr Speaker, if these sentences can be carried out in intention, nobody would have any criticism on the reforms for local government.

Let us turn to the proposals, let us see how the government proposes to implement these nice sounding sentences. We found that the proposals start off by telling us that the three municipalities – and we have heard this ten years ago, eleven years to be exact, and it is once

again repeated as being accepted – that it is not possible to say at this stage the total number of municipalities and district councils that will be created as this will, among other things, depend upon the extent of each area or municipal district which will be determined by the Constitution Order; but the general aim will be to create much larger council areas than exist in the form of villages under the Local Government Ordinance, Chapter 158. When one reads this, one is tempted to come to the conclusion or ask oneself the question whether the Government that proposed this is the same Government that is responsible for producing an order which will define these areas.

We are told today that on the passing of these Bills we would have local government elections between the 1st of November and the 7th of December. Mr. Speaker, from now to the 1st November is a mere fourteen days. Then there are thirty days in November, which is forty-four days; we have seven days in December which my first standard addition tells me is fifty-one days. This Government does not think it fit at this stage to say which are the areas and what are their boundaries.

If I may digress for a moment. It is quite clear what this Government intends to do. We were told on this Order Paper that Bill No. 23 will be taken before Bill No. 24. We were then told by the hon. Minister that Bill No. 24 will be taken before Bill No. 23. I wonder what would have happened if hon. Members of the Opposition were not to adhere to the Order Paper and requested to know why. Item No. 6 cannot be taken before Item No. 5. What sort of airy thinking is that? The fact of the matter is that the people in this country are not fools. What we do realise is that it is necessary to pass this Bill so that when the Elections Bill is passed, within twenty-four hours, the Government can decide that elections will be held within another few days. Whether the Opposition is prepared, or the people are prepared, or whether identification cards are ready is not an important detail. That is why I said that the good intentions of the Government are conditioned by political expediency, that is, the local government situation. Steps could have been taken to clarify this long ago but the Government in power does not think it wise because it does not know if this thing was implemented – it does not want to take the

trouble to analyse it and if an analysis is taken it will be found that support is here or support is not there.

The hon. Minister has taken the opportunity to say that the two Bills are being taken together. We must at this stage refer to the Bill governing the elections of Local Authorities. What do we find? The Bill is nicely drawn up, but there are two paragraphs that give the Minister power to do what he likes. We know that what was done illegally at the general elections was cloaked with an appearance of legality and, therefore, this legislation must be worded in such a way that nobody can question it. What do we find? We find that we are told that the major part of the Opposition objected to the fact that proportional representation would necessarily mean that the party with the greatest support in the country will have to rule the country or it would compel a coming together of those sections of the community who found their principles less incompatible one to another in order to make the Government possible.

It is an old story why this party, my party, left the Coalition Government. [*Interruption by hon. Members (Government)*]. My colleague the hon. Member Mr. Singh has already given the reasons for our coming out of the Government. We could not have tolerated that degree of rascality. [*Interruption.*] We do not have to bother about political opportunism and political expediency. Fortunately, in this country we can use our voices to say what is the truth, what is right in the interests of all Guyana because we do not consider ourselves pledged to this following or that following. We believe in the final count, whether it takes two years, five years, fifteen or twenty years, this country will be saved by its people, not by its politicians.

5.10 p.m.

The difference in this country is that you are operating on a base of over 80 per cent literacy. You are not operating on a base of 89 per cent illiteracy and sooner or later reason will prevail. When people see that emotion and racialism will get them nowhere and that the only thing that will get them somewhere is Guyanism, then we will get somewhere.

Let us now try to examine the shortcomings of our local government system in order to appreciate how far this Bill has gone to cope with those shortcomings. I have the honour to be a member of the Mayor and Town Council of Georgetown. The problem constantly faced by the municipalities, village and district councils, or what you will – a thorn by any other name will stick as hard – is availability of money. What do we find? Because the City of Georgetown has an obligation to keep certain streets looking nice the councillors are scratching their heads and deferring the payment of this bill and that account; they are asking Tom James to wait because they have no money as they were compelled to do emergency and essential works. After all, this is the capital city of Georgetown and certain things must be done. If people lend us money to do something and we have to put some more funds to do it, then we have to find the money, but where does it come from?

On the question of road subventions: we find absolutely no attempt is being made to modernise the approach to these problems as is done in other places. What do we find? We find a provision in this Bill which is possibly overdue, namely, that members of the National Assembly cannot sit on village councils. I am a beginner at this game. I did not know how politics worked. The day that I was sworn in on the Town Council I heard the hon. Prime Minister say “I have been here long enough. I shall resign at the beginning of the year.” This is my third year on the Town Council and not a single resignation has reached that body, because political control is absolutely necessary. Whenever anything of importance is to be done you have to see that people either do what you say or scam.

As I said before, it is necessary to examine the shortcomings in order to assess this Bill and to know how far the Government has gone in trying to meet the shortcomings that are known, apart from breaking new ground by extending the municipal districts. If the Government tries to solve known problems it may then go into the area of unknown problems. It is true as the hon. Minister said, that if you expected every single problem to be solved and budgeted for before this Bill is brought forward, it would never see the light of day. We agree with him one hundred per cent. He says we must depend on our self-reliance. We must have confidence in

14.10.69

National Assembly

5.10 – 5.20 p.m.

ourselves so that when these problems arise we will be able to cope with them. Agreed; the point is well taken, but what meaningful departure has been made from the old order of things?

I must agree with the hon. Leader of the Opposition, Dr. Jagan, that the Government is not even attempting to clean up the old dirty places, much less to bring anything revolutionary. We would expect that if the Marshall Plan was accepted several years ago in principle there would be changes here and there. We would expect that the areas would be enlarged. We would expect that the areas of responsibility would be widened, but we do not expect to go backward. We find that the powers of the Minister are greater than ever before. We wonder whether we have gone to sleep? Are these the old colonial days back again when the question of autonomy was spoken about and never felt? What do we see? A lovely set of clauses put together and in the last clause it is stated that the Minister shall have the right to do as he thinks fit.

When we examine the shortcomings of the present councils, we find that the councils have no money. What proportion of the taxes or licences from the roads, shops and so on, do the councils get? What licences go direct to the councils? What happens in other countries is that long ago – before most of us were born – a division was declared. What happens here? All the municipalities depend like mendicants on the Central Government and unless the Central Government drops something into their hands their budgets cannot balance. This situation is years behind what it should be.

The problem has been examined and re-examined; the conclusions have been examined and re-examined; back and forth it has gone like a rubber ball being examined. You examine a mountain and bring out an ant hill. As the hon. Leader of the Opposition said, “You have copied something.” What we want is meaningful investigation. Let us benefit from the mistakes of the past; let us decide where we are going.

I shall continue. I stopped at a certain section just to show why it is that the Government says that the total number of municipal and district councils that will be created will depend on

14.10.69

National Assembly

5.10 – 5.20 p.m.

the extent of this and that. The members of the Government have it within their capacity to say what the areas will be and in another week or two they will say what those areas are. But let us examine the situation. The Minister says:

“The new areas other than Georgetown and New Amsterdam will from time to time be brought under the Municipal and District Councils Act which will run concurrently with the Local Government Ordinance until such time as all the areas affected by the Local government Ordinance are brought under the Act. Thereafter, the Local Government Ordinance will be repealed.”

In the context of our conditions today and provided the principles and policies now carried out will continue to be carried out by our supporters, I wonder whether we will live long enough to see this thing. Is it a coincidence that the new areas which will be given attention at some nebulous future date are the estate areas, the rice areas, in which this Government knows it has little or no support? Is this a coincidence?

If the Government had support in those areas the Marshall areas would have been defined long ago. It would not have been necessary when talking about an Elections Bill to say that there would be large areas and that the Minister has the right to break these up into little electoral areas and to state how many people in each polling area would be able to put up a candidate. It is so clear. We wonder that this Government had the gall to put such a disgraceful condition into this Act.

Let us take Buxton as an area and say that the new area, for the purposes of the election, will include Buxton, Annandale, Lusignan and Vigilance. Naturally this will be so, because the Government has these areas up its sleeves – I am speaking figuratively.

5.20 p.m.

What do we find? Let us say that fifteen seats were allocated to this new Buxton area including the people around. This is what the Minister has the power to do and, in our opinion,

will do: He decides that Buxton, as we know it today, will have ten seats; that Lusignan, as we know it today, will have two seats; that Vigilance, as we know it today, will have one seat; and then he decides that the people of Annandale, who may number “X” thousand, will elect their two, the people of Lusignan will elect their two, the people of Vigilance will elect their one, and the people of Buxton proper will elect their ten.

What would we find? We would find – I am speaking figuratively again; I am not an expert geographer – that suppose Buxton has 12,000 people and there are ten seats for what we now call Buxton, 1,200 people will return a seat for Buxton. If Annandale has 4,000 people, 2,000 people will return a seat for Annandale and those people have to sit around the table. If the Government has the guts – and if nobody exposes it I believe it will have the guts; I still say it does not care – it will say, “Well, because this area is more developed.” It will find an excuse for it and will set out to defeat the same thing that has it in power today – that is P.R. – one man, one vote, one seat must be controlled by an equal amount of electors.

The members of this Government got into office by rigging elections and they now want to clothe it with a degree of legality by making it possible to have different methods of election in an area within that area so as to nullify the strength of their opponents. They will try it out and you will notice that not all areas will come in. They will want to see how it will work; we know that. They have already hinted that there will be one for Berbice, one for Essequibo, one for Demerara. There are 51 days more before the elections and they have not got the honesty and integrity, in an important matter like this, to declare what they have already decided. Why? The interest of the people is not important – political expediency is what matters. In other words, they will retain power with every means at their disposal at whatever cost it is to Guyanization or anything else.

I was laughed to scorn the other day when I made it clear – though everybody in the government would make it appear that the U.F. said it did not want a republic. What I did say is that we considered – and we still do – that a republic at this time will do no good to heal the

cleavages in this country. We have to heal the cleavages and become a people and then decide whether we want a republic or what you will. Unfortunately, we are the sons and daughters of the colonial era whether we like it or not. If we do things too quickly, it may prove that, because we were dissatisfied, we did this in the spirit of adventure without recognising the deep social effects and the deep philosophical effects. We would like them to be done.

We are told that we want to be psychologically free. Fair enough. But let us all want to be psychologically free. Let us all say we want a republic. Not because you contrive to get control of the Government and you talk about consultative democracy and co-operative republic you should push your opinions down other people's throats whether they like it or not. How can you consider that that will breed any degree of co-operation? Don't you yourself know that because of racial feelings, that the people of this country will say, "Yes, I am a member of the P.N.C.", because they want to get something? You know that, I know that; and no matter what you do, until your policies receive the support of the majority of the people, and they are behind you, you will be sitting on a volcano. Whether you accept it or not, those are the facts of nature and you can do nothing about it.

We appeal to the members of this Government. They still have the solution in their hands. The majority will eventually prevail. Let the majority be determined by proper policies, not by force, they will never be determined by force.

Mr. Deputy Speaker: The hon. Member has exhausted his time.

Mr. Feilden Singh: I beg to move that the hon. Member be given an extension of 15 minutes to continue his speech.

Mr. Ram Karran seconded.

Question put, and agreed to.

Mr. Sutton rose.

Mr. Aaron: Division!

Mr. Deputy Speaker: A division has been called for. Let the division be taken.

Mr. R. D. Persaud: On a point of order. After you gave your ruling, the hon. Member Mr. Sutton had taken the Floor and was about to continue his speech when the division was called for. I think the division was asked for too late and the hon. Member should be kind enough to bow to your ruling.

Mr. Deputy Speaker: I heard the hon. Member call for a division. I will allow the division to be taken. Before we proceed, I think we have to understand that a Motion was put to the effect that the hon. Member should be given another 15 minutes to continue his speech. My observation of the state of the House led me to declare the Motion as passed. A division was called for and I accordingly asked that the division be taken. I do not think that, at this stage, we ought to enter into any quarrels. I do not know why hon. Members appear to want to question what has taken place. I would hope that we take the division.

I am not going to allow another gentleman's agreement to pass in this House. It would appear that hon. Members would like me to pay strict obeisance to what is laid down in the Standing Orders and I will do that. I have so far been very lenient in dealing with hon. Members.

I have asked them how much time they need to conclude, having regard to the spirit of the debate.

5.30 p.m.

I shall not allow this to happen any further. Mr. Clerk, will you take the division please.

14.10.69

National Assembly

5.30 – 5.40 p.m.

Assembly divided: Ayes 13, Noes is, as follows:

<i>Ayes</i>		<i>Noes</i>
Mr. Sutton		Mr. Zaheerudeen
Mr. M. P. Singh		Mr. Wrights
Mr. Bhola Persaud		Mr. Van Sluytman
Mr. Balchand Persaud		Mr. D. A. Singh
Mrs. Branco		Mr. Saffee
Mr. Ambrose		Mrs. Limerick
Mr. R. Ally		Mr. Corrica
Mr. R. D. Persaud		Mr. Bancroft
Mr. M. Y. Ally		Miss Ackman
Mr. Lall		Mr. Aaron
Dr. Ramsahoye		Mr. Thomas
Mr. Chandisingh		Mr. Salim
Mr. Ram Karran	- 13	Mr. Haynes
		Mr. Ramsaroop
		Mrs. Patterson
		Mr. John
		Mr. Hoyte
		Mr. Jordan - 18

Motion negatived.

Mr. Chandisingh: The Bill before us today is in my opinion in many respects an anachronism now and even in the past. Before going any further I must else make the point that it would appear that the volume of work which was done by the officers appears to be considerable. Nevertheless, as I have observed, it would appear to me that many provisions have already been out-dated by life itself. To explain what I mean, I should like to say that although a

decade ago the Marshall proposals, by and large, which had been accepted by the then Government, were progressive in the sense that they represented an advance from the position at that time and indeed the implementation of such proposals then could have been a significant advance in local government for this country. But times change and developments take place.

A decade has gone by and not only do we see rapid advances in science and technology surpassing what has been achieved perhaps in the whole history of mankind, but I also think in the political social field of development, advances have taken place which would make, by and large, the Marshall proposals inadequate for Guyana today. What I had in mind is that the tendency in capitalist countries, particularly in the United Kingdom from which country example is taken to a large extent, is for local government to be severely restricted by central government. The tendency has been in the recent past for the greater centralisation of government in the hands of the central government. Many of the powers, many of the rights which local authorities had in the past, for example in England, have gradually been whittled away, taken away, and concentrated in the central government.

There are various reasons given for this and one can delve into that, but I do not wish to take a lot of time to give such historical reviews at this time. But the tendency in capitalist countries has been this trend, and in my opinion the modern progressive trend would be really to expand as much as possible the powers and functions of local government. That is why I said at the outset that the Marshall proposals, which form the basis of these proposals in the present Bill, are long outdated. I think we ought to adopt a new concept of local government along the lines I have already mentioned, to give as much power as possible to the people in the local councils in which they live rather than to copy, so to speak, what has been taking place in recent years in the capitalist countries.

Many arguments can be adduced for this but I think the mere fact is that those who are given the local authority and the people who have elected their representatives to the local authorities, can derive not only more confidence in their authority but more efficient work can be

accomplished more satisfactorily, more speedily, if carried out by authorities which are very close to the people who have to use these services, who have to benefit by these services.

5.40 p.m.

It is true that there is a longer list of things which local authorities will be able to do but when one examines these functions carefully one sees that it is really an extension in quantity without an extension in quality of the functions. If this is not so well understood, I would like to explain that what I mean is that the type of function which is now given to the local authorities under this Bill merely extend the range of superficial functions which merely scratch the surface of things and do not get to grips with the real possibilities which exist for local authorities to really carry out functions which they are fitted to carry out and which they need to carry out even where the list is expanded.

One knows also that not all the new local authorities will be able to perform all these functions. Here, again, we see the other aspect of this restriction of which I have spoken. As far as I can gather, orders will be passed in which particular duties can be carried out by a particular district and, as the Bill states, from time to time, dependent on certain factors, the particular local authority will have its power extended. It is going about things the wrong way – in order to see how much control central government can exercise over the local authorities. In other words, the local authorities are being treated like little children who have to grow up and the father, the central government, must take it into account eventually if it is to give more responsibility on the part of the new local authorities.

I think that, for all local authorities, all of the new district councils – I am not referring to the present authorities which will continue for an interim period, but I am suggesting that all the new councils – should have similar functions and the same opportunities to function depending, of course, on whether this or that particular one has the resources at the moment to carry them out. That is one of the proposals which I would like to make for the Minister's consideration.

Taking up this question of the limitation of powers, I feel that there are certain things such as hospitals which should be run by local authorities. Let us take one example of a hospital which can and ought to be run, managed and controlled by the local authorities in the area in which it is situated. For example, let us take a hospital at either Skeldon, Mabaruma or Bartica. I think that most people who have anything to do with the running of a hospital and its staff would recognise that more efficient service can be had if the local authorities are given responsibility for the running of these hospitals.

We are in the position now when things take a long time to be done. The central government has control over all hospitals, appointments of staff, ordering of drugs, and all these things. It would seem to be a uniform way of carrying on but, on the other hand, there is a case to be made out for local authorities to be directly in charge of hospitals in the area in a much deeper sense than is envisaged in the Bill.

I must make this clear because I may be misunderstood. There is provision in the Bill for local authorities to undertake certain health functions but, from close examination of the wording of the relevant clauses, it would appear that there is no conception in the framework that the local authorities should go to the extent of taking responsibility for the running and management of a hospital. This is just one example in order to show the sort of deeper thinking which is necessary before the Government undertakes this venture of giving more responsibility to the local authorities. I do not think, as I said before, that this attitude of holding back as much as possible, releasing this and that every now and then, will be conducive to this development of responsibility and initiative on the part of the local authorities.

Another point I would like to make, generally, on this conception of the local authorities is the doctrine of *ultra vires*, that is, as I understand it. This doctrine of *ultra vires* is one by which the central government gives certain specific powers or functions to local authorities. Local authorities should not go beyond those powers which are specifically stated in the law which set up the local authorities. As far as I am aware, progressive thinking is in favour today

of abolishing this doctrine of *ultra vires* insofar as it applies to local government. In other words, progressive thought, as I understand it, believes that local authorities should rather be told what they cannot do, and anything else they should be qualified to do. This would give much more scope to the local authorities.

Again, tied up with this question is the power of default which my friend and hon. Colleague on this side has already referred to. I merely wish to tie it up with this question of *ultra vires* in order to show that it comprises a body of restrictions which hold back the development of the local authorities. I think that it is not a good principle and should be abolished. As a matter of fact, the electors who elect local authorities or representatives to form local authorities should have the ultimate right to decide whether they wish to continue with a certain body of councillors.

With the growth of the party system which reveals the existence of stable political parties in Guyana, quite unlike the days of old, I feel that this sort of development is another point in favour of the argument that local authorities should be left as far as possible to run their own affairs with the minimum of central government interference. We should place more reliance on the good sense of the electorate to control and to choose their local authority councils.

5.50 p.m.

Turning to another point, I should like to refer to the question of finance. It is all well and good to set up these new districts; to give them a long list of functions even though they are superficial – but what about the financing of the work of the local authorities? The scope of the present Bill seems to leave local authorities on their own and I have the impression that this whole system of local government is intended to be merely a means whereby the Central government can shuffle off a little bit of the responsibility of expenditure by putting the burden on the people of the local areas. In other words, the whole conception of the Government is not to have a drastic and radical development in local government but rather to absolve the Central Government from certain expenditure which, at the moment, or in the future, it may have to be

responsible for providing for the people by way of limited or extended self-help in the communities. I would submit that this not good enough.

Other speakers have referred to the need for additional sources of funds. I should like to stress this point. Apart from any other doubts which one may have about the whole intention of the introduction of new methods by which they may be manipulated etc., the point I want to make is that it is necessary to find a new source of funds if the new local authorities are going to serve any worthwhile purpose. The hon. Member Mr. Wilson on this side did quote from a memorandum submitted by the hon. Minister of Local Government when he was President, I think, of the Guyana Association of Local Authorities in which he also called for new sources of funds. I do not want to quote it again but merely to refer to his remarks, and that is, in order for local authorities based on an expanded Adult Suffrage to be really able to carry out their functions, it is necessary to have a new source of funds.

In his memorandum of 1964, Mr. John did make some proposals. I am not going to try to suggest here which of these were good, whether all of them should have been carried out or not. The main point is that we must find a new source of finance for these new local authorities. A suggestion was made by the hon. Leader of the Opposition (Dr. Jagan) that a capital fund should be established for local authorities from which the new local authorities could be in a position to get money for carrying out development works such as, for localise industries and so on. We all know the position today is that loans are granted by the commercial banks at very high rates. I think that Government should establish such funds in order to help the young local authorities to be able to develop without taking on a new burden of debts as a result of high interest rates.

On the question of grants it has been pointed out that grants represent a rather good way of helping local authorities. On that subject I recall that the hon. Minister of Local government did say that the purpose of the government grants would be (i) to stimulate local authorities, and (ii) to help the weaker ones. Here again I have my doubts as to whether in fact this purpose will be served in the giving of grants because apart from any ideas which one may have about this

Government itself, and we have a lot of grounds for suspicion as you are well aware, sir, nevertheless, if one takes countries like England, one can see that grants have been used and are still being used as a means by which local authorities are pressured by the Central Government and they are restricted. In other words, these grants are given and the Government tell you, "If you do not do what we want you to do, if you go a bit further than we want you to go – for example, if you wish to help the people in that area by giving higher rates of social benefits or charging less house rents for your houses" – the Central government comes in and says, "You will not get any more grants." It sends letters in subtle ways saying that no more grants would be available. There again, the principle of grants is not a very good one as presently envisaged in the interim period before new sources of finance can be made available.

It is our view that grants should be based on some recognised principle which everyone could recognise. Grants should not depend on the particular policies or composition of any particular local authority. If grants are to be of any use – and I am not talking about the grants that are presently made, \$200 or \$300 per local authority – they must be a source by which local authorities can know that they will be entitled to receive a certain sum of money: they must be fairly large sums so that these local authorities can carry out their functions in a meaningful and useful way for the people. Perhaps the system of even block grants can be given, instead of tying the grants to specific projects. Many progressive thinkers have said that it is better to receive a block grant – a total sum of money – which the Council would know that it would receive, this year or next year and so enable the Council to decide on priorities on projects it wishes to carry out depending upon the desires of the people of the area at that particular time.

In connection with this point of grants, I should just like to add one other point. I should like to make the point that in the past, the hon. Minister of Local Government himself has urged a great increase in grants, and also to inform this House that it is the opinion of many local authorities – many persons who are themselves personally engaged in local government – that the debts and arrears which most of them have incurred by way of water rates, drainage and irrigation rates, etc., should be wiped off when the new local authorities are extended.

The extended local authorities will be able to start with a clean sheet, so to speak, I think that this is a good idea and we would like to commend it to the Government for its consideration. I think it would be in keeping with the whole spirit of creating these new local authorities and would help them in a way which is tangible so that they are not saddled with these old debts.

Finally, I should like to project the whole idea that, particularly when we consider the source of funds, it is quite obvious that in Guyana, as presently constituted, that is, as a capitalist economic social system, the sources of funds, which the local authorities would raise themselves in order to become independent of the Central Government, would perhaps take a different form than they would have in the event that our country should take a genuinely socialist course of development. For example, if Guyana can move towards a genuinely socialist economic system, it is quite clear that the problem of funds for local authorities would not be as difficult to solve as is the case at present. There would most likely be a turnover tax, a tax on industry and trading organisations and this tax, generally, would meet the needs both of the Central Government and local government in adequate proportions. Eventually there would not be so much need for income tax and there would be a solution to the problem of easing the burden which many people today in the local authority areas may have if they are called upon to pay directly more taxes in order to find an additional source of funds to carry out the works.

I introduce this thought that the local government problem is only solvable, in the sense in which we see it, when Guyana is able to develop socialism. The Government has spoken of a Co-operative Socialist Republic. Well, this is a test of the earnest of this Government, whether it really intends to move to anything resembling socialism.

In the field of local government, one would find that even though adjustments can be made – there can be some tinkering with the existing economic social structure in Guyana to the benefit of the people in local government areas – nevertheless the final or ultimate solution to the problem, that is, the raising of adequate funds, will only come with the introduction of a genuine socialist system.

Having made these points, we hope that the Government will take into consideration all that has been said on this side of the House and that it will find it possible to defer the passage of this Bill in order to examine more carefully the advice which has been given from this side so that the district councils, when they are finally set up, will be really democratic and effective instruments of local government which will work in the interest of the people who live in their areas.

Mr. Deputy Speaker: I call on the hon. Minister to reply.

Mr. John (replying): The hon. Member, Dr. Jagan, regaled us with a dissertation as to what should be the aim of local government. I am afraid it is hardly necessary for me to reply to him now because the manner in which he put forward his contribution shows that possibly it was prepared before. There were no replies to points which I raised. I feel it is necessary to deal very early with some of the points made by other members of the Opposition before proceeding with those made by the hon. Leader of the Opposition.

We were very fortunate to have the hon. Member Mr. Lall refer to the prior steps which the P.P.P. had taken in consequence of their Memorandum in 1958. Among the things for which he claimed credit was universal adult suffrage which we are now seeking to enact. He also claimed credit for a number of other matters. I am sure it will be difficult for him to blow hot and cold. In consequence of that Paper of 1958, the P.P.P. Government had itself drafted a Bill. I refer to the Local Authorities (Constitution, Election Procedure, and Financial Provisions) Bill, of 1960, which was published in the **Official Gazette** of 5th August 1960. After listening to the bleating about grants, I should like to read what the Bill stated, because the hon. Members are now saying that we must make a formula setting out - - - to each. Clause 216 of that Bill states:

“There may be paid to local authorities out of money provided by the Legislature, grants in respect of any expenditure incurred or to be incurred by them in discharging any of their functions under this Ordinance or any other enactment, such sums as the Governor in Council may direct and subject to such conditions as he may determine and different sums may be paid subject to different conditions to different local authorities.”

Clause 217 of that Bill went on to say:

“(1) The Governor in Council may, at any time discontinue the payment of grants under the preceding section and cause to be prepared a scheme whereby the money made available by the Legislature for assisting local authorities shall be paid to them on a basis that will reduce as far as possible the rate burden per head of population in a local government area where such rate burden is greater than the average rate burden in all the local government areas.

(2) The rate burden per head of population in a local government area, which may be based on the whole or part of the services provided by the local authority shall be calculated by dividing the expenditure financed from revenue from rates or the whole or part of the services so provided as the case may be by the population resident within the local government area.”

Clearly, what was the position there was that they had an absolute right to determine what sums of money should be paid and they made it quite clear that different sums may be paid to different local authorities. The hon. Members are now trying to tell us we must have a standard figure put forward in respect of all the local authorities by virtue of the fact that we will have a discussion as to how that sum will be paid. We made clear in the White Paper the basis upon which we will make grants to local authorities. We said:

“It is proposed that where the need of the particular case justifies, Government will, within its financial capacity make such grants to local authorities as are reasonable, with a view to stimulating them. Where practicable weak authorities which need special assistance will be afforded same, if they show a willingness to engage in co-operative, self-help and community effort;”

We have set out what are the bases and among those bases are their inability, on account of the particular financial position of that local authority, but there is one fundamental move forward that we have made to which no reference has been made in the arguments of hon. Members.

That is that Government will pay rates on all its properties so that where, as in the present case, the local authority has to carry out specific . . . because specific Government buildings are in that area, that local authority will no longer have to be burdened with that additional duty because that Government property will be valued on the same basis as ordinary property and rates for that property will be payable. That is a standard and uniform basis which seeks to remedy the present inconsistency now existing, as I referred to in the course of the debate yesterday wherein I pointed out that in some areas there are large administrative buildings but the contribution is very small. In some areas there are buildings but no contribution at all.

Again I must refer to this Bill because hon. Members opposite went on to a number of points which do not stand reason. Clause 227 refers to the point made about removing any difficulties and I will read that clause and ask hon. Members to read the same clause in the Bill before them in order to refresh their memories:

“ (1) If at any time any difficulty arises in connection with the application of this Ordinance or in bringing into operation any of its provisions, the Governor in Council may by order make any provision that appears to him to be necessary or expedient for removing the difficulty.”

And then clause 228 goes on to speak of the power to make regulations. Those powers are identical to the powers which are now stated in the Bill. In the course of carrying out the provisions of a Bill of this magnitude there are bound to be certain difficulties which are likely to arise and that power should exist in order that those difficulties can be easily resolved.

Another point about which some point of objection was made is the question of the power to dissolve a local authority if the necessity arises. Now it is fundamental that local government means a totality of local government powers within a particular defined area which are subordinate to the Central Government. So it is all the very essence of local government administration that the Central Government must in the last resort be able to have powers exercisable where a local authority fails, for one reason or another, to carry out its function. Even

with the best ingenuity one can well imagine that circumstances will arise where the local authority may exceed its power or may not carry its power effectively. In that regard I must again refresh their memories and refer to clause 226 (1) of their Bill published in 1960 which runs as follows:

- “(1) If the Governor in Council is satisfied upon representations or following any inquiry ordered by him or otherwise that –
- (a) a local authority have exceeded or abused their powers or have made default in the performance of any duty imposed upon them;
 - (b) the local authority have failed to achieve or maintain a reasonable standard of efficiency and progress in the discharge of their functions, having regard to the standards maintained in other areas; or
 - (c) the expenditure of the local authority has generally or on any particular head of expenditure been excessive or unreasonable, having regard to their financial resources and other relevant circumstances of the area; or
 - (d) the local authority have failed to observe any financial instructions issued under section 163,

he may, by order, declare the local authority to be in default and either –

- (i) direct the local authority to perform any of their functions in a manner and within a time specified in the order; or
- (ii) transfer to such person or persons as he may deem fit, such of the functions of the local authority as may be specified in the order, and such person or persons shall exercise and perform all powers and duties of the local authority in relation to the functions transferred; or
- (iii) dissolve the local authority, or suspend the local authority for such time as he may think fit from the performance of such of their functions as may be specified.”

That is a point upon which there was a specific provision and there is every reason why it should be so. It is inconceivable that one should have local government without the necessary

powers, in cases where that local government does not carry out its functions properly, to bring that local government into a position in which it can correct its default.

Much has been said about the powers which the Minister will now have under the new legislation. I do not think hon. Members understand the progress that we have made constitutionally. Now it is true that, formerly, there were a number of boards with executive authority because the Governor - - - and he did not carry out that function. In fact, he was carrying out some measure of the functions but, with the bringing into play of ministerial government, the responsibility is a responsibility which should be exercised by the particular Ministry, and that is all we seek to do in having the powers, some of which were vested in certain boards and commissions, now put in the Minister who is responsible to his Government and ultimately responsible - - - I can hardly understand what is the reason behind the bemoanings of a number of hon. Members as to the powers which are now to be assumed by the Minister in relation to elections.

Quite a lot of talk has been made about the rigging of elections, the question of holding of elections under which the Minister has the power to declare certain electoral districts. All we seek to do is to have a modification of P.R. which brings into play the electoral system, but right now in this country all the local authorities do not have the same form of electoral system. There is in some areas a singleness. Let us take the position up to the time they came out of office. There were wards like Lodge with a singleness of 11 or 12 members. On the other hand, there were wards where the entire council was divided into wards which elected one member. Then you had a village like Kitty where the village is divided into a number of wards.

Hon. Members must understand that a matter of local government elections is a matter to which one has to apply certain principles that operate locally and, therefore, some modification is necessary because areas vary in size and may vary in interest, and it is obvious that such a view is necessary because even in the best circumstances one cannot have an election properly run to

reconsider what would be the aspects of the local authority except one would have such a discretion vested in the Minister.

It will also occur that there will be some local authorities that will be of considerable size and that makes it all the more important why this should be necessary. In the course of the debate on the Local Authorities (Elections) Bill opportunity will be taken to deal with some more detail on this question of elections but I wish to make it quite clear to hon. Members that much of what they have said indeed has no substance if they try to follow what is the new trend so far as elections in local authorities are concerned.

Now the hon. Member Dr. Jagan said that we have not sought to make changes in the circumstances that existed before. I really cannot understand that. I think that if one were to follow the P.P.P.'s attitude to Dr. Marshall one would be reminded of Sir Andrew Aguecheek in the famous Shakespearian play *Twelfth-Night*. Marshall says 18, they say 18 too, if not 19. Marshall says that there will be a one tier system; they say so too; but before we go into detail I want to remind them that our approach to this question is different to theirs.

Yesterday I pointed out that, as far as we are concerned, we are using our own resources. In other words, we postulate that we have a sufficiently informed Public Service to read the Marshall Report, to relate that to local conditions, and to formulate a philosophy on which we can act. We are not only doing the legislation here but the people are carrying it out here. The ideas in inspiration are coming from here. On the contrary, they had to get commissioners from abroad and read line for line what Marshall said. Where their local government reform acted solely upon what Marshall said, ours was different. What we did was to take Marshall's view, to take public comments, and also to take our own view so that we are moving on a three term basis in contradistinction to the hon. Members opposite.

The hon. Member, Mr. Wilson, must have his memory refreshed because he criticised us for a number of omissions. I could not understand how he could have done it in the face of the White Paper. The hon. Member, Mr. R. D. Persaud said that he objected to the proposal that we have a council of 25 to 30 in Georgetown because, he said, 30 is an even number and if we are going to have a tie in the election of a Mayor, an even number would create problems in the exercise of the vote. I would refer the hon. Member to his own party's proposals in relation to Greater Georgetown in which they advocated 24 members which was also an even number. I do not know if he read them but it is quite clear that the number which they are now criticising, in the case of the rural authorities, that it should not be 18 because it is an equal number, and which they criticise in the case of the municipality in spite of the White Paper, they themselves also had agreed on, that there could be equal numbers.

In the first case, there is provision in the Bill to resolve questions of equality of votes so that cannot in fact create any trouble, but in any case depending on the size of the several members or blocks or political parties in the particular council, that is a very effective point on which voting will decide on any occasion rather than equality or inequality of number. They claim we have introduced nothing new.

The hon. Member, Dr. Jagan, was very careful to sidestep the fact that we have sought to bring about the party system in local government because we have insisted that a list put up by a number of persons must be a list of the whole council. He said we are not looking at the system in Yugoslavia and other countries but I would remind him that it is the very principle that bears semblance to the system in those countries that we are bringing into play, but their provisions do not make them into institutions whereby the party system must apply to local government by virtue of the numbers.

A number of other matters have been raised. Unfortunately, many of the matters which have been raised are matters upon which they themselves took the same stand. I heard them criticise the single tier system. Dr. Jagan said we may have the two-tier system in some area and

he was very positive when he said we ought to have a two-tier system and not a single tier system. It seems that he did not have that in mind in 1958 when he made his Sessional Paper. One of the recommendations they had was a change in the system. If he wants to refresh his mind he can turn to page 3 of the recommendations where it was stated that a single-tier system of local government should be established. There were three proposals to which the Governor-in-Council would give effect. I remind the hon. Member of what was said on that occasion because it seems it is necessary to remind him.

There are a few matters about differential rating. This is an entirely new matter which is necessary in the light of the fact that different areas will be put into play. You might have Georgetown with sewerage and another area without sewerage. Differential rating can settle problems of that nature. In addition, financial regulations we have made very limited. I cannot say what is the reason for the criticisms.

The hon. Member, Dr. Jagan, referred to the fact that he did not think we tried to meet organisational history between town and country. I should hope we can convince him that this is recent. In the original provision there is provision for a specific Ordinance for Georgetown, a specific Ordinance for New Amsterdam and a specific Local Government Ordinance for other areas. What we have not done, we have brought all three Ordinances within the same Act. We have said at clause 301 what are the powers of the municipalities and then we proceed to state in clause 302 that those powers can be transferred to the rural areas under the law to be enacted.

It is obvious in our scheme of approach to local government reform that we accept the fact that local government reform can be carried out without dealing with all the areas at the same time. In the course of time, as areas are brought under the Municipal and district Councils Act, the Local Government Ordinance will have no real usefulness. What will happen, the very complaint about which the hon. Member made heavy weather will be remedied because the very nature of this Bill, the way in which it was drafted, has the effect of having similar powers in the

rural as in the urban areas. It is obvious that it must be the machinery which will have the power to - - - from time to time as the areas cannot be brought together at the same time.

In relation to the question of the areas which are to be created, we readily pointed out that I could not determine that without the Constitution Order. Some point was made that three municipalities were accepted eleven years ago and it is the same position today. Wismar-Mackenzie-Christianburg was not determined eleven years ago. It was developed in the course of time and we have pointed out that we have moved on to the creation of district councils. After this Bill is enacted, there can be no justification for the complaints made. The hon. Member, Mr. Singh, made a number of criticisms. I do not think we can take them seriously because I do not see that they really refer to the situation under discussion at the moment, but I would like to assure the hon. Member that once a government is in office the responsibility must be entrusted with some measure of confidence in that government to have proper local government representation, because in actual fact it is to the credit of the government in the long run to have peace, order, and development in local government.

Some criticisms were made that persons have not been consulted on the proposals. In the last five years we have had discussions with local authorities and although it is true that we only published the Bill recently, we have received volumes of comments. I think we received comments from 100 different bodies and organisations and individuals and these include GALA, which includes unions of local authorities, and individual persons and as I said, we had to collate those comments raised, some of which were duplicated, and it is out of those comments that we were able to make changes that are here.

I think I have mentioned most of the points to which I wish to refer. I will only ask the hon. Members to give this Bill their support and approach the matter with a general assurance that we have persons sufficiently competent to do all that can be done and we can make a success of local government.

Question put, and agreed to.

14.10.69

National Assembly

6.20 – 6.30 p.m.

Bill read a Second Time.

Mr. Speaker: This sitting is suspended until 8 o'clock tonight.

Sitting suspended at 6.30 p.m.

8.13 p.m.

On resumption --

LOCAL AUTHORITIES (ELECTIONS) BILL

A Bill intituled: "an Act to make provision for the election of members of Local Authorities, for the preparation of Electoral Registers for the purposes of such elections, for the determination of disputes in connection with such elections and of disputes in connection with elections to certain offices in Local Authorities and for matters incidental to and connected with the aforesaid purposes." [**The Minister of Local government.**]

Mr. Deputy Speaker: When the Suspension was taken at 6.30 p.m. we had concluded consideration of the Second Reading of the Bill, that is, Bill No. 24. I believe that the hon. Minister will now want to proceed with the Second Reading of Bill No. 23.

[At this stage there was a lengthy pause.]

Mr. John: I am sorry, Mr. Speaker, I did not know that you were waiting.

Mr. Deputy Speaker: I asked you to proceed a long time ago.

Mr. John: I am sorry. As was pointed out in the course of the Municipal and District Councils Bill, the purpose of the reform proposed by the Government is not only to change the structure of local authorities and the powers to be given to them, but also to hold elections in the local authority area. The delay of more than a decade in the holding of elections is all too well-known and hardly needs repetition except, of course, to refer to the statements made in this

House during the course of the previous Bill as it was in the regime of some of the hon. Members of the Opposition that the holding of elections was suspended.

Now that we have decided to proceed with the holding of elections, I think that the point must be appreciated that more than ten years have passed since those elections were suspended and I think, therefore, that we must approach this question of the nature of elections, time of elections and the manner in which they are to be conducted having regard to changes taking place in our country since that time. There is one point about which there should be little argument and that is that in the system of universal adult suffrage, a resident's qualification is all that is desirable. I would not have mentioned this again but, in view of the fact that there are pronouncements elsewhere as to the views of some organisations dealing with local government which may well be misunderstood, I think it ought to be repeated here that if one examines the views that have been expressed over the last ten years in relation to the franchise in local government it must be agreed that the consensus today is that, for purposes of local government, there should be universal adult suffrage. I have said in the course of the debate on the other Bill that, as a result of the publication that occurred in the Press, a number of organisations had submitted their comments. Those organisations included the organisation representing the local authorities, and I refer to the fact that a large number of other bodies have also given comments on the Bill. The Georgetown Town Council, the Kitty Village Council, the West Demerara Council, the East Demerara Council, Demba and several individual persons; all those comments were considered by the Ministry responsible for Local Government and it was as a result of consideration of these comments along with the report which we had and the views of the Ministry itself that the present policy was formulated.

8.20 p.m.

During the course of the debate earlier today, we had the benefit of the stand which the Guyana Association of Local Authorities took on this question which was read by the hon. Member Mr. Wilson in the course of his contribution to the debate. I think it will be recalled that

the Association showed quite clearly in its report about the acceptance of the principle of Universal Adult Suffrage. I wish to say that so far as my Government is concerned the principle of one man, one vote, is a pillar upon which we rest. Our position, so far as democracy in local government is concerned, is the pillar upon which there can be no compromise whatever. I think that any deference to any comments which might be made it must be very clear that the Government is very definite on this aspect.

Sir, even the Marshall Report made one point, when it referred to the question of Adult Suffrage and that was as far back as 1955. If there is Universal Adult Suffrage in the centre, it must also be obtained in the provinces. That was the basis of the argument. It will be seen that our approach in local government elections is the contention on which we believe has some measure, and one will see that in the general scheme of things with respect to the elections in the local areas, that there is a desire to try and follow that which obtained in the national elections. We are not alone; we are not single in this respect.

Then, there are those who might wish to doubt; I commend to them the Local Government Legislation of Israel where the same obtains; our proportional representation in local government areas is, indeed, nothing new. I wish to commend them also to read such books as "Rural Local Government in Sweden, Italy and India" which in this case show the position of Sweden and Italy and there are a number of other countries. So those who, for one reason or another, assail the system of proportional representation in rural areas should come to realise that we are taking our stand not only because we believe the . . . system should be the system of the provisions, but also that there are several other areas that have tried its experience in some sections.

In setting up our structure for the holding of local government elections, it is proposed to use the same List which was used for national elections. In that regard, the Chief Elections Officer and the Minister responsible for national elections will be the persons who will supervise the elections having regard to the fact that the same List will be used. *[Laughter (Opposition)]* It is intended that the present Electoral Bill would provide that the List for the National Elections

will be used as the basic list for the local government elections in relation to that particular section of the List which applies to the local government area whether constituted as a municipality or district. An opportunity will be given for those persons who may wish to have amendments by way of additions or deletions from the List as may be necessary. [*Interruption by the hon. Member Dr. Ramsahoye.*]

Reference for a qualifying date was brought in this very hon. House: Regulation No. 9 of 1969 and Regulation No. 10 of 1969 which was made under the National Registration Act. A list for the National Elections, by virtue of those two regulations, was revised as to 30th June this year, that being the qualifying date. So it is proposed in these elections to make the 30th June, 1969 the qualifying date for the purpose of local government elections. All those persons who are registered on the National Registration List will be the same persons who will be registered for the purposes of the local government elections List in relation to the qualifying date of 30th June, 1969. Changes to that List for which we have still, out of abundant caution, provided for the previous legislation, will be minimum.

As I said before the same qualifying date which existed in Regulations Nos. 9 and 10 of 1969 made under the National Registration Act, both of which were made on the 12th June, 1969 and on the 1st July and both Regulations were laid before this hon. House and opportunity was available for any contrary resolution for which there was none, having regard to those regulations, the fact that the same qualifying date will be the qualifying date to be used for the purpose of the local government elections, one can see that it is made simple for us to have a List put up for the purpose of the local government elections. In fact, in asking that the List be put up, it will only be giving an opportunity to those who for very few reasons could not have been registered. Once a man was in the country on the 30th June, or once a man was in an area on the 30th June, 1969, then under the National Registration Act he had an opportunity to that date, of having himself registered and even if a man were coming now to have any claim for local government elections, that claim will be put in relation to the qualifying date which is 30th June, 1969.

14.10.69

National Assembly

8.30 – 8.40 p.m.

Having dealt with that I shall now proceed to the system which will be operative. I have already referred to the general supervision and direction of elections and I shall repeat that the position is the same as a general exercise in relation to the national elections. It must be realised, however, that elections in local government areas are elections in areas that are subordinate to the Central Government. I think that is a predisposing theme which has been missed by a number of hon. Members in discussing matters in relation to local government from the time that we started the debate.

Provisions are made in relevant sections in Part I for supervision of elections. Provision is made for the Chief Election Officer and staff of election officers who will be carrying out the elections. In Part II provisions are made for registration of voters and it is there provided that:

“The Minister may by order require the preparation of a register of voters for any local authority area and may by such order require the preparation of a register for each of more than one such area.”

That order will prescribe the qualifying date; the day upon which applications are to be made; the system under which objections are to be made; the date on which the supplementary lists will be put up; and also the date on which opportunity will be given for the correction of any errors that may arise in the course of that registration. That order shall be published in the Official Gazette and in the local authority area to which it relates.

The qualifications for registration as a voter shall be: Residence in the local authority area on the qualifying date which, as I said, will be in relation to the 30th June 1969. That deals with the ordinary residence of persons. In relation thereto, in subclause (2) of clause 10 we find the system under which the residence will be decided. That is always a matter creating argument and it is felt that too have it defined will simplify the matter. We have done so in this Bill now before the House.

Under the system, a notice will be put up inviting applications from persons who, for one reason or another, feel that they ought to be registered and who can look at the relevant national list to see whether they have in fact been registered and make a claim in respect thereto. When that claim is made the particulars will be put on that list. It will also be available for the purposes of the national register but, for all practical purposes, the national register being the register which in the first place will be put up in local authority areas, those persons who are thereon included will automatically be in that local authority area until such time as when any question arises whereby that name can be removed.

Under our system of elections, in which we provide for one man, one vote, it is not possible for a person to be registered more than once or to be registered in more than one local authority area. In the circumstances, assistant registrars will receive the applications only of persons whose names do not appear on the relevant part of the list of the national elections for that particular area which has been put up.

Those applications will have to be made to that assistant registrar and particulars supplied relating to the address, occupation, place of work – in short all issues which are necessary in relation to the national elections, added to which one will need to have, for the purposes of the local area, residence on the qualifying date within that particular area.

There are provisions in clause 16 for allowance for registration if the particulars which are given to the registrar are satisfactory. Subclause (1) of clause 17 provides for disallowance of that application for registration if it does not fulfil the basic requirements.

Clause 18 deals with the preservation of order. We deal in clause 19 with the submission of supplementary lists. Supplementary lists will have those names which have to be added to that part of the national list which is put forward in the first instance in the local authority area. Those names will be added to the national list as such and it will not be necessary to have to prepare a completely new list. A system will be adopted whereby once there is a list which is a

basic list, any deletions can be made by striking out names on the list, with the authority of the elections officer involved, and any addition can be made by adding to that list by way of a supplementary list.

Provision is made for the Registrar General to supply the necessary information. Provision is made for the correction of lists and for certification. After such certification there will be insertion of any name which is inadvertently omitted and the list shall be open for inspection as provided for in subclause (4) of clause 23.

Under Miscellaneous Registration Offences in clause 25 onward, provision is made for offences which might be committed in the course of registration and the relevant penalties are therein provided in order to ensure that the elections are conducted with some security and seriousness. In the main, penalties are for false registration, false statements and for obstruction.

Then there are General clauses which deal with the supply of election material, the supply of forms, assistance to incapacitated persons and the like, provisions which are not unusual in legislation dealing with elections.

In Part III, elections are provided for and there is provision that elections should be held on the day which is appointed for that purpose. There is also provision for the postponement of elections in cases of danger and any unforeseen circumstances which might arise. The provisions are not different from those of similar provisions that are made in national elections.

Elections are to be by secret ballot and there shall also be a system of proportional representation. This is a point upon which there has been some argument. A provision has been made whereby the electoral district shall form one area, but the Minister responsible for elections can divide that area into a number of electoral areas and the same system of proportional representation will apply in respect of the lists for those areas.

Local government elections must be approached with a different attitude of mind from that of national elections for the consideration in local authority areas will depend to a great extent on the nature and extent of the areas, how far an area spreads, or what is the particular relation of persons in that area and, as I pointed out, usually in the system of elections as they were up to 1968, the form really varied from district to district.

While maintaining the basic principle of proportional representation, we have made provision here for variation to the Tasmania model of proportional representation because we feel that this is something which is necessary in the particular circumstances of local authority elections.

From clause 40 onward, we deal with qualifications of councillors, which will be residence within the area or within a particular district, as well as being a person who is entitled to vote in that local authority area. Normal requirements are there – a person eligible for national elections, being of the age of 21, being a person who has been sane, who has not been adjudged insolvent, who is not serving a sentence of imprisonment, who is not disqualified from holding office as a councillor under any circumstances pursuant to any law and who is able to read and write the English language; and he shall not be entitled if he is a councillor of another local authority or consents to have his name in a list of candidates at an election for another local authority.

We have made provision that a man must not be made councillor in more than one local authority area. I think this is important because in the circumstances in which local authority areas might well be of larger sizes than they are today it is necessary that those who may be taking part in them may be able to devote the necessary time to concentrate on work there.

Clause 41 onward relate to the Lists of Candidates, submission of the lists by persons in accordance with the number of persons who are entitled to submit them and in accordance with the provisions made under the Municipal and District Councils Bill – in the case of Georgetown,

between 100 and 120 persons; in the case of New Amsterdam, between 50 and 60 persons; and in the case of rural authorities, between 20 and 30 persons.

8.40 p.m.

That list of candidates must be a list which would be submitted in the alphabetical order of the surnames and the persons submitting the list will be entitled to name a representative on the list who need not be a person on the list but who will be able to determine the person who, after the election is made in the first instance, will be appointed councillor. That person will also be able to fill casual vacancies arising in the course of the life of a councillor from the other members on the list of persons published in the alphabetical order in the first instance. Here again the importance of the development of the - - - system is underscored.

One will well see in the provisions of clause 44 that there is provision that the list shall be accompanied by a statutory declaration; that the list shall bear a title selected by the persons by whom it is submitted; that no person shall be a candidate on more than one list of candidates and no person shall be a signatory to more than one list; and that a person may be a signatory to a list notwithstanding that he is named therein as a candidate. I pointed out before that there is provision for a representative of a list who need not be a member on that list.

In clause 46 we provide for defective lists and for the correction of those defects and also provide subsequently for the - - - of these lists and for appeals against refusal of approval. Those provisions follow in some similarity the provisions at the - - - except that the periods are not quite the same since we are dealing with much smaller local authorities than was the case with the national elections.

I pointed out earlier that we have sought in this Local Authorities (Elections) Bill to make one Bill dealing with the elections of all local authorities, whether they be the municipalities of Georgetown or New Amsterdam or the village districts as operated under the Local government

Ordinance. There again we have sought to make it uniform so that the position is not the same under which the New Amsterdam elections were determined by the New Amsterdam Town Council Ordinance; the Georgetown elections were determined by the Georgetown Town Council Ordinance; the village elections were determined by the Local government Ordinance, but we have sought here – and again I must repeat for hon. Member who may not have observed the position – to ensure that the uniform position is made in relation to the elections, whether they be in a municipality or whether they be in a village. Subsequent provisions deal with the publication of lists, the death or withdrawal of a candidate.

Clause 55 onward deal with the appointment of election agents, appointment of assistant agents, counting agents, and polling agents and actions of assistant agents. We also deal with the liability of candidates for offences committed by election agents.

Clause 59 onward deal with entitlement to vote. It is provided in clause 59 that a registered voter should vote in person but there is also provision for voting by a system of proxy, a person being able to be a proxy for three persons. Opportunity is provided for voting in special circumstances in case of members of the Police Force or armed force. Right to apply to vote by proxy will be afforded:

- “(a) members of the Police Force, the Special Service Unit and the Guyana Defence Force;
- (b) members of a town constabulary and rural constables;
- (c) employees of the Transport and Harbours Department engaged in running trains and vessels’
- (d) Candidates;
- (e) election officers and their staff;
- (f) persons unable or unlikely to be able by reason of blindness or other physical infirmity to travel to the polling place at which they are entitled to vote or, if able so to travel, to vote unaided;

officer upon application for ballot paper. One will see that the normal position in relation to the national elections occurs in relation to these elections.

The mode of voting is provided for in clause 81, the method which is similar to the method now obtained in national elections, while provision is made for the blind and incapacitated persons in clause 82 and tendered ballot papers and entries in poll book in clause 83. Maintenance of secrecy at polling place is covered by clause 84 and matters relating to the actual poll, molestation of voters and preservation of order at polling place and the like are covered by clauses 85 and 86 with the usual provisions as regards the keeping of persons not connected with elections two hundred yards from the polling station.

In clause 87 there is provision for the closing of spirit shops on the day of the poll within the particular area. On that day it will not be possible for intoxicating liquors to be sold.

I am sure that hon. Members will be happy to know that in clause 88, there is provision for employees to be given time to vote. There again the normal procedures are followed. Adjournment of poll and procedure on closing of the poll are provided for in clauses 89 and 90.

Clause 91 onward provide for the counting of votes and ascertainment of election results. Clause 91 states:

“The votes cast at the polling places shall be counted by the returning officer in accordance with the provisions of sections 95 to 97:

Provided that the Minister may, if he thinks fit, determine the places where and by whom the votes cast at any polling place shall be counted.”

8.50 p.m.

Candidates are allowed to attend the count and the usual provisions for the attendance of several persons are provided for in section 93. The method of counting is not dissimilar.

The general principles in relation to the acceptance or rejection of a ballot paper are provided for in section 94 and provisions for a recount in cases of dispute are in section 95.

The procedure on the conclusion of the count is provided for in section 96. The general provisions relating to maintenance of secrecy at the count and the ascertainment of election results are contained in sections 97 and 98. The allocation of seats is made after the votes obtained by a list are divided by electoral quota and the manner of dividing seats after the first allocation in that manner is provided for in subclause (3) of clause 99. The representative of the list shall present to the returning officer a list of names of the persons who will be the persons to sit on the council, and clause 101 makes provision for the notification of election results. A councillor who is elected will be given a certificate of election in a manner which is not dissimilar to that involving persons at a general Election.

In clause 103, we provide for the filling by the representative of that list, of a casual vacancy by a person whose name is on the relevant list of candidates, but who need not be a person on the list of names put up in the alphabetical list of surnames, and for declaring a person to be a member. Section 104 provides for the submission of an electoral report. These are provisions that are existing in local government elections because, by and large, the elections are small. The Chief Elections Officer is provided for in 105.

Election expenses are provided for and this has been done giving regard to the fact.

Several offences in relation to those expenses are contained in the sections which follow and section 110 deals with remuneration of election agent and period for claims for payment of election expenses.

Provision for exemption of an act done in good faith from being an illegal practice is contained in clause 112. Provision for savings for creditors and prohibition of expenses which are not authorised by election agent are contained in clauses 113 and 114. Clause 115 onwards

deals with the usual remarks on illegal payment and illegal expenses. It is true that some of those expenses are really not as regular as they used to be but notwithstanding that, in order to ensure security in the elections we have made the provisions.

In clauses 121, 122 onwards, we deal with illegal practices. Clause 127 deals with penalties and then from 128 we deal with corrupt practices as they exist in local government elections. One would see that the penalties are fairly substantial and the reason for that must be appreciated when one reads the general purport of the Bill in relation to the purposes which have been set out in the Memorandum.

There is a general section dealing with the property in election material, limitation of time for prosecution of election offences, certificate of returning officer, and offences by bodies corporate and these are dealt with in clauses 138 to 141. Special provisions as to convictions are provided for in clause 142. Publication of notices by election officers and election expenses are to be paid for under clauses 143 and 144.

In Part IV, provision is made for the method of questioning the validity of the elections whether any person has been elected a councillor to be determined by the court and it will be by way of objection to the Supreme Court. An election petition can be presented either in relation to councillors or the Chief Elections Officer either by a candidate or by any one. Provisions for the presentation of an election petition are set out in the Bill and the usual provisions for the amendment or withdrawal of election petitions are provided for. Clause 150 provides for security for costs, clause 151 service of petition, and clause 152 objections to security. Dismissal of petition for refusing to give security is provided for in clause 153 and substitution of petitioner is provided for in clause 154. The other clauses, 156 deals with trial of petition and 157 onwards deal with witnesses.

The remaining provisions are the usual ones, clause 160 which provides that a voter should not be asked for whom he has voted and the subsequent clauses deal with the production

of election documents, scrutiny at the trial of an election petition, withdrawal of an election petition and evidence required therefor. In clause 166, punishment for corrupt withdrawal is provided for and in clause 167 there is provision for the substitution of a new petitioner on the withdrawal of a petition. The report in relation to the withdrawal is provided for in clause 168 and the questions relating to withdrawal and substitution, clause 170.

In clause 171, we provide for the avoidance of election of candidate for corrupt or illegal practice or lack of qualification and in clause 174 for the conclusion of trial of election petition. We provide in clauses 176 to 178 for costs of the petition to be paid and for a report of the Court to me made to the Minister as well as to the relevant council, in the particular circumstances of the disqualification which was provided for in the Municipal and District Councils Bill, and for relief to be made - - - \$1,000 or more. Matters of exemption are provided for in clauses 179 and disputed vacancies are contained in clauses 181 to 187. Those are the usual ones of disputed vacancies, whether or not a councillor has vacated his office.

9 p.m.

They can be dealt with by vacancy petition which can be tried by the Court. Provision is made for the service of petition and parties to the vacancy petition. The purpose of providing for parties to the vacancy petition and the application of the relevant provisos and determination of vacancy petitions are dealt with in Clauses 185 to 187.

Disputes regarding elections to certain offices are dealt with from Clauses 188 to 192. Those would refer to the subdivision of a reference under Clauses 191 and 192 and to how that reference will be determined. Clauses 193 to 197 deal with the exercise of powers by a single Judge; the service of notices in circumstances which are not unusual; the powers of the Court and rulings with reference to costs.

In Clause 198 we seek to deal with regulations relating to miscellaneous and transitional provisions. I would like to deal with that because the other Clauses I dealt with, apart from the

general system to which I attracted attention at the earlier part of my contribution of the debate, are matters on which there will be particular interest.

As we pointed out in the White Paper, and reference to this is understood, it is the aim of the Government that elections should be held in the municipalities in in such village councils as already exist in other areas. With a view to having hon. Members understand, I will repeat again how the scheme is intended to operate and I hope that hon. Members, after some mature consideration of the points, will see here not only a determined effort on behalf of the Government to hold those elections but that the maximum of what can be done is being done having regard to what is involved.

The order for the revision of lists which will, in fact, be - - - the release of the lists to persons who were so qualified on the qualifying date of the 30th of June which is the same qualifying date for the national elections, and, therefore, will involve the minimum of provision having regard to the fact that the decision is that elections will be held in those areas as are now under the Act which will be the municipalities of New Amsterdam, Georgetown and Wismar/Christianburg/Mackenzie which is to be constituted in this Act and the district councils. Municipalities cannot be made. They have to be made because they are local government area which are at a stage of development whereby it is easy to proceed, but, so far as the village elections are concerned, elections will be held in all those areas excepting places where it is not practicable to hold them for one reason or another and those will only exist where one desires to elevate that district to a district council under this Act.

Now, too, it will mean that what we want is this: if an area is made under the Municipal and District Councils Act we want to be able to hold those elections so that a new council could go into operation immediately in order that the elections could be held in the period November to December. The aim of the Act as proposed is that, notwithstanding the period November to December which is the time set for elections – and that is pointed out in this memorandum which I hope that hon. Members will read again – to be held in that period but, in the result that - - - the

Minister will be able to extend or curtail the life of a council so that a council will come to an end within the period November and December so that in the final result all elections will be held.

A little further explanation: If for instance, there are three or four to which you have to add organised areas for some reason or other, this has to be made and those - - - were not proceeded with in the period in this year and, let us say for argument's sake, they were not proceeded with in the period January or February, thus curtailing the normal life of the council so that in the result that council for which elections were held in 1970 will still end at the same period at which elections are held. In the Act, this year will normally come to an end - - - so that I hope that hon. Members will now set their hearts at rest. What we will do is proceed to hold elections in all the areas and - - - which I hope are set out in the provisions of the Bill.

In the Miscellaneous Provisions we provide in Clause 198 for the regulations to be made and there is also provision for all regulations to be laid in this House. The remaining clauses deal with publication of notices, prosecutions and penalties, expenses of Chief Electoral Officer, repeals and Amendments. Transitional provision concerning village councils are contained in Clause 207.

In Clause 208 we have a provision for removal of difficulties so even in the course of the administration of the machinery under this Bill when enacted it will be possible for the Minister responsible for elections to make an order to have the effect to remove those difficulties.

The relevant Schedules deal with Ordinances which are to be amended and/or repealed. Those follow the general pattern having regard to what I said before in relation to the Georgetown town Council Ordinance, the New Amsterdam Town Council Ordinance and the Local Government Ordinance.

There will be some minor amendments in the course of the Bill which will be taken in Committee stage. I see that we have some from the Opposition. It is customary for Bills like these to have amendments. There will be one minor amendment in the Explanatory Memorandum. There are some persons who have been raising doubts of one sort or another, and that is not unusual. The questions no doubt have been raised from time to time and, in dealing with the Bill, we have reached the stage where many people believe that certain things cannot in fact be done. I think that when hon. Members follow the trend of the argument and the aspect set out, they will see that we are able to provide for the requirements of the elections which shall be held in the period November to December. They will also recognise that the provisions are such that can be dealt with by the

I want to repeat that the time has come when this question is a very urgent one, and that the question is not a new one. We have repeated it time and again in this House and we have said so at the very beginning of this current session in no uncertain terms. I think that the stage is now set for us to proceed with elections so as to bring about a new image in the local authority areas. I will ask hon. Members to support this Bill and to give the co-operation so that we will have a real change which we all agree is desirable so far as local government is concerned.
[Applause]

Mr. Deputy Speaker: The hon. Member Mrs. Sahoye.

Mrs. Sahoye: Mr. Speaker, we have observed that these two Bills are a very smooth preamble of words well mustered up. Now, Adult Suffrage has been the idea not only of leaders in Guyana but of the masses as a whole. It is something which we have fought for over a decade and it has been a reality in national elections and, now a reality, in local government elections.

The right of one man, one vote, irrespective of colour, creed, social or financial standing, is enshrined in the Constitution of Guyana. But what have we seen? What have we experienced? We have experienced a callous and determined effort by this Government to even

coerce or muster individuals in Guyana. This Bill gives the Minister of the P.N.C. Government scope to manoeuvre to demarcate or expand councils to the government's whims and fancies. Why rush through laws when you are not fully prepared with the machinery? It will be found out later that this machinery will not be able to cope with eventualities, because the machinery is not properly geared. Here again, instead of forming a properly stream-lined unit, you are creating barriers and pitfalls for yourselves. One can clearly see that this Government is not fully geared to carry out this local government elections.

The hon. Minister said that the hopes Members of the House will read the Bill properly so we will be able to understand what is the Government's idea, how it feels and, what it is determined to do. But, Mr. Speaker, we do not like to listen to words which do not have any meaning; we want to see things put into effect. What is the use talking about democracy and not practising it?

I should like to deal with the section: "Supervision of Elections." I wish to quote from the Bill – page 468:

"3. (2) The Minister shall have power, if he thinks it necessary or desirable so to do, to extend the time for doing anything required to be done by or under parts II and III, and where by or under those Parts any act is required to be done not later than a specified number of days before election day he shall have power, if he thinks it necessary or desirable so to do, to extend the time allowed by reducing the number of days so specified; and the following provisions shall have effect in relation to any power conferred by this subsection, that is to say –

(a) The power may be exercised either generally or specially;"

Now, sir, the power might be exercised either generally or specially. In this House, we are here as a team of people, I should think, whom the electorate, irrespective of the rigging, the P.P.P. still commands the support and speaks for the majority in this country. [**Hon. Members (Opposition):** "hear, hear."] One would have expected that if a government is honest and sincere on such a vital issue as local government elections, it would have consulted us. We are not

14.10.69

National Assembly

9.10 – 9.20 p.m.

begging the Government to have consultation with us because it is the bounding duty of the Government since this Parliament is the highest forum in this land – I have seen that we nearly reduced it to the lowest forum – having regard to all this, it would have consulted with the masses of this country. In this way, the people would have been informed and notified and thereby would have understood what local government elections really means, why the Government wants to give them a Franchise – Adult Suffrage – and what are their obligations to this young nation. But this Government has so far failed to so inform the nation so that they will be prepared, and so accept the challenge and the responsibilities of driving this country to progress and prosperity without any fear in their hearts.

9.20 p.m.

I go to paragraph (b) of clause 3 (2):

“the power may be exercised so as to make valid anything already done after the expiration of the time allowed;”

This is what the provision states. Be it right or wrong, the Minister, by a wave of his hand, makes it valid as something rightly done. Are we in this House to accept something like this and let it go? Do the people in this country understand that these are the provisions by which they will be bound for local government elections?

Paragraph (c) states:

“the Minister shall, as soon as practicable after any exercise of the power, publish in the Gazette a notification thereof, which shall include a brief statement of the reasons for, and the effect of, that exercise.”

All the Minister has to do is to publish a notification in the Official Gazette, without giving any reason whatsoever. He says, “This is done and this is the way I want it done” and the people of this country have to accept it without explanation, without reasons, without consultation, without the Minister telling the nation anything. He just publishes it in the *Gazette*.

The members of the Government tell us about responsibilities. It is proposed that local authorities will have more responsibilities; they will have extended and extensive powers. How? When? Responsibilities will be given to whom? Has the Government prepared people to take on these responsibilities? Extended powers will go to whom, when the demarcation rests in the hands of the Minister, when the Minister at any time can say, "I want these little settlements, or these little villages, combined under one local authority? How are we to know? How are we to advise the people that this is what the Government intends to do?"

The hon. Minister said that he will use the same lists as at the national elections. If it is indeed a fact that we shall be using the same lists as were used at the national elections then we will not see an election but another resurrection in Guyana, because many of the names compiled on the national register were false names. Enshrined on it were names of the dead and names of those unborn. I do not know if this Government is not ashamed. I cannot understand the "face" members of this Government have to come back to Parliament to tell us at this stage that they intend to use the register from the national elections for the local government elections.

There are many people in this country who cry shame at this Government for gaining power by means of rigging and fraud. The Government has realised that it cannot control the masses of people from the top so it is seeking to have a second level control. The masses are at the grass roots. The Government will neither be able to control them from the second level. It will have to answer the wishes and aspirations of the people before it wins the confidence of the masses in this country. We are satisfied, according to what this Bill states, that there will again be rigging. It is a good thing that we will not have overseas voting. [**Mr. Ramsaroop:** "How do you know that?"]

Then we go on to proxy voting at these elections. According to the Minister one person will be given the right to cast a ballot for three persons. I can well remember the last General election when it was said that the presiding officer in each area would have the list of proxies so that candidates in the respective areas could know the number of proxies entitled to vote in each

specific area and this was denied. The majority of candidates were not able to check in their respective areas on the number of proxies cast. Here again there will be no means by which candidates, in the areas where local government elections will be held, will be able to check on the number of proxies in their areas.

9.30 p.m.

Clause 63 states:

“Every application for the appointment of a registered voter to vote as a proxy shall be –

- (a) In writing in the prescribed form and accompanied by any document which may be prescribed;
- (b) Addressed and sent to the returning officer so as to be received by him not later than the 7th day before election day;
- (c) Accompanied by the consent in writing of the registered voter named as proxy therein to his appointment.”

It is the same ruse, the same madness that transpired in the 1968 general elections that is going to continue in these elections. In 1968, as a candidate at the general elections, I applied for a proxy and up to now I have not yet received an acknowledgement stating whether or not my application was accepted.

Clause 64 states:

“(1) If a returning officer is satisfied that an application for the appointment of another registered voter to vote as a proxy on behalf of the applicant has been duly submitted in accordance with the provisions of section 63 by a registered voter entitled to apply to vote by proxy and that the person whose appointment is sought is entitled to vote as a proxy on behalf of the applicant and consents to his appointment, he shall issue to that person a notice of appointment as a proxy in the prescribed form and shall notify the applicant accordingly.”

In the same way that you state that you must apply seven days before the elections, why was it not enshrined here the number of days when the person should get a reply? If you leave it like this, I know for certain that the applicant will never get consent or know anything pertaining to his application. Subclause (2) of clause 64 states:

“(2) if the returning officer refuses the application he shall notify the applicant of his refusal and of his reasons thereof; and the decision of the returning officer shall be final.”

This is where you are having dictatorship to the hilt. The returning officer is again doing what he thinks should be done.

I go to clause 65:

“A registered voter may cancel the appointment of another person to vote as a proxy on his behalf by giving notice in writing in the prescribed form and addressed and sent to the returning officer so that the notice of cancellation is received by the returning officer not later than the 7th day before election day; . . .”

There is some contradiction or some confusion. You need seven days for application and when this thing is sent in the same seven days to cancel the appointment. I cannot understand what the Government means. In one way I understand and in another way I do not understand. There are some things better left unsaid. I continue clause 65:

“. . . and thereupon the notice of appointment shall be void and the returning officer shall

- (a) So notify the registered voter whose appointment as a proxy is cancelled;
- (b) Delete the names of both registered voters from the list of proxies.”

The returning officer has not time in which to notify the person of the rejection of the proxy, or of the acceptance of the proxy, or of the names being deleted from the list. It is left just in the air.

I turn to identification cards – clause 78(1):

“(1) Each applicant to vote shall, upon entering the room where the poll is held, state to the poll clerk his name, address and occupation and hand to him –

(a) His identification card (if any);”

Now I should like to state here that the Government boasted about having identification cards prepared and finished for the 1968 general elections. This is 1969. We will be having local government elections in November or December and we are again speaking of identification cards, if any. Because the Government wants to corrupt and rig the elections it fixes in so many names that it has the whole system in confusion.

There are many identification cards that were made for dead people that are stacked up. What is happening in lower East Coast Industry, Goedverwagting, Ogle Front, Sparendam, Plaisance, Better Hope, Vryheid's Lust? All the identification cards have been bundled together then the Government, without issuing in the newspapers at what centre these identification cards will be distributed starts at the welfare centre in Industry for two days, then removes to Plaisance village for another two days. The Government might want us to believe that 75 per cent of the people in Guyana have their identification cards, but this is not so.

I am submitting here tonight that if the Government is honest and if it wants to forget that it was ever barefaced, free and fair local government elections should not be conducted until and unless all eligible voters in Guyana are in possession of their identification cards. It is quite clear that when a Government which at one time boasted of having all the identification cards, and at this time, comes to the House with a Bill telling us about identification cards, “if anyone” knows what is the position –

“(6) Anything in the other provisions of this Act to the contrary notwithstanding the presiding officer or the poll clerk may dispense with the production of an identification card if he is satisfied that an applicant to vote is the

person whose name appears on the official list of voters and in such case he shall require the applicant to take and subscribe before him an oath of identity in the prescribed form.”

If the government is not prepared to make sure that all the people in this country are in possession of their identification cards, we are going to see – because provision is made for it – people who do not have identification cards will not be able to vote at these elections.

9.40 p.m.

According to the hon. Minister’s Memorandum as regards elections, it is proposed that after the Local Authorities (Elections) Bill is passed, elections will be held in the new municipal district council areas shortly if after they have been constituted. The Minister so far has failed to tell this House how these areas will be constituted, what will be the yardstick, what will be the procedure for constituting new areas or, as he said, bringing in new areas with old ones, but still we are going to have elections if possible, according to the Minister, in these newly-constituted areas. Within the newly-constituted areas, it is proposed that there should be a single tier system of local government which would embrace the whole of the coastal and riverine areas.

The second Bill which was brought has told us about financing and the powers under the hands of these councils in health and education, social welfare, etc. If sugar estate schemes are to be brought in in these newly-constituted councils, it is the Government’s duty to let us know what will be the position of the Sugar Industry Labour Welfare Fund Committee. How will this money be utilised? What will be done in the interest of the sugar workers pertaining to these areas where sugar workers have their own extra nuclear areas? We bring to this House certain reservations pertaining to these extra nuclear areas.

There are many problems that exist in these areas, for instance, there are in a few of these areas, hospitals, community centres, and if the Government goes ahead to embody the extra nuclear areas in these councils, without making proper plans pertaining to these areas, then we are afraid that the Government will run into a lot of trouble with the Committee. This fund has

been set aside for a number of years in the interest of sugar workers. So far as it would appear, the Government intends to utilise this fund and utilise it in such a way that the sugar workers will not know how this money is being spent. This will not be fair.

The Minister went on to say that it will fall into his power and authority to “expand” and “curtail”. These two words can be used in many ways.

Mr. Deputy Speaker: The hon. Member will require a Motion to be moved in order to continue.

Mr. Ram Karran: I beg to move that the hon. Member be given fifteen minutes more to continue her speech.

Mr. Balchand Persaud *seconded.*

Question put, and agreed to.

Mrs. Sahoye: “It is not possible to say at this stage, the total number of municipalities and district councils that will be created as this will depend, among other things, upon the extent of the area of each such municipal or district council which will be determined by the constitution order creating same but the general aim will be to create much larger council areas than exist in the form of villages under the Local Government Ordinance, Chapter 150. As the Municipal and District Councils Bill includes provision for the continuity of the city of Georgetown and the town of New Amsterdam as municipalities with alteration to their boundaries, the Georgetown Town Council Ordinance and the New Amsterdam Town Council Ordinance will on the coming into operation of the Municipal and District Councils Bill be repealed.”

14.10.69

National Assembly

9.40 – 9.50 p.m.

Now, Sir, it is said that Georgetown will go down to Rome and to Cumming's Lodge. Here we will have three extra nuclear areas coming into a big area, Cumming's Lodge, Ruimveldt and Houston. If it was the Minister's intention and if the Government is honest and indeed intends to implement the plans, well then I think that the minister should indicate to this House that these are the plans and demarcations, Cumming's Lodge on the East Coast and Rome on the East Bank. So far, we on this side of the House do not know what the position is and we should be told what is the Government's intention pertaining to the Sugar Industry Labour Welfare Fund Committee.

I should like again to say that when all is assessed and when we take into deep consideration the Government's attitude here, we saw it quite clearly in this House which is the highest forum in the land, in order to give an hon. Member fifteen minutes more, we take the fifteen minutes in voting –

9.50 p.m.

Sir, this attitude shows us that if it is in this House they are going to use "big-stick" methods, if it is in this House they are going to use their majority to pass a Bill, then you can imagine what they can do outside of this house. This is what raises doubts, this is what gives us the impression that there will never be any kind of honesty in any way of any kind of sincerity of purpose. I know that true things really hurt. Great writers have said that facts and figures speak without passion or favour but are irrefutable; the facts are glaring all of us in our faces. It will prove, not now, not next year, nor five years to come, but some day in Guyana, that the Government has been allergic to criticisms. Anyone speaking in this House who wants to state what is happening in Guyana or when a Bill, a piece of legislation, is brought to state their point of view, knows that this Government, because of its majority, is not prepared to budge at any stage but to continue to do what it wants to do.

14.10.69

National Assembly

9.50 – 9.57 p.m.

I want to say that these two Bills are a set of words sweetly put together. But the masses of the people could but little understand even a fraction of these two Bills. The Government will go to its henchmen, the government will not go to the broad masses of the people to explain to them the implications of these two Bills. The masses, therefore, are left to the whims and fancies of this Government. All those in local authorities or municipal councils – how many of them were able to buy a copy of this Bill? How many were supplied with a copy of this Bill?

This Government is doing as they did with the National Insurance Scheme. In the Second Reading of that Bill we saw, under Clause 81, at Municipal council, that a man is compelled to contribute. The same thing that happened with that National Insurance Scheme is the same thing that will happen here. Again, we see where the Government failed to inform the people properly and, because they are rushing through, in their haste to have something quickly and expeditiously done, they hustle through legislation so that by the time the people wink, they have to abide and be bound under the Clauses which are passed. It is a sad state of affairs in Guyana and any conscientious Guyanese, anyone worth his salt, any sane thinking Guyanese, will not have to think for a long time to realize that here we see so often a Government speaking and changing constantly that it is . . . and when all is said and done, when the people whom they receive their votes from should be consulted or should be properly notified for them to understand and participate – we are talking of “co-operative”, how could you have co-operation, how could you have the people mobilised to help you should your plans be honest and sincere, when you fail to so notify the people or discuss with the people what your aims and ultimate ideals and objects are?

Here again, I want to say that we on this side of the House would again experience an election because nothing could stop this Government from having elections which will make us bow our heads in shame that intelligent men and women have to stoop to such low ordeals in order to gain power. You have had power at the top. Again, you are going to stoop to the smallest particle of a decimal to go to such levels to control the village fathers! I want to ask the government to mend its ways. Let us not think of only today, but of tomorrow! We usually have

14.10.69

National Assembly

9.50 – 9.57 p.m.

the answer. They say that after a correct assessment of addition or subtraction, the results are at the end so that, in the last analysis, what will be the Government's position, because the people will not allow themselves to be fooled forever?

They will, at some stage, wake up and when that awakening comes the death knell of the P.N.C. and their mal-administration will be sounded and it will be a day of woe. I would like to tell this Government again that before rushing through legislations, they should have a proper assessment, have proper consultations, not only with the Opposition but with the people themselves so that we can move forward for real progress and prosperity.

Mr. Deputy Speaker: Hon. Members, having regard to the time, I would suggest that we adjourn.

ADJOURNMENT

Resolved, “that this Assembly do now adjourn until Wednesday, 15th October, 1969, at 2 p.m.” [Mr. John]

Adjourned accordingly at 9.57 p.m.
