

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

[Volume 5]

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

6th Sitting

2 p.m.

Tuesday, 8th June, 1971

MEMBERS OF THE NATIONAL ASSEMBLY

Speaker

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

Members of the Government

People's National Congress

Elected Ministers

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

The Honourable P.A. Reid,
Minister of Agriculture

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

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

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

The Honourable Miss S.M. Field-Ridley,
Minister of Education

The Honourable B. Ramsaroop
Minister of Trade (Leader of the House)

The Honourable D.A. Singh,
Minister of Housing and Reconstruction

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

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

Appointed Ministers

The Honourable S.S. Ramphal, S.C., **(Absent)**
Attorney-General and Minister of State

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

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

Dr. the Honourable Sylvia Talbot,
Minister of Health

Parliamentary Secretaries

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

Mr. P. Duncan, J.P.
Parliamentary Secretary, Minister of Agriculture

Mr. W. Haynes,
Parliamentary Secretary, Office of the Prime Minister

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

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

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

Other Members

Mr. J.N. Aaron
Miss. M.M. Ackman, (Government Whip)
Mr. K. Bancroft
Mr. N.J. Bissember
Mr. J. Budhoo, J.P.
Mr. L.I. Chan-A-Sue
Mr. E.F. Correia
Mr. M. Corrica
Mr. E.H.A. Fowler
Mr. R.J. Jordon
Mr. S.M. Saffee
Mr. R.C. Van Sluytman
Mr. M. Zaheeruddeen, J.P.
Mr. L.W. Willems

Members of the Opposition

People's Progressive Party

Dr. C.B. Jagan,
(Leader of the Opposition)
Mr. Ram Karran
Mr. R. Chandisingh
Dr. F.H.W. Ramsahoye, S.C.
Mr. D.C. Jagan, J.P.,
(Deputy Speaker)
Mr. E.M.G. Wilson
Mr. A.M. Hamid, J.P.,
(Opposition Whip)
Mr. G.H. Lall J.P.,
Mr. M.Y. Ally
Mr. R.D. Persaud, J.P.
Mr. E.M. Stoby
Mr. R. Ally
Mr. E. L. Ambrose
Mr. L.M. Branco
Mr. Balchand Persaud
Mr. Bhola Persaud
Mr. I. R. Remington, J.P.
Mrs. R.P. Sahoye
Mr. V. Teekah

(Absent –on leave)

United Force

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

(Absent – on leave)
(Absent)

Independent

Mr. R. E. Cheeks

OFFICERS

Clerk of the National Assembly - Mr. F.A. Narain
Deputy Clerk of the National Assembly - Mr. M.B. Henry

The National Assembly met at 2.00 p.m.

[Mr. Speaker *in the Chair*]

Prayers

ANNOUNCEMENTS BY THE SPEAKER**Leave to member**

Mr. Speaker: Hon. Members, leave has been granted to the hon. Members Mr. M.F. Singh for today's Sitting.

Presentation of Papers and Reports

The following Papers were laid:

- (1) Minutes of the First Meeting of the Committee of Selection of the Third Session of the Second Parliament of Guyana, held on Friday, the 21st of May, 1971. [**The Speaker, Chairman, Committee of Selection.**]
- (2) Financial Paper No.2 of 1971 – Schedule of Supplementary Provision on the Current and Capital Estimates for the period ending 31st May, 1971, totalling \$12,182,552. [**The Minister of Finance.**]

The Minister of Finance [Mr. Hoyte]: Your Honour, in terms of Standing Order 68 (1), I beg to name Tuesday, 15th June, 1971, as the day for the consideration of the Financial Paper.

There are two small points of explanation I should like to make. The first is that although the total sum of the Supplementary Provision is \$12,182,252, in point of fact the actual additional money which Parliament is being asked to vote is \$5,289,492. The explanation is that most of the items on the Schedule represent the transferring of votes from one Ministry to another with consequential reservations of the sums already voted in the Ministry from which the vote is being transferred. This is consequent upon the creation of new Ministries and transference of responsibilities from one Ministry to another at the beginning of this year after the Estimates were approved.

The second point of explanation is that the Paper is still on the typewriting machine and will be circulated in time for consideration, which as I have said is next week Tuesday.

PUBLIC BUSINESS

Bill- Second and Third Readings

TEACHERS PENSIONS (AMENDMENT) BILL

A Bill intituled:

“An Act to amend the Teachers Pension Ordinance for the purpose of improving the superannuation benefits of teachers.” [**The Minister of Education**]

The Minister of Education [Miss Field-Ridley]: It is, sir, with some measure of pride that I have brought this Bill and have presented it to this honourable House. This Bill, the Teachers Pension (Amendment) Bill, had its conception as long ago as 1961 as a result of two recommendations made by the Guillebaud Commission in that year. It has had a very long period of gestation – 10 years in fact, and I think it should be some matter of pride to this House that at last we are able to give it birth.

In 1961 the Guillebaud Commission in its recommendations addressed its mind to the position of teachers in relations to pensions and noticed the disparity which existed between the teachers at that time and the public servants and made two main recommendations which the Commission saw as putting the teachers very much on par with the public servants. These two recommendations were, first of all, that a pension constant which for teachers was 1/720 should be increased to 1/600. This is the rate by which the pension to which a person is entitled is calculated.

The second big area of disparity was covered by the recommendation that a teacher should be entitled to an unreduced pension, the maximum of which should be equivalent not to one-half as it had been, but two-thirds of his pensionable salary. This Bill was born out of these two recommendations and they, in fact, form the basis of the Bill which is before us.

During the years which have passed, there has been indeed consultation between several Ministries and professional representatives of the teachers, the Guyana Teachers Association. The fact that this Bill has come to the House is a measure of the co-operation which has been achieved between this section of the Government and this professional organisation. The Bill has been discussed time and time again and it has grown over the years. Had this Bill been passed in 1961 many of the facilities and the advantages which will now be shared by teachers, especially the older ones, would have been possible, because what we have done is that although this Bill is now introduced in 1971 it is retroactive to 1961. [**Hon. Members:** Hear! Hear!]

In working out the clauses of this Bill and in trying to put the teachers as near as possible to the position of public servants it has been necessary to equate many things, to balance some of the things that the teachers previously enjoyed against some of the new things that they will enjoy. Some teachers, for example, those who have retired from the Service, are in the very enviable position, Mr. Speaker, of being able to get to the advantages of the Bill without having to make any sacrifices whatsoever since they have already resigned. This is not something we grudge them at all because it is an indication of our awareness of how much we owe to them that we have been able to do this.

I should like to say right now that this Bill with the Amendment that has been circulated now applies to every teacher who was the Teachers' Register on the 1st of January, 1961. This means that even teachers who, had we passed the Bill in 1961 would have passed the new retiring age will still be in a position now to benefit and benefit in a very tangible way.

I had a very quick look at the rough estimates of what the Government will be called upon to hand out to teachers who have already retired. This is in the vicinity of \$2 million to make up the difference between the new pension rate and the pension rate that existed before. This Bill does not stop, however, at changing the pension constant nor the maximum or reduced

pension that a teacher can get. It goes further and in many other ways equates the Teaching Service with the Public Service Commission to the advantage of the teacher, partly because of the time at which we are amending. For example, the age group among teachers which found itself eligible for pension began at age 20. In other words, even though you join the Teaching Service before the age 20 the years of services before that were not counted. Now we have reduced that age to 18, and this, too, is retro-active.

2.45 p.m.

At the same time, we have substituted a new retiring age for teachers. Previously – and I feel rather strongly about this, perhaps because of my sex – the retiring age of teachers was 60 for men and 55 for women. This new Bill, perhaps in keeping with the modern trend, fixes one retiring age for both female and male teachers. That age is now 55 years.

Lest serving teachers become alarmed at this, let me say that we are not attempting in this Bill to dictate to serving teachers what they should do as regards their pension rights. We are not forcing them to accept the new pension rights as provided by this Bill. We have given them one year in which to make up their minds whether they will opt for their old pension rights, in which case they can continue to serve at age 60, if they so desire, under the old pension facilities. However, if they so desire, they can have the new arrangements without doing anything more than being silent. Then all the provisions of this Bill go into operation.

Some of the provisions are things which the teachers have been asking for a very long time and which we are very pleased that at last we have been able to give recognition to. For example, periods spent in training are now counted as qualifying, or pensionable service. This gives us a greater opportunity to pursue our training plans for teachers, whether in the country or outside the country, in a training college or any other institution of learning. The teachers will now be in the fortunate position of having those periods spent in an institution of training counted towards their pension.

There are some things that the teachers will be called upon to give up in order to put themselves on par with the public service. To my mind, the biggest of these is the question of a

break in service. The public servant has to have continuous services and this now applies to the teacher as well. The teacher who wants to come under these new regulations no longer is in a situation which existed before, where he could have a break of up to five years in his service and still have that service counted. We have safeguarded the rights of teachers who were serving before the date when this Bill was passed in that if they had such service which was in accordance with the old pension regulations, it is still counted for purposes of computing their pension.

There is one other advantage of this Amendment. As I discovered when I first attempted to look at teachers' pensions, it was an extremely complicated business. There have been several Amendments and further Amendments to the Teachers Pensions Ordinance which in some cases make it a little difficult and rather slow to calculate pension and gratuity to which teachers are entitled. This will, to my mind, in many ways make the calculation much easier. It is a much more straightforward document and it is significant that whereas, certainly in my limited experience, professionals of one group or another is seldom seen to be unanimous on anything, as regards this Bill, the professional organisation has been consistently in favour of it throughout the years of negotiation. It is one area where even teachers do not seem to argue very much.

In that spirit I should like to commend this Bill to the House. It has the full support, as I said, of the teachers' organisation and their interest in this has been responsible to a large measure for it coming to the House at this time. The Teachers have given us all the cooperation we could have wished for. There are very many interesting and useful provisions contained in the Bill but since it is part of the exercise that we go through it clause by clause, I think it might be more fitting at that time to deal with some of the details.

I therefore move that the Teachers Pension (amendment) Bill be read for a Second Time.

[Applause.]

Mr. Speaker: I propose the Question that the Bill be now read a Second Time.

Dr. Ramsahoye: Your Honour, when we consider that all over the world teachers are among the most exploited lot, it must be gratifying to be able to support a measure like this

which aims at providing them with better pension benefits. The Minister has rightly observed that the delay in bringing the matter to the House has caused no prejudice because the provisions are substantially retroactive in their effect. It must have been that the public administrations of the past had considered the service of teachers to be less valuable than the service of persons in the public service.

One cannot understand where the discrimination lay but I think we have reached the position where we can see that those founders of the institutions to which so many of us owe our learning ought not to be discriminated against, whether in relation to pension or in relation to any other matter. We have therefore reached in this House a situation which must please us all.

Throughout the years, many teachers - indeed, all of those who have resigned or retired in periods to which this present legislation would not apply - must be thought to have made the sacrifice so that those who are now going to enjoy these benefits will be in a better position for, except in relation to teachers who were on the list in 1961, these provisions would be of no concern to them. We must not, in approving of what we have here, forget the elegant contribution which they have made to the system. This is not a hand-out. It is something which we concede, and I think we agree on both sides of the House, is well deserved by the teachers.

In accepting it, however, the teachers must remind themselves of the great responsibilities which they owe to this nation. We live in a society in which doctrines of laissez-faire have taken over education. The methods of teaching are different and I must say that methods for the production of students are sometimes accepted when very different from what we knew. In my own days as a student, for me to have a school certificate, I had to pass six or more subjects; if I remember rightly, I had to pass about eight. Today's student can go home to his parents having only one subject on G.C.E. Certificate. I do not think this has been an advance on our time and the need for teachers to press to see that the whole curriculum is changed, that teaching methods are improved, and that we get better outputs from the student body, has become very pressing.

A teacher must be guaranteed security in his old age, but until he reaches that period, especially in this country there are great challenges ahead for him. It is not that they are any different in this country from other developing countries. In developed countries teachers get much more assistance than they could ever hope to get in a country like ours. The burdens here are far more onerous and the pressures far more severe, but that does not mean that they will not stand up to their higher responsibilities as they have done in the past.

Education in this country is really at the cross-roads. We are not producing a sufficient number of students of good quality in this country. When we consider the amount of students for whom the Government is providing in the schools, those who are of good quality are not a sufficient number. One cannot ask the teachers to improve on this alone. We know that parents have also onerous responsibilities and lastly, but not least the students themselves have a great responsibility to show that the efforts being laid out by teachers are not laid out in vain.

When that is said, it is matter of pleasure to be able to support this measure. The Bill, as it was first drafted, had put certain restrictions upon persons who had already attained the age of 55 years on the 31st December, 1960. Certain amendments which have been proposed by the hon. Minister have removed that disqualification and the way has been made open for those who were in the register on the 1st January 1961 to benefit.

Teachers are not obliged to go at the age of 55 if they are at present in employment. They could elect to remain under the old provisions but in that case they will, of course, be receiving the pension calculated under the old law which, it would appear to me, is far less remunerative than what they will obtain when the new constants are applied. It therefore means that, by and large, there may not be many teachers wanting to stay on except, of course, those who have present and continuous family commitments which necessitate their working for a higher pay rather than going off on pension.

The teachers who retired prior to the enactment of this legislation, and teachers who died prior to the enactment of this legislation, are also to benefit. In the former case, the persons themselves now with us will benefit. In the latter case, I presume their estates will benefit by the enhanced payments and it is, I think, a sacrifice well worth it on the part of the Government if, as

the hon. Minister said, the sum of \$2 million will have to be paid out under this legislation. Assuming the figures are correct it is a price worth paying for the services we have been able to achieve in the past.

As I understand it, the salary scales for teachers are constructed on the assumption that not the whole remuneration which a teacher has earned should be paid to him. The salary scales are constructed on the assumption that a part of what he earns remains with the Treasury and is intended to help him provide for his pension and gratuity in future years. This principle I consider wholly sound, but it has its implications, for persons in the Government service; not teachers alone but people in the Civil Service and in other organs of Government have their salaries calculated on the same principle.

A difficulty has, therefore, arisen which many years we have not tackled in this country and it is the question of severance pay or withdrawal pay, as you may call it, for persons who withdraw from the Service before they reach a maturity in service to earn rights in pension and in gratuity. In view of the fact that the salary scales of all public servants – teachers, civil servants, police and else – are calculated on this principle, the time has come when we should give serious consideration to the payment of withdrawal money to persons who withdraw from the Public Service when they have not yet reached the age of pension.

If we accept this principle we cannot reject the principle of a withdrawal or severance pay. In the colonial period, no one who withdrew from the Service before he had reached pension time could get anything out of those sums which were notionally retained by the state and re-invested on his behalf to provide for his future pension rights and gratuity. The time has come when we can do much better than that. There are other countries in the world which have moved towards the enactment of legislation for severance pay and I think we should seriously consider it.

There is one great justification why we can attempt this at this time even though we might not have been able to do it before. It is that the Government will get substantial sums from the National Insurance Scheme as the country goes along. This money the Government will be able to re-invest in schemes which could expand our economic growth and the Treasury could,

conceivably, be far better able to bear the burdens of whatever expenditure would arise because of its better economic position.

There is no question that got will not even have to pay a small fraction out to workers in relation to what they will be collecting over the years from the National Insurance Scheme. The collections will far overreach the payments and since the Government will, in effect, be in a far better economic position, the time has come when we should knock our heads together and make sure that people who are employed by the State and who receive their moneys out of the coffers of the State get some sort of severance pay when they withdraw without being able to get pensions and gratuities.

This suggestion I commend to the Minister and to the Government. I think that the suggestion is rooted in principle. If we begin to consider it now, we may be able very soon to devise some system whereby some substantial part of the moneys notionally invested would be repaid to the worker when he withdraws.

I have heard arguments that in that case workers may want to withdraw; they may become prone to withdraw. That is not so, and, in any case, that is a very irrelevant consideration. There are many of us on both sides of this House who worked in the Government service and were forced to withdraw from it without getting anything when we withdrew. Many of us withdrew at ages when we could have done with our severance money, when it could have helped us on our way in respect of our training to provide a stronger and better contribution to the life of our country and to the life of our fellowmen. But we were denied that opportunity. Let it not be said in the future that we have forgotten the sacrifices which we made in this respect. As I look around me on both sides of the House I see persons who withdrew, including the distinguished Prime Minister. He, too, has had to give service in the Public Service and to withdraw without getting anything for his right. I think that we can do better for those who come after us.

In congratulating the Government on bringing forward this measure and in saying that it has our full support I would wish to announce the support of the Members on this side of the House in relation to the drafting. I would have preferred to see on consolidated measure which it would have been easier for all of us to understand but that having been said I must congratulate

the law officers for very excellent drafting in what are definitely complicated provisions.

[Applause]

3.05 p.m.

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

Mrs. DaSilva: Mr. Speaker, I too wish to join with the hon. Member Dr. Fenton Ramsahoye in congratulating the hon. Minister of Education on this Bill that has been presented to this House and to assure her of the support of the United Force for this Teachers Pension (Amendment) Bill.

I wish again to make quite clear the way we operate and the way we will always operate whilst we are in this House. We, of the United Force, will always support Bills presented by this Government or any proposition put up by the P.P.P. provided we are satisfied, as we are in this case, that this is for the good, the benefit and the welfare of all the citizens of Guyana. We are not here to catch cheap publicity or votes by just trying to curry favour with one side or the other.

The hon. Minister spoke about the period of ten years for the implementation of this Report. This is quite true, and I think she is justifiably proud that it has now come before the House.

Through you, sir, I should like to ask not only the Minister of Education but all the other Ministers who have to bring Bills before this House that they do not let them lie on shelves, in cupboards and in the law offices – I say this with all due respect as I know that the staff are over worked – for 10 long years before they see the light of day. I say this so that we do not have a repetition of the unfortunate incident which took place at Linden a few weeks ago when the workers said that one of the causes for their strike was the late implementation of the Report the Tyndall Commission. We do hope that we will not cry over spilt milk. It has taken ten years for this Teachers Pension (Amendment) Bill to be presented. We rejoice with the Minister, but let us hope that this is the last time when we will have to wait such a long time.

There are, however, a few matters I should like to draw to the hon. Minister's attention for her reassurance. They are not unreasonable and I am sure that she will give them, as she usually does, her patient hearing and understanding. I do not think it is an impossible task we are asking and should be considered.

First of all, I wish to refer to the retirement age of 55. In Clause 4(1) it is stated:

“No certificated teacher shall be entitled to retire on a pension under the provisions of this Ordinance, unless the teacher has attained the age of fifty-five years and has completed at least ten continuous years of service.”

We note that it says:

“No certificated teacher shall be entitled to retired...”

It does not say a “certificated teacher must retire.” I should like to ask the Minister if she could give us an assurance or some explanation about this. We all know of the great difficulty she experiences in her Ministry in respect to getting teachers at this level in our educational system. When this Bill is passed, as it appears it will be by this House, this provision will take effect immediately and the Ministry I feel sure is going to be hard pressed to find Headteachers, and Deputy Headteachers straight away to fill the vacancies which will occur.

I am wondering if the hon. Minister could clarify that point and tell us if she will give, as it were, some sort of grace period to those who are coming up to the age of 55 years and to other people who will retire, or how it will be done. One thing that has to be borne in mind is that many of these teachers who are, as it were, being caught on the hop have children at Universities receiving higher education. They did not budget for the implementation of the Guillebaud Report on this day in 1971. They did not know whether they would have to wait another one, three or even ten years for it to be implemented, so they could not budget accordingly.

What I should like to know is if any consideration can be given to these people. I am fully aware of clause 11 whereby those who wish may, within a year, give notice that they want to enjoy the old pension scheme as it exists and go on until 60. I should like to know if the

Minister will phase out the retirement of these teachers or if she will ask them to stay on. How will they stand to benefit? I would appreciate an answer to that.

There is another question, sir. These teachers at the age of 55 are not old; a person of 55 in this day and age is not an old person. We have many members in this House who are over 55 and are making very worthwhile contributions to our country. Taking into consideration, too, the needs of the Education Department I hope the hon. Minister will take advantage of the clause which will allow her to ask them to stay on until 60. I understand in Jamaica and Trinidad they go at 60 and are allowed to stay at the discretion of the Minister until they are 65. Naturally, of course, we do not want a teacher who is incapable of carrying on, who is sick, who is sick, who does not keep up with the latest methods of education, to stay on until 60. Those points should be considered.

I am sure that this could all be gone into and reasonable solution found. I would suggest that it is reviewed annually between the ages of 55 and 60 and not taken for granted that each teacher would stay on automatically until 60. If the teacher wishes it, if the person is suitable, the teacher could be given that option with the new pension rights, of course.

In 1961 we were not yet a Republic, we were not yet Independent and when 55 was talked about as the age of retirement and the Commission probably had in mind the teachers who came from overseas. Let us not forget that many of us in this House owe our education to those people who retired at an earlier age giving them a chance, while still young, to go back to their own countries and find some sort of employment. Let us not chase our own people out of Guyana. If we make them go at 55 when they are still young, they may go to another country where their services will still be appreciated and that country will then benefit and Guyana will lose. So let us give them some consideration.

There is another point I should like to bring up for the hon. Minister's consideration and that is the question of income tax clearance. This arises when teachers receive their pensions and gratuities. I understand that when teachers retire, before the pension or gratuity is granted, they have to have income tax clearance. They have to be up to date with their income tax payments.

This is fair enough, but it certainly can prove to be a hardship to the teacher. We all know the confusion that exists at the Inland Revenue Department, not to mention the climbing of the long steps of that post office building – the lift has not been working for years – and the hours one has to spend being shunted from one person to another, filling in this form, that form and the other form.

Would it be possible for the Minister, through her Ministry, to arrange with the Income Tax Department that the income tax be paid by the Ministry of Education out of the person's gratuity and then the balance be given to the teacher, I know that the Minister might say that some teachers have a private income and therefore the Ministry of Education would not have an up-to-date statement of what they owe, but those teachers are in the minority rather than in the majority and why should the majority suffer because of the minority. The Minister will know, her department will know, when such and such a teacher is, or so many teachers, are due to retire. It is quite simple. She can then get the necessary information from the Income Tax Department. If these can be told to fill in their returns by such and such a date so that the amount can be handed to the Ministry for subtraction. If they do not wish to do that, it would be their own fault when they are arbitrarily assessed by the Commissioner of Inland Revenue, but it would be fair to the majority of teachers who do not have any private income.

A teacher who comes to the end of his service needs every little bit of cash to buy a home or to make whatever arrangements he may wish to make, but then to pay that out in one full amount would create a hardship. This is quite unnecessary and could be avoided. The Minister would have a certain amount of happiness among her colleagues, the Ministry would have its records up to date, the Inland Revenue Department would have received all that it is supposed to get and the teacher would be happy because he would have received his gratuity on his retirement date and his pension could follow on at the end of the next month. I do not think that is very difficult.

There is one further point that arises. This is a little more difficult, I think it arises with public servants, but this is a matter of a teacher dying on the job, either by accident or as a result of normal sickness. His salary is paid monthly but if he should die on the job, his salary is

calculated up to the day of death, and that amount is paid. The family of anyone who has been a Headteacher get one year's salary by way of a gratuity, and the family of any other grade teacher receive six months' salary. This, of course, is not paid until the will has been probated.

This is fair enough, but this matter of calculating the teachers' salary up to the date of his death could be hard on the family if the teacher should die, say, on the third of the month. It is extremely hard, coming upon the death of the head of the family and with the additional expenses for a funeral and what have you. From a humanitarian point of view, could it not be considered that they be paid that full month's salary? I heard of an instance not very long ago where a teacher was killed in a car accident and the family received only eleven days' pay. The poor woman was frantic. She did not know how to pay her rent and look after her children, so the other teachers had to pass a hat around, as it were, to collect some money to help that widow. Is this the way we want our teachers treated, these people who give their best years in educating our children? Surely, they are worthy of more consideration and I would ask of the hon. Minister to consider this question.

I am very pleased, too, that the Minister has put in an Amendment to embody all teachers. As we all know, there was a group of teachers, about 124, who would not have benefited from this new system.

These are not very big matters that I have drawn to the attention of the hon. Minister and I hope she will give them her consideration. As I said at the beginning, we of the United Force are very pleased to be able to support this Bill.

Mr. Speaker: The hon. Member Mr. Cheeks.

Mr. Cheeks: I should like to congratulate the Government for having at last brought this Bill to the House and for it to be prepared to spend more than \$2 million to implement this measure. When I came this afternoon and heard that a certain Amendment had been introduced, I was very glad. I had taken it for granted that all teachers who are serving now or who are in receipt of pensions would be included. Unfortunately, it seems as though teachers who have retired and are now in receipt of a pension are not on the pension register. Only those therefore

who are specifically mentioned as being on the register on a certain date, namely, 1st of January, 1961, are included.

I had in mind those few teachers – there could not be many of them; I am quite sure they can be counted on the fingers of one hand – who bore the brunt and burden of the day, but who had to retire because of age sometime in the '30s or '40s, or maybe the '50s, and have committed the great sin of being still alive. Even although Government has shown a great deal of generosity and consideration in dealing with the teaching profession, in presenting this Bill I feel it would not have cost Government much more if the handful of men who served between 35 and 40 years, who retired in the '30s and '40s and who, as I said, have committed the cardinal sin of remaining alive up to today, were included.

3.25 p.m.

If we are equating the teaching profession with the Civil Service so as to enable teachers to hold their heads up and so that they will no longer be made to feel as though they are inferior vis-à-vis the civil servants, and since the 1933 Pension Ordinance, which affected the civil servants, gave civil servants the option to serve up to the age of 60 years and still have the two-thirds constant, I thinking it would not be too much to offer this handful of men equality with the rest of their colleagues who will be enjoying benefits under this Act.

It is being made to appear as though the two-thirds constant is being introduced for the first time. This is not so. In the course of my examination of this Bill I have noticed that the two-thirds constant was actually in force under the provisions of Ordinance No. 1 of 1938 but was abolished some time after when the teachers were tricked shortly after an increase in salaries and in pension payments was effected. The constant was reduced from two-thirds to one-half and by some twist the teachers were made to feel that they were getting very great benefits under the new law.

I feel certain that there are no twists or turns in this measure. It is clear that Government wants to be fair in its dealings with a body without which there can be no development. Government undoubtedly has shown in this Bill that it recognises that education is the

handmaiden to development and since development is very important in a country like ours, special attention must be paid to education.

This Bill will therefore be something like teachers' charter. We feel confident that teachers, many of whom are looking outside of Guyana, will tend to turn their eyes inside so that the country will get the fullest benefit from their work and from their teaching.

I should like to commend the Government again and to congratulate it for having brought this Bill. I express the hope that since the Government is now putting the teachers on a scale of equality with the civil servants, it will see to it that all teachers who retired and are still alive will also benefit from this Bill.

Mr. Speaker: The hon. Minister of Education.

Miss Field-Ridley (replying): Mr. Speaker, I am sure it must be a matter which gives teachers very great pleasure to see that a Bill, which is surely in their interest if ever there was one, has been greeted in this way by this honourable House. Certainly, the congratulations which the Opposition has this time showered on the Government are not for the Government alone. The teachers themselves were certainly not passive partners in this exercise. They themselves, I am sure, are as much responsible for what we have here as the present Government.

I was particularly pleased when the hon. Member Dr. Ramsahoye mentioned the great debt that we owed to teachers who are not even covered by this Amendment, teachers who retired before 1961 but who have really laid the basis for much of what Guyana has grown to enjoy.

I remember that in my days at university – it was about ten or more years ago – there was a feeling in Jamaica, in the United Kingdom and in the U.S.A. that the scholars who came from Guyana were certainly among the best in the world and those scholars owe the kind of background that they had to the teachers who have gone before us.

In addition to this, while other territories are still worrying about their rate of illiteracy, Guyana can proudly say that we have a population where this is certainly not the major problem and, again, for this we must thank those teachers who have gone before.

The hon. Member Dr. Ramsahoye raised the question, however, of severance pay with which this Bill certainly does not deal, but perhaps it gives me an opportunity to make the point that we have gone as far as we can to help people whose services are cut short for one reason or another, for example, a person who through infirmity of body or mind has to leave the teaching service even though he may have had ten years' service. For purposes of his pension, he is treated exactly as if he had twenty years' service and there is some provision, at the President's discretion, to allow teachers to go at age 50 when this becomes necessary. It is not something that will be applied frequently, but it is useful to know that such a provision does not exist.

I was very pleased, too, that the time was taken to congratulate the draftsmen on the excellent job that they have done. This is something that has taxed both their time and energy for a very long time. As I mentioned, this Bill is as a result of meetings and discussions between several Ministries of the Government and the Guyana Teachers Association and, as you will understand it, sir, when this happens there has to be drafting and redrafting and re-redrafting and still more drafting. I should like to place on record my gratitude for the excellent work done by that particular department.

The hon. Member Mrs. DaSilva raised some questions about which she wanted clarification and, in some cases, explanation. A few of those were administrative matters which perhaps can be looked into. I am not sure that some of them are very feasible but there are others like the last one which she mentioned, for example, which perhaps can be dealt with through consultation between the Ministries involved. I refer to the question which I myself have often thought to be a difficult situation where a teacher, who has already received a month's salary, dies and his widow is called upon to return some part of that salary because he died before the end of the month. This is an administrative problem. I think there might be something we can do about it.

The hon. Member was particularly concerned about the question of the retirement age of 55 years and perhaps I should spend a little time explaining this since there might be many teachers who might want to be very clear about what the position is.

This Bill, as introduced, says that teachers may not retire before the age of 55 years except in special circumstance which the President will deal with. As I said, that is very exceptional and will be very rare. The average and normal teacher will retire not before the age of 55 years. We are not in any way springing this upon him because a teacher in service now will have one year to make up his mind whether he will opt for the old pension rate. If he does so opt, then he can continue until he is 60 years of age, but his pension will be worked out on the old basis. On the other hand, by doing nothing, he can opt to come under this new pension, in which case all the provisions of the Act will apply to him.

However, here again, as it exists at the moment, there is a discretion to allow teachers to remain in service even after the retiring age. If hon. Members were to look at clause 6 (b) they would see that we have changed the upper age limit during which a teacher will be eligible for pension from 65 to 60 years. This is consequent upon the lowering of the retirement age. It means that up to age 60 the teacher will be eligible to be working and those years count as pensionable years if he needs them to make up his years of pensionable service.

3.35 p.m.

In the normal way the Ministry will exercise its discretion about teachers remaining in the Service after the age of 55. But we must remember that there are young people being trained and if one train young people then one have to make sure that the Service is kept live and vital by providing opportunities for these young people to be absorbed in the Service.

The hon. Member Mr. Cheeks raised a question which unfortunately has not been covered by this Bill nor can I give an undertaking that it will so become. I understand very well and he made a very moving plea on behalf of those who had retired before the year 1961, since it was the year when the recommendations were made. Already the Act is retroactive for 10 years. I think that in those circumstances it is not possible to respond in the way that he would like to

the plea that he has made. But I do agree with him that a debt of gratitude to those teachers who have retired before 1961. Having said that, sir, I commend this Bill for the Second reading.

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Clause 1 to 5, agreed to and ordered to stand part of the Bill.

Clause 6.

Miss Field-Ridley: Mr. Chairman, I beg to move that the word “sixty” be substituted for the word “fifty-five” in paragraph (b).

Amendment put, and agreed to.

Clause 6, as amended, agreed to and ordered to stand part of the Bill.

Clause 11.

Miss Field-Ridley: Mr. Chairman, I beg to move the following Amendments:

(a) That the following subsection be substituted for subsection (2) –

“(2) The provisions of the Principle Ordinance, as amended by sections 3, 4, 5, 6, (other than paragraph (a), and paragraph (d) in so far as it relates to the enactment of section 7 (4) of the Principle Ordinance), 7 and 9, shall apply to every teacher whose name is in the Teachers Pension Register at the time of the enactment of this Act, unless he intimates in writing to the Chief Education Officer not later than the expiration of one year commencing with the enactment of this Act that he desires that the provisions of the Principle Ordinance shall continue to apply to him as they applied prior to their amendment by the provisions of this Act herein before mentioned in this subsection.”;

(b) That the following subsection be substituted for subsection (3) –

“(3) The provision of the Principle Ordinance, as amended by sections 3, and 6 (c), shall apply to every teacher whose name was in the Teachers Pension Register on the 1st January, 1961, or entered therein on or after that date and who –

(a) retired as a teacher or from the public service after 1st January, 1961, but before the enactment of this Act;

(b) retired as a teacher or from the public service after 1st January, 1961, and who died before the enactment of this Act.”

(c) That the word “is” should be inserted immediately after the word “name” in paragraph (a) of subsection (4);

(d) That the following words be substituted:

“in its application to a teacher shall be deemed to have come into operation on 1st October, 1964 and” for the words “(as applied to a teacher by section 7C of the Principle Ordinance)” in subsection (6);

(e) That the words “of paragraph (a) or (b)” be deleted from subsection (7).

Amendments put, and agreed to.

Clause 11, as amended, agreed to and ordered to stand part of the Bill.

Assembly resumed.

Bill reported with Amendments, read the Third time and passed as amended.

8.6.71

National Assembly

3.35– 3.47 p.m.

ADJOURNMENT

Resolved, “That this Assembly do now adjourn until Tuesday, 15 June, 1971, at 2 o’clock.” [Mr. Ramsaroop.]

Adjourned accordingly at 3.47 p.m.
