

THE
PARLIAMENTARY DEBATES

OFFICIAL REPORT

[VOLUME 1]

PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE
FIRST PARLIAMENT OF GUYANA UNDER THE
CONSTITUTION OF GUYANA.

9th Sitting

Tuesday, 6th September, 1966

NATIONAL ASSEMBLY

The Assembly met at 2 p.m.

Prayers

[Mr. Speaker in the Chair]

Present:

His Honour the Speaker, Mr. A. P. Alleyne

Members of the Government

Ministers

Dr. the Honourable P. A. Reid	- <i>Minister of Home Affairs (Acting Prime Minister)</i>
The Honourable N. J. Bissenber	- <i>Minister of Housing and Reconstruction (Leader of the House)</i>
The Honourable R. E. Checks	- <i>Minister of Local Government</i>
The Honourable E. F. Correia	- <i>Minister of Communications</i>
The Honourable Mrs. W. Gaskin	- <i>Minister of Education and Race Relations</i>
The Honourable L. John	- <i>Minister of Agriculture</i>
The Honourable R. J. Jordan	- <i>Minister of Forests, Lands and Mines</i>
The Honourable M. Kasim	- <i>Minister of Works and Hydraulics</i>
The Honourable W. O. R. Kendall, C.B.E.	- <i>Minister of Trade, Shipping and Civil Aviation</i>
The Honourable D. Mahraj	- <i>Minister of Health</i>
The Honourable C. A. Merrinan	- <i>Minister of Labour</i>
The Honourable J. H. Thomas	- <i>Minister of Economic Development</i>

Parliamentary Secretaries

Mr. G. Bowman - *Parliamentary Secretary,
Ministry of Labour*

Mr. P. Duncan - *Parliamentary Secretary,
Ministry of Local Government*

Mr. J. G. Joaquin, O.B.E., J.P. - *Parliamentary Secretary,
Ministry of Works and
Hydraulics*

Mr. C. V. Too-Chung - *Parliamentary Secretary,
Ministry of Finance*

Other Members

Mr. W. A. Blair
Mr. J. Budhoo
Mr. W. Carrington
Mr. R. G. B. Field-Ridley

Mr. H. Prashad
Dr. J. K. M. Richmond
Rev. A. B. Trotman
Mr. H. M. S. Wharton, J.P.

Members of the Opposition

Dr. C. B. Jagan, Leader of the Opposition
Mr. A. Chase
Mr. B. H. Benn
Mr. Ram Karran
Mr. R. Chandisingh
Mr. H. J. M. Hubbard
Dr. Charles Jacob, Jr.
Mr. C. V. Nunes
Dr. F. H. W. Ransahoye

Mr. E. M. G. Wilson
Mr. J. R. S. Luck
Mr. H. Lall
Mr. M. Khan, J.P.,
Mr. Y. Ally
Mr. L. Linde
Mr. R. D. Persaud
Mr. E. M. Stoby
Mr. M. Bhagwan

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

Absent:

The Honourable L. F. S. Burnham, Q.C. Prime Minister - on leave
The Honourable P. S. d'Aguiar, - Minister of Finance
The Honourable S. S. Ramphal, C.M.G., Q.C.,
Attorney-General and Minister of State

Mr. D. B. de Groot, Parliamentary Secretary, Prime
Minister's Office - on leave

Mr. O. E. Clarke, Parliamentary Secretary, Ministry
of Education and Race Relations - on leave

Mr. T. A. Sancho - on leave
Mr. R. Tello, Deputy Speaker - on leave
Mr. M. Hamid - on leave

Mr. D. C. Jagan
Mr. M. Poonai
Dr. S. A. Ramjohn
Mr. S. M. Saffee

ANNOUNCEMENTS BY THE SPEAKER

LEAVE TO MEMBERS

Mr. Speaker: I have to announce that leave of absence has been granted to Mr. Persaud from the 7th September to the 10th October, 1966.

PRESENTATION OF PAPERS AND REPORTS, ETC.

The following Papers were laid:

- (1) Loan Agreement - British Guiana: Private Investment Fund between Government of British Guiana, Bank of Guyana, Guyana Development Corporation and United States of America. [The Minister of Economic Development on behalf of the Minister of Finance.]
- (2) Annual Reports of the Forest Department for the years 1962, 1963, 1964 and 1965. [The Minister of Forests, Lands and Mines.]
- (3) Seventy-fifth Annual Report of the Chamber of Commerce of the City of Georgetown for the year ended 31st December, 1965. [The Minister of Trade, Shipping and Civil Aviation.]

PUBLIC BUSINESS

BILL

INTERNATIONAL FINANCIAL
ORGANISATIONS BILL

The Assembly resolved itself into Committee to resume consideration of the Bill intitled:

"An Act to enable Guyana to become a member of the International Monetary Fund, the International Bank for Reconstruction and Development, the International Finance Corporation and the International Development Association." [Minister of Finance.]

Assembly in Committee.

Clause 3.

Dr. Jacob: I wish to obtain more information with respect to Clause 3. I would like the Government to explain to us why it is necessary for the instruments of acceptance with respect to the Fund and the Bank agreements to be deposited with the Government of the U.S.A.?

The Minister of Economic Development (Mr. Thomas): I would have thought that it is a loan agreement or a form of contract. It is an offer and an acceptance, and it is only fair and right that you deposit a copy of the agreement with the Government of the U.S.A.

2.20 p.m.

Dr. Jacob: With respect to the Agreements relating to the I.D.A. and the I.F.C., hon. Members will notice from Clause 3, as printed, that the instruments of acceptance of these Agreements have to be deposited with what I should call the parent organisation of these two affiliates, the I.B.R.D. Since the I.M.F. and the I.B.R.D. are agencies of the United Nations and not of the Government of the United States, it seems appropriate to me that the instruments of

[DR. JACOB]

acceptance of these Agreements ought to be deposited with the parent organisation, that is the United Nations, and not with the United States Government. What is the meaning of this extraordinary provision in Clause 3?

Mr. Thomas: I agree that under Section 2 of Article XX of the First Schedule the instruments of acceptance of the Fund Agreement and the Bank Agreement will have to be deposited with the Government of the United States. The question was asked, and I think it is a valid one: Why are the instruments to be deposited with the United States? This is called for in the agreement and I see no reason why the hon. Member is stressing this point to this extent.

Dr. Jacob: I am only stressing it to show that it confirms the contention of the Opposition that the real controller of these agencies of the United Nations is the Government of the United States.

Mr. Hubbard: I would like the Minister to assure us that the constitution of the institutions in question require that, in respect of all countries, these documents should be deposited with the United States of America. It seems to me a little strange that if the United Kingdom borrows money from the International Monetary Fund, it is going to be required to deposit the instruments of agreement of loan with the United States Government.

I see that the U.S.S.R. has a quota under the Charter, which

it has not taken up: I understand why the U.S.S.R. would not take up the quota: I would be grateful if the hon. Minister would read to us the section of the constitution of these bodies which requires that we should put into our law a provision that when we borrow from the Fund we must deposit the instruments with the United States of America.

Mr. Thomas: I would like the hon. Member to turn to page 21 of the Bill, Article XX, Section 2, which reads as follows:

"Signature. - (a) Each government on whose behalf this Agreement is signed shall deposit with the Government of the United States of America an instrument setting forth that it has accepted this Agreement; in accordance with its law and has taken all steps necessary to enable it to carry out all of its obligations under this Agreement."

I would also like him to turn to page 44 of the Bill, Article XI, Section 2. (b), which reads:

"Each government shall become a member of the Bank as from the date of the deposit on its behalf of the instrument referred to in (a) above, except that no government shall become a member before this Agreement enters into force under Section 1 of this Article."

If the hon. Member would read in conjunction with Clause 3, Article XI, Section 2. (a)

and (b) and Article XX on page 21, his question would be answered.

Dr. Jacob: Our question is: Why should the United States be the depository? There is confirmation from the section quoted by the Minister that all of these organisations are, and always have been, under the thumb of the United States.

Mr. Thomas: The hon. Member wants to have the last word in this and I refuse that he should. The point is that the foundation members signed this Agreement. What does the hon. Member wish to do, break up all the Articles of the World Bank and the International Monetary Fund?

Mr. Hubbard: The hon. Minister is telling us he does not know why and we accept that. We had the last word. [Laughter.]

Clause 3 agreed to and ordered to stand part of the Bill.

Clause 4.

Mr. Ram Karran rose --

The Chairman: Did you wish to say something on Clause 4?

Mr. Ram Karran: I really wanted to speak on Clause 5, sir.

Clause 4 agreed to and ordered to stand part of the Bill.

Clause 5.

Dr. Jacob: Inasmuch as the Minister during his general remarks on the Bill, did not take the opportunity to inform the House about the financial impli-

cations of our membership in these four so-called "international" institutions, I would wish to ask as a first question: What is the quota going to be for this country with respect to the I. M. F., and how much of that quota is to be subscribed in gold? This is most important because public money is going to be expended for the maintenance of membership in these institutions, and we ought to have been told what will be the amount involved.

Mr. Thomas: I think it is a fair question on the part of the Member. I give credit where credit is due. Our commitment to the International Monetary Fund will be something of the following order: Our total subscription call will be \$15 million (U.S.).

2.30 p.m.

The initial subscription in gold or convertible currency would be about \$1.2 million (U.S.); local currency cash - \$0.15 million or \$150,000. [Mr. Hubbard: "Is the last one in local currency?"] Local currency, but calculated in U.S. dollars.

For the I.B.R.D.: total subscription call - \$1.6 million, subscription payable initially - \$0.16 million (U.S.); local currency cash - \$0.014 million (U.S.); The I.F.C.: total subscription call - \$0.89 million (U.S.); subscription payable initially in gold or convertible currency - \$0.089 million. That is about the lot. [Mr. Hubbard: "What about number four?"] The I.D.A.: total subscription call - \$0.81 million (U.S.); subscription payable initially

[MR. THOMAS]

in gold or convertible currency - \$0.081 million (U.S.), that is all.

Dr. Jacob: We are grateful to the hon. Minister. The second question is this - here I will confine my remarks to the International Monetary Fund only: how does this Government propose to finance the whole subscription to the International Monetary Fund?

Mr. Thomas: You will remember that I said "gold or convertible currency". The Bank of Guyana will pay that.

Dr. Jacob: We are told that the Bank of Guyana is going to pay that. As far as I understand it, the Government of Guyana is supposed to pay these amounts for membership. Does the Minister mean that the Bank of Guyana is going to lend the Government this sum of money to pay its loan subscription to the I.M.F.?

Mr. Thomas: The hon. Member should take time off to read Section 5(1) of the Bill which states:

"It shall be the function of the Bank of Guyana to pay the amounts from time to time payable to the Fund on account of Guyana under the provisions of the Membership Resolution and the Fund Agreement."

Dr. Jacob: Does it then mean that the amounts paid by the Bank of Guyana, on behalf of the Government, will constitute a part of the international reserves of the Bank of Guyana?

Mr. Thomas: Yes, that is right. It will be part of its assets.

Dr. Jacob: Section 23(4) of the Bank of Guyana Ordinance 1965 states:

"Whenever British Guiana becomes a member of the International Monetary Fund, the Bank may include in its reserve of external assets British Guiana's drawing facility equivalent to its gold tranche position in the International Monetary Fund."

This Section states that the Bank of Guyana "may". What I should like to get specifically from the Government is whether this payment of the gold subscription will become a part of the international reserves of the Bank. The law merely says it "may" be done. Will the Minister say whether it "shall" be done?

Mr. Thomas: I do not see any difficulty in the question. If you have set aside or actually paid part of your assets or cash reserves into an international body, then it is quite logical that you credit one account, you debit another account. It remains to the assets of the Bank, or am I above your head?

Dr. Jacob: The Minister does not have to be insulting. If he does not understand the Bank of Guyana legislation, let him say so. I merely wanted to know whether this amount shall be drawn. The law says that it may. The Minister told us a little while ago that the initial gold subscription is going to be \$1.2 million (U.S.), and that \$1.2 million is a small part of

the total \$15 million. Is the Minister in a position to let us know how soon will the total subscription of this Government to the I.M.F. be subscribed in gold?

Mr. Thomas: No, I do not think anyone would be in a position to know such a thing. The hon. Member is trying to differentiate between the Bank of Guyana Ordinance which states that the Bank "may" and this Bill which states that the Bank "shall". The former is permissible, but this one is mandatory. Under this Bill the Bank "shall", so it is obligatory on the Bank to do the transfer.

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

Clauses 6 to 8 agreed to and ordered to stand part of the Bill.

Clause 9.

Mr. Ram Karran: I beg to move the addition of a new Clause 9. The Amendment has been circulated and it reads as follows:

<p>"Interim order to be confirmed, amended or revoked by National Assembly.</p>	<p>9. Every order made under this Act shall after four days and within twenty-one days from the date of its first publication be submitted to the National Assembly, and the Assembly may by resolution confirm,</p>
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amend or re-voke such order and upon publication of the resolution the resolution shall have effect and the order shall then expire. If the order be not submitted within the said period of twenty-one days to the National Assembly for confirmation it shall *ipso facto* expire."

2.40 p.m.

Mr. Thomas: The terms of this Agreement have been cleared with the Royal Bank, the I.M.F., and the international bodies. We cannot, at this moment, attempt to vary the terms of this Agreement. Subsequent to receiving this Amendment by the hon. Member, we checked with Trinidad and Jamaica to see what their Agreements had, and we found that there was nothing. It does not mean that we are copying from them, we are just trying to follow someone who has gone before, and, sir, we cannot at this point, entertain any alteration to the Agreement.

Mr. Ram Karran: The hon. Minister has really given us no reason for the rejection of this new Clause, except that this Bill ties in, in every respect, with what is obtained in Trinidad and in Jamaica. Our tradition in this country is far different, particularly in this

[MR. RAM KARRAN]

House: This House has got the improved status of Parliament, as it ought to be, since this is the only forum where the people's interest can be looked after, that is, expenditure, and so on. I appeal to the hon. Member not to let what obtains in Trinidad and Jamaica, and possibly in Tasmania, affect a recommendation made by a Member on this side of the House for the inclusion of an Amendment. What is his objection to it? He has not stated it. Is it because Trinidad and Jamaica do not have it that we should not have it?

I read in the papers that a trade union leader was shot down in Trinidad, and the way the hon. Minister argued was that if that obtained in Trinidad, then we could have it here, too. To be serious, I urge the hon. Minister to give us good reasons for the rejection of this attempt to get Parliament to have a second look at the good work or, perhaps, the misdeeds of the Government which will be sitting in this Parliament in future years. It is something which I commend to the hon. Minister, and I think that it should be urgently accepted.

Mr. Thomas: The hon. Member mentioned an irrelevant point about a trade union leader being shot down. I mentioned Trinidad and Jamaica in passing because, as I said, we looked to see what was done, we were not copying from them. But the main point that I made, and which was completely overlooked by the speaker was that we had cleared the general form of this Agreement, and unless the Member opposite can give us a clear picture of

the value of inserting this Clause, I ask Members of this House that we do not vary just for entering that Clause 9 for which he is asking.

Mr. Ram Karran: The hon. Minister spoke like a little baby. [Mr. Thomas: "A little baby does not speak."] I have given reasons. One reads every day in the newspapers about the devaluation of the British pound. Not so long ago the rupee was devalued in India. Every day one continues to read about the dropping of the gold reserves in Britain and in the United States. I do not know the complications of these monetary matters, I do not know the ramifications of them, but I do remember the 1930's and I am sure the hon. Members on the other side remember them also.

However, there are fearful days ahead with the possible devaluation of the British pound and our currency being tied to it, and with Britain being tied behind the American system serious things can take place. All I am asking is that whenever a decision is made, it should be tabled in this honourable House. This is nothing new. There is precedence for this all around. Perhaps the hon. Member wishes to exempt himself from the embarrassment of a previous Order of this kind which was presented to this House. The Order was presented, a Motion was put up in terms of that Order for a debate, and up to today I have not heard anything more about it. Is this an instance in which the hon. Minister wishes to save himself and the Government the embarrassment of not

replying? This is a harmless one. All he has to do when the Order is made is to lay it on the Table.

Dr. Jacob: I think this is a most reasonable request. I see no harm in bringing an Order, made under this Bill when it becomes an Act, to the House for debate so that the public, through this House, will have full knowledge of what the Government proposes to do. This is a wise precaution, and the fact that two newly independent States in the Caribbean, Jamaica and Trinidad, have not seen fit to incorporate in their Acts a similar provision is absolutely no reason why we should not do it. All wisdom does not reside in the Parliaments of Trinidad and Jamaica!

2.50 p.m.

If they do not think it is necessary that is a matter for them, but the people in this country and the Members on this side of the House feel that such a precautionary measure should be incorporated in the Bill. I, in conjunction with the hon. Mover of this Amendment, urge the Government to consider this matter seriously and accept this Amendment. The Government has nothing to lose but very much to gain if it follows the suggestion made by the Members on this side of the House.

Mr. Hubbard: I wish to be a little more precise in this matter. Members on this side of the House fully recall that some time last year an Order was made to pay a large sum of

money in respect of the Prime Minister's residence.

The Minister of Housing and Reconstruction (Mr. Bissemer): On a point of order. This matter is entirely irrelevant under the Standing Orders in relation to the subject matter under discussion. The point about the Prime Minister's residence, or whatever Order was made, has nothing to do with the matter under discussion at the moment.

Mr. Hubbard: I would not refer to the hon. Prime Minister's residence again; but I should like to state that this Motion places an obligation on the Government to bring Orders before this House and have them debated before they can take effect. We have had an experience where the duty lay with the Government to place an Order before this House, and the law required that that Order should not have effect from the date on which a Resolution of this House annulled it, if that Resolution was debated within a certain period. The Order was laid in this House; a Motion calling for the annulment of the Order was laid; notice was given; a new Session of Parliament is now sitting, and to this day no notice has been taken of the annulment Motion.

There was no legal obligation, but there was a moral obligation on the Government. I presume that I must now come to the conclusion that, in spite of moral obligation, the Government does not feel that it has any responsibility whatsoever. We have had experience in this matter. Since the Government has a moral obligation and it

[MR. HUBBARD]

does not live up to it, then we want to place a legal obligation on it. A word to the wise is sufficient, but we are not dealing with the wise. We are dealing with people who have no regard for moral obligations and, therefore, we, as representatives of the people, feel that we cannot accept a moral obligation from the Government and must impose a legal obligation on it.

Your Honour, this is a very simple matter. We are asking that, since the Government cannot be trusted to fulfil a moral obligation, it should accept the only obligation which it should fulfil and that is to accept a legal obligation that this House should have a right to discuss such an Order within the prescribed time.

Mr. Bissemer: I was an Elected Member of the previous House in 1961. My hon. Friend was not an Elected Member, but he sat in the Senate. During 1961 and 1964 several Orders were made by the then Government and not one Order was subjected to a debate in the House. Not one Order made by the previous Government was ever submitted for an affirmative Resolution in this House.

Dr. Jagan: The then Opposition had argued that a similar provision should be made in the law, but he has not mentioned that. Now that he is in the saddle, he does not want to do what he had advocated previously.

Mr. Hubbard: It is a very simple matter to deal with the hon. Minister for Housing and

Reconstruction. I was not a Member of the House of Assembly as it was known in those days; I was a Member of the Senate. The Senate and the House of Assembly had the same duties in respect of legislation. The hon. Minister has said that no Order laid in the House of Assembly required an affirmative Resolution. That is one of the greatest falsehoods I have listened to in my life. This Minister sat down in this House and voted affirmatively or otherwise on Motions in relation to Orders brought here under the Customs Ordinance. Today he says that no Order was brought here.

The hon. Minister is a lawyer. I can understand a layman being imprecise in his language. I do not expect a lawyer, even if he is a "hedge lawyer", which I am not imputing to the hon. Minister, to be imprecise. As a Minister, he seems to have a duty to mislead this House, but I ask him as a lawyer, which is his first professional obligation, to revere the truth because without the truth we cannot get on.

Mr. Bissemer: My good friend has knowledge of my ability from a certain Sandbach-Parker-case where I represented the Crown. A Customs Order is not the same type of Order as the one we are now discussing. In the Customs Ordinance it is provided that any Order made should be confirmed by the House. Several other Orders were made by the previous Government and not brought before this House for debate. The ex-Minister of Finance (Dr. Jacob) was the Minister of Finance at the time when

Orders involving expenditure of money were never the subject matter of any affirmative Resolution in this House.

I agree that Customs Orders have to be confirmed by the House, but I know that during the period 1961 to 1964 several Orders involving expenditure of money were made without any discussion taking place in this House.

Mr. Hubbard: The hon. Minister is like Mrs. Quickley - one never knows where to have him!

Mr. Ram Karran: There has never been a single Order which dealt with money which has not been brought before the Legislature. The head of this organisation which may finance this money says that "The Bank of Guyana may". The gentleman, who comes from that country honoured by Adolf Hitler, is going to be given the responsibility of doing things with the taxpayers' money, and yet hon. Members on the Government side are reluctant to accept our suggestion.

3 p.m.

The members of the Government are willing to give authority to the Bank, whose Governor seems reluctant to bring these measures to us. I am not worried much about the cash advances. I know that the more that goes that way the less there is for the Prime Minister to squander on his airplanes and knives and forks and so on. I am afraid for the nation because very shortly the

slump is going to overtake us and the western world.

The hon. Member was telling us about capitalism but because he lives in this part of the world he has no alternative but to allow it. That is what I am afraid of. This Government, this Parliament, and the people of this country should have a second look at the decisions made by these people who cannot claim that they are infallible.

The hon. Minister who was piloting this Bill told us in very clear terms that there are many things he does not like. The hon. Members on the other side are very reluctant indeed to concede a point to the Members on this side, the point being that documents concerning an American-controlled organisation have to be lodged in the lap of the United States Government. I urge very strongly, as strongly as the Members who have spoken from this side of the House, that this Clause be inserted in the Bill.

Dr. Jacob: It seems to be very extraordinary that this Government, which has given unlimited powers to the Bank of Guyana, should be unwilling to bring to this Chamber matters involving public funds for its approval.

When the Bank of Guyana was set up I urged upon the members of the Government that, as in central banking legislation elsewhere, the Government or the Ministry of Finance should have the power to issue directives

[DR. JACOB]

to the Bank. They rejected that because they wanted to create a completely autonomous institution, which, at some future date, could frustrate the policies of any other Government. They have brought a foreigner to head this Bank, when there were competent Guyanese, at that time, capable of filling the post of Governor.

The members of the Government would set up institutions and give them unlimited power, but they would deny the Parliament of the country the right even to discuss important financial matters which place burdens on the taxpayers of this country. Let the Minister advance reasons for not accepting this reasonable proposal, which has been made by the People's Progressive Party.

Mr. Hubbard: I am most grateful to my colleague, Dr. Jacob, for reminding me and this House of something that we were in danger of forgetting, namely, that this Government has created an autonomous institution in the Bank of Guyana. The Government cannot give directives to it and is giving now, through this legislation, very great power to this Bank and is refusing this Parliament the right to ask an opinion when it would permit a foreigner to do as he likes.

The hon. Leader of the Opposition, my colleague, said yesterday that we have an outsider as head of the Bank and I am driven to the conclusion that it is even worse than that, because

they are denying Parliament a right to scrutinise the acts of Government. The members of the Government are giving the Bank, run by a foreigner, all sorts of power and rejecting for the Government the right to direct that foreigner how to exercise this power. I feel that we are on the edge of a precipice and I urge the Government to come back from the edge. Let us get some reason.

Mr. Thomas: I have listened to the points raised by the Members opposite, but I am still not convinced in my mind that they have made any relevant points. Therefore I cannot accept the Amendment.

Mr. Chase: The Minister has said that he still holds to his previous opinion, but may I, at this very late hour, take this opportunity to appeal to him to reconsider this matter?

What we are being asked to do this afternoon is to give to the Minister of Finance authority to make subsidiary legislation in respect of this Bill. Parliaments, as a whole, are usually very jealous of the authority which they confer upon Governments to make subsidiary legislation.

Orders, which are referred to in this Clause, may be classified under three categories. There are, first of all, Orders which are purely administrative and which, therefore, come into effect as soon as they are published in the Official Gazette.

There are other Orders which the Government is required to lay in the House, and, subject to a Resolution of the House being passed to amend or vary any particular Order, that Order remains in force.

Then, there are other Orders, the third category, which come within the ambit of this Amendment, which seek to prescribe that they have to be first laid in this House and are subject to a Resolution of this House confirming them before they can come into force.

The third kind of Order is usually used where the property or other rights and interests of citizens are involved. In the case of Clause 8 it is quite clear that when a Minister makes an Order under this section it is certainly going to affect the proprietary and other rights of the citizens of this country. It is from this point of view that we ask that such Orders should be first laid in this House and should be subject to a Resolution of this House before they come into force and, if they are not confirmed by a Resolution of this House, they should expire.

3.10 p.m.

It seems to me, having regard to our Constitution which makes provision in respect to proprietary rights of the citizen, that this Amendment is consonant with the constitutional provisions of this country, and I am somewhat alarmed at the fact that the Minister should seek to push

through Section 8 of the Bill, as it stands, without giving due consideration to the Amendment which the hon. Member Mr. Ram Karan has moved this afternoon.

The mover of the Motion did refer to the fact that certain Orders which ought to have been laid and discussed in this House were not so discussed. I do not want to rehash this matter because our experience in that connection is very unfortunate in that Orders which can be subjected to revocation or annulment of this House - although Motions were tabled requiring their amendment - were not brought up for debate within the prescribed thirty days after they were laid in the House. I do not wish to rehash this matter; the records are clear.

The point I wish to make is that since these Orders which are going to be made by the Minister, under this Bill, are going to be very important Orders indeed, affecting people's financial and other interests, it is only fitting that, even if the Minister does not accept all that is put forward in the hon. Member's Amendment, he should at least go the distance of saying that the Orders should be laid in this House, and not merely published, as they will be, in the *Official Gazette*.

To refer to the fact that a section similar to this Section 8 exists in Trinidad and Tobago, or in Jamaica, does not dispose of the question because Section 8 is subject to the Interpreta-

[MR. CHASE]

tion Ordinance and we will have to go on to see what the Trinidad and Tobago or the Jamaica Interpretation Ordinance states about Orders. The Interpretation Ordinance of Trinidad and Tobago, or of Jamaica, may well state that the Orders should be laid in the House and be subject to debate in the House. So merely saying that Section 8 of the Trinidad and Tobago or the Jamaica Ordinance is the same as Section 8 of this Bill does not dispose of the vital point which the hon. Member Mr. Ram Karran has made with regard to the insertion of a new Section 9 in this Bill.

I, therefore, would like to appeal to the hon. Minister to reconsider this matter. As I have said, if he does not wish to go the whole distance of the hon. Member's Amendment to make the Orders subject to an affirmative Resolution of this House, at least he should provide for their being laid in the National Assembly, and if within thirty days after they have been laid, the House does not resolve that they should be annulled, then they should take effect.

The Minister seems to be under the impression that to accept this Amendment or an Amendment similar to this would interfere with the operation of the Bill. May I state categorically that this is not so, nor is this the intention of the Amendment which has been proposed. The Schedules under this Bill will not be affected by the

Amendment which has been proposed, nor will the operative Sections, from three onwards, be affected by the Amendment which has been proposed. All that will happen is that the Minister, in carrying out the provisions of the Bill, will keep this House informed and will seek the approval of this House to such measures that he may put forward affecting, as I have said, proprietary or financial rights of the citizen.

It is a grave matter and I am very sorry indeed that it has been put forward in this form. [Mr. Bissenber: "Do you mean the Amendment?"] I am sorry that Section 8 has been put forward in this form. As I said, if the Minister does not wish to accept the Amendment as put forward by the hon. Member, I hope he will take the second limb which is still possible, that is, for the Orders to be laid in the House and, if a Resolution is not carried within thirty days of their being laid, that they should then continue in force.

I say this for what it is worth. I understand the Minister to be adamant, but it is a matter which goes to the root of people's proprietary and financial rights because I cannot see what Orders could be made by the Minister that would be purely administrative. It is true that there can be some, but the Orders to carry out certain of these Agreements - and they are very weighty Agreements - are bound to affect people's financial rights, obligations and

duties, and such Orders must or ought to be made subject to an affirmative Resolution of the House.

In the case of the Customs Ordinance, to which I think the Leader of the House referred, every Customs Order has to come to this House for approval because the Legislature is always jealous about questions affecting people's financial interests. Therefore, a measure such as this, which is going to impinge on the same interest, should be subject to the same type of provision. This provision by the hon. Member seems to come from the Customs Ordinance. Assuming that he does not wish this, there are provisions in such Ordinances as the Labour Ordinance, which is a second step away from this, that the Orders are to be laid and they shall come into force unless a Resolution is passed annulling them.

I respectfully ask the hon. Minister to give further consideration to this matter, and in view of the points that have been advanced from this side of the House, he should not lightly discard this matter. The answer that this is the provision in the Trinidad and Tobago Ordinance and the Jamaica Ordinance is really no answer to the problem.

Mr. Luck: Like my colleagues, I wish to support the Amendment of the hon. Member Mr. Ram Karran. The hon. Leader of Government Business (Mr. Bissember) misled the House when he interpreted this Amendment as

necessitating bringing to this House approval for expenditures. Clause 8 of the Bill reads as follows:

"The Minister may by order make such provisions as are necessary for carrying into effect any of the provisions of the Fund Agreement, the Bank Agreement, the Corporation Agreement and the Association Agreement."

Just now I looked through the Bill and I could see only one circumstance where the Minister may make an Order in accordance with Clause 8. It would not be in relation to paying subscriptions - that has nothing to do with this Clause - but in relation to exchange control.

This is a Parliament, and when we are discussing a matter, it is necessary that we should all understand.

3, 20 p.m.

Clause 8 reads as follows:

"The Minister may by order make such provisions as are necessary for carrying into effect any of the provisions of the Fund Agreement, the Bank Agreement, the Corporation Agreement and the Association Agreement."

The point I am making is that there would be very few Orders, indeed, which the Minister would make under this Clause. The only kind of Order I could see under this Clause 8 would be in relation to exchange control.

[MR. LUCK]

I doubt if the hon. Mr. Bissember can give any circumstance at all in which the Minister may be called upon to make an Order. Indeed, I challenge the hon. Minister who moved this Motion to reiterate any two circumstances where the Minister may be called upon to make an Order. I say, without fear of contradiction that, looking at this Bill, the Minister will be called upon to make only one Order at the most, and that may be in relation to exchange control. Surely, it is not too much to ask that such an Order be made subject to scrutiny of this Parliament!

Parliaments can work if they are run in the proper spirit. If valid points are made they must be accepted. The whole Government cannot be united on the question of exchange control. I would sit down at once if the hon. Minister of Economic Development could say what Orders he may want to make that this House could possibly obstruct. Surely, if it is in the nature of Exchange Control Orders which the Minister is to be authorised to make, this Parliament should have the power to scrutinize those Orders. That is the point we are making.

As I sat here, I listened to the hon. Leader of the Government's business in this House. It was his clear intention that the Minister would have to make several Orders, and this would be obstructing the working of the Government. I listened to him

with consternation. It is most unsatisfactory to have a debate proceed on a false premise: even worse, it is most unsatisfactory to be speaking to men who rely only on numbers. Numbers, good in mathematics, do not solve the rightness of a question.

Amendment put.

Dr. Jagan: Division, sir.

*Assembly divided: Ayes 17,
Noes 24, as follows:*

<i>Ayes</i>	<i>Noes</i>
Mr. Bhagwan	Mr. Wharton
Mr. Stoby	Rev. Trotman
Mr. Persaud	Dr. Richmond
Mr. Linde	Mr. Prashad
Mr. Ally	Mr. Field-Ridley
Mr. Khan	Mr. Carrington
Mr. Lall	Mr. Budhoo
Mr. Luck	Mr. Blair
Mr. Wilson	Mr. Too-Chung
Mr. Nunes	Mr. Joaquin
Dr. Jacob	Mr. Duncan
Mr. Hubbard	Mr. Bowman
Mr. Chandisingh	Mr. Thomas
Mr. Ram Karran	Mr. Merriman
Mr. Benn	Mr. Mahraj
Mr. Chase	Mr. Kendall
Dr. Jagan-17.	Mr. Kasim
	Mr. Jordan
	Mr. John
	Mrs. Gaskin
	Mr. Correia
	Mr. Cheeks
	Mr. Bissember
	Dr. Reid - 24.

Amendment negatived.

First Schedule

Mr. Thomas: I beg to move that the first Schedule be amended as circularized, with the exception that the word "second" be changed to read "third". Paragraph (f) will now read.

- (f) for the word "of" where it appears for the third time in Article XII, Section 2 (c), of the word "or";

Mr. Hubbard: Your Honour, I would be grateful if the hon. Minister would enlighten us as to why, having proposed so many Amendments to the original Bill, he is forced now to come back and propose Amendments even to the Amendments circulated.

[The hon. Minister offered no reply.]

Mr. Hubbard: Is the hon. Minister not favouring us with the courtesy of an explanation, sir? This is a very big matter to us.

3.30 p.m.

Mr. Luck: How do we know that these Amendments are now in proper form? We should be told why five sheets of Amendments are put before us today. How can we be sure that the Amendments are correct? Whole sections of these Amendments are left out. Can the hon. Minister give us some explanation for this glaring inefficiency? Are we to proceed with the Bill like this?

The Chairman: I have made a suggestion to the hon. Minister that he should call the Amendments one by one, so that hon. Members will have an idea of what is happening.

Mr. Thomas: I beg to move that the First Schedule be amended by the substitution -

- (a) for the word "been" in Article V, Section 3 (a) (ii), of the word "become";
- (b) for the word "improve" in Article VII, Section 3 (b), of the word "impose";
- (c) for the word "involve" in Article VII, Section 5, of the word "invoke";
- (d) for the number "LXIV" in Article VIII, Section 2 (a), of the number "XIV";
- (e) for the word "judicial" in Article IX, Section 2, of the word "juridical";
- (f) for the word "of" where it appears for the third time in Article XII, Section 2(c), of the word "or";
- (g) for the word "Acting" in Article XIV, Section 4, of the word "Action";
- (h) for the word "basic" in Article XVIII, paragraph word "basis";

[MR. THOMAS]

(i) for the figures "55" relating to Costa Rica in Schedule A, of the figure "5";

(j) for the word "holding" in Schedule B, paragraph 1(b), of the word "holdings".

First Schedule, as amended, agreed to and ordered to stand part of the Bill.

Second Schedule

Mr. Thomas: I beg to move that the Second Schedule be amended -

(a) by the addition to Article III of the following Section - "Section 6. Loans to the International Finance Corporation.

(a) The Bank may make, participate in, or guarantee loans to the International Finance Corporation, an affiliate of the Bank, for use in its lending operations. The total amount outstanding of such loans, participations and guarantees shall not be increased if, at the time or as a result thereof, the aggregate amount of debt (including the guarantee of any debt) incurred by the said Corporation from any source and then out-

standing shall exceed an amount equal to four times its unimpaired subscribed capital and surplus.

(b) The provisions of Article III, Sections 4 and 5(c) and of Article IV, Section 3 shall not apply to loans, participations and guarantees authorised by this Section."

(b) By the substitution for the word "by" where it appears for the first time in Article IV, Section 2(e), of the word "of";

(c) By the substitution for the word "Loans" in Article IV, Section 4, of the word "Loan";

(d) By the substitution for the word "Guarantee" in Article IV, Section 5(c), of the word "Guarantees";

(e) By the substitution for the word "borrowing" in Article IV, Section 7 (b), of the word "borrowings";

(f) By the insertion of a comma after the word "banking" in Article V, Section 6(a);

(g) By the substitution for the word "affected" in Article V, Section 8 (a), of the word "effected";

(h) By the substitution for the word "the" in Article VI, Section 5 (h) of the word "be";

(i) By the substitution for the brackets and letter "(h)" in Article XI, Section 2(c), of the brackets and letter "(b)".

Mr. Luck: There must be a plethora of typographical errors in this Bill. I wonder whether the chap who copied this Bill had an old copy at the time, and we are now making Amendments as a result of what he has seen in a more recent Bill? I can understand typographical errors, but what I cannot understand is why a whole section should be left out. Did the chap copy fully from an old Agreement and, having received a recent copy we now have to make other Amendments? Surely, the hon. Minister must assist us in this House.

Mr. Thomas: This is a recent Amendment.

Mr. Luck: Then you have copied from a previous Agreement made a long time ago. You have just received a recent Agreement, and you are now forced to make other Amendments. May I ask how recent is this new Agreement?

Mr. Thomas: This is merely to bring things up to date.

Mr. Wilson: We have heard a lot about jobs for the boys. The Amendments to this Bill have borne out the fact that this

Government is only giving jobs to the boys, and putting square pegs in round holes.

3.40 p.m.

Mr. Hubbard: The admission made by the hon. Minister of Economic Development disturbs me very deeply. I am disturbed at the fact that the Minister responsible for our economic development is content to have such important legislation as that which is before us today drafted on the basis of out-of-date copies of bills, gathered from the dustbins of Trinidad and Tobago and Jamaica, rather than going to the source and finding out what the real facts are.

We are paying very large salaries to some of our so-called "experts", who are returned exiles to this country and, if these gentlemen are doing their jobs, they must do their jobs properly. It is really an insult to the people of this country to tell us we are paying \$4,000 a month to an Attorney General who has the temerity to allow a Bill to be presented to this House when it was drafted on the basis of out-of-date information, and when it is due to be introduced into this House the Minister of Finance has to rise and mumble and say it is not ready, and then, when we do catch ourselves, we find that the Minister of Finance cannot present it because there is a plethora of Amendments. Then the Minister of Finance gets ill and leaves the Minister of Economic Development

[MR. HUBBARD]

to come and hear all the acid things that we have to say, and the Attorney General and the Minister of State is never present when there are criticisms of this sort.

I think we should very strongly deprecate the slackness in the Attorney General's office and what other Government offices are concerned to have allowed an exhibition as disgraceful as the one we have been witnessing these last two days.

The Second Schedule, as amended, agreed to and ordered to stand part of the Bill.

Third Schedule

Mr. Thomas: I beg to move that the Third Schedule be amended -

- (a) by the substitution for the word "increase" where it appears for the second time in Article II, Section 2(c) (i), of the word "increases";
- (b) by the substitution for the word "increase" where it appears as the penultimate word in Article II, Section 2 (d), of the word "increased";
- (c) by the addition to Article III, Section 6 (i), of the words -

"if and so long as the Corporation shall be in-

debted on loans from or guaranteed by the Bank, the total amount outstanding of borrowings incurred or guarantees given by the Corporation shall not be increased if, at the time or as a result thereof, the aggregate amount of debt (including the guarantee of any debt) incurred by the Corporation from any source and then outstanding shall exceed an amount equal to four times its unimpaired subscribed capital and surplus";

(d) by the insertion in Article IV after Section 5 (a) of the following -

(b) The President of the Corporation shall be appointed by the Board of Directors on the recommendation of the Chairman. The President shall be chief of the operating staff of the Corporation. Under the direction of the Board of Directors and the general supervision of the Chairman, he shall conduct the ordinary business of the Corporation and under their general control shall be responsible for the organization, appointment and dismissal of the officers and staff. The President may participate in meetings of the Board of Directors but shall not vote at such meetings. The President shall cease to hold office by decision of the Board of Directors in which the Chairman concurs.

(c) The President, officers and staff of the Corporation, in the discharge of their offices, owe their duty entirely to the Corporation and to no other authority. Each member of the Corporation shall respect the international character of this duty and shall refrain from all attempts to influence any of them in the discharge of their duties.

(d) Subject to the paramount importance of securing the highest standards of efficiency and of technical competence, due regard shall be paid, in appointing the officers and staff of the Corporation, to the importance of recruiting personnel on as wide a geographical basis as possible.

Section 6. Relationship to the Bank.

(a) The Corporation shall be an entity separate and distinct from the Bank and the funds of the Corporation shall be kept separate and apart from those of the Bank. The provisions of this Section shall not prevent the Corporation from making arrangements with the Bank regarding facilities, personnel and services and arrangements for reimbursement of administrative expenses paid in the first instance by either organization on behalf of the other.

(b) Nothing in this Agreement shall make the

Corporation liable for the acts or obligations of the Bank, or the Bank liable for the acts or obligations of the Corporation.

Section 7. Relations With Other International Organizations.

The Corporation, acting through the Bank, shall enter into formal arrangements with the United Nations and may enter into such arrangements with other public international organizations having specialized responsibilities in related fields.

Section 8. Location of Offices.

The principal office of the Corporation shall be in the same locality as the principal office of the Bank. The Corporation may establish other offices in the territories of any member.

Section 9. Depositories.

Each member shall designate its central bank as a depository in which the Corporation may keep holdings of such member's currency or other assets of the Corporation or, if it has no central bank, it shall designate for such purpose such other institution as may be acceptable to the Corporation.

Section 10. Channel of Communication.

[MR. THOMAS]

Each member shall designate an appropriate authority with which the Corporation may communicate in connection with any matter arising under this Agreement.

Section 11. Publication of Reports and Provision of Information.

(a) The Corporation shall publish an annual report containing an audited statement of its account and shall circulate to members at appropriate intervals a summary statement of its financial position and a profit and loss statement showing the results of its operations."

(e) by the substitution for the word "the" before the word "Agreement" in Article VI, Section 6, of the word "this".

The Chairman: Amendments to the Third Schedule are before the House.

Mr. Hubbard: Before we vote on these Amendments I would just like to say that my heart bleeds for this hon. Minister. I have not yet been able to determine in my mind whether his cross is in the middle, or whether it is on the left or right, but whichever cross he is nailed upon, it is a very difficult cross to bear. I tender him my deepest and sincerest condolence.

The Third Schedule, as amended, agreed to and ordered to stand part of the Bill.

3.50 p.m.

Fourth Schedule

Mr. Thomas: I beg to move that the Fourth Schedule be amended -

- (a) by the insertion after the words "increase in" in Article IV, Section 2 (b), of the word "the";
- (b) by the substitution for the word "or" in Article VI, Section 6 (b), of the word "for";
- (c) by the insertion before the word "Association" at the end of Article VI, Section 10, of the word "the";
- (d) by the substitution for the word "location" where it appears for the first time in Article VIII, Section 9 (c) (ii), of the word "place".

Question put, and agreed to.

Fourth Schedule, as amended, agreed to and ordered to stand part of the Bill.

Preamble.

Mr. Thomas: I beg to move that the following recital be substituted for the penultimate recital of the Preamble:

"AND WHEREAS the said several Articles of Agreement contain provisions by virtue whereof Guyana may become a member of each such body, and by virtue whereof the Articles of Agreement relating to each such body may be signed and accepted on behalf of the Government of Guyana, pursuant to the prescription of terms and conditions in that behalf by the body in question."

Question put, and agreed to.

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

Assembly resumed.

Bill reported with amendments; as amended, considered; read the Third time and passed.

GOOD WISHES TO COMMONWEALTH

PARLIAMENTARY ASSOCIATION DELEGATION

Mr. Bissember: Before I move the adjournment, may I take this opportunity, on behalf of all hon. Members, to extend our best wishes for a safe passage to the Members of the Delegation who are leaving tomorrow to attend the Ottawa Conference. They are all capable men, and I am sure they will take care of themselves in the various discussions which will take place at this Conference which our country will be attending for the first time since the attainment of Independ-

ence. I also wish to convey our best wishes to the Secretary of the Delegation since he is also making the trip. [Mr. Chase: "I am afraid we cannot join you in your felicitations."]

ADJOURNMENT

I now move that this House stands adjourned to a date to be fixed.

SPEAKER'S COMMENTS ON INTERNATIONAL FINANCIAL ORGANISATIONS BILL

Mr. Speaker: Before I adjourn this House, I want to make a few comments on the Bill which has just been passed. As Speaker of this House, I want to say that bringing a Bill with so many Amendments before this Assembly does the sponsors no good. I discussed this Bill with the hon. Leader of the House and suggested that it be withdrawn and a new one printed. It seems to me that a Bill of that nature, with all those Amendments, makes a mockery of the legislative process.

I want to sound a note of warning that if a Bill of this nature comes up again before the House, with so many Amendments, I am going to have it taken off the Order Paper. It must be properly drawn up and it must conform with the Regulations governing these Bills.

This honourable House stands adjourned to a date to be fixed.

*Adjourned accordingly at
3.55 p.m.*