

LEGISLATIVE COUNCIL**FRIDAY, 22nd AUGUST, 1947.**

The Council met at 2 p.m., His Excellency the Governor, Sir Charles Woolley, K.C.M.G., O.B.E., M.C., President, in the Chair.

PRESENT :

The President, His Excellency the Governor, Sir Charles Campbell Woolley, K.C.M.G., O.B.E., M.C.

The Hon. the Colonial Secretary, Mr. W. L. Heape, C.M.G.

The Hon. the Attorney-General, Mr. F. W. Holder, K.C.

The Hon. the Colonial Treasurer, Mr. E. F. McDavid, C.B.E.

The Hon. F. J. Seaford, C.B.E. (Georgetown North).

The Hon. H. N. Critchlow (Nominated).

The Hon. Percy C. Wight, O.B.E. (Georgetown Central).

The Hon. Peer Bacchus (Western Berbice).

The Hon. H. C. Humphrys, K.C. (Eastern Demerara).

The Hon. C. R. Jacob (North Western District).

The Hon. T. Lee (Essequibo River).

The Hon. A. M. Edun (Nominated).

The Hon. V. Roth (Nominated).

The Hon. W. J. Raatgever (Nominated).

The Hon. G. A. C. Farnum (Nominated).

The Clerk read prayers.

MINUTES.

The PRESIDENT : I think there is a typewritten error on page 6 of the minutes. It says (in para. 3) :—

“The President assured Council that Government had already noted the point raised by the hon. Member and would bear it in mind in fixing the date of the Elections.”

I think what I assured the Council in relation to the point raised by the hon.

Member for Essequibo River was that Government had already noted the point and had borne it in mind in fixing the date of the elections.

Mr. LEE : That is so, Sir.

The PRESIDENT : If you look at the minutes as they stand you would find that they do not say so. The paragraph should read :—

“The President assured Council that he had already noted the point raised by the hon. Member and had borne it in mind in fixing the date of the elections.”

I think that would meet the hon. Member.

Mr. LEE : Thank you, Sir.

The minutes of the meeting of the Council held on the 21st August, 1947, as printed, circulated and amended, were taken as read and confirmed.

ORDER OF THE DAY**FACTORIES BILL, 1947.**

The ATTORNEY-GENERAL : I beg to move that this Council resolves itself into Committee to resume consideration of the following Bill intituled :—

“An Ordinance to provide for the registration and regulation of factories, and for purposes connected with the matters aforesaid.”

Mr. CRITCHLOW seconded.

Motion put, and agreed to.

COUNCIL IN COMMITTEE.

Mr. LEE : When the Council adjourned yesterday I was replying to the remarks made by the hon. Member for Eastern Demerara in relation to clause 29 of this Bill. I would like to repeat that the fixing of overtime rates would not debar any trade union from making a pact or an agreement showing the relationship between workers and employers. These rates are only fixed in order to protect those workers or employees who cannot help themselves on account of the economic conditions in this Colony. This principle of an 8-hour day for workers has been accepted throughout the world, but that does not mean they should not work overtime.

This clause is only telling employers that if they employ workers after the 8-hour period they should pay them these rates as a minimum for the overtime work and, I think, my learned friend (Mr. Humphrys) overlooked that fact when he said that we would be cutting the ground from under the feet of the Trade Union Movement if we accept this provision. I would like to assure him that the Trade Unions will always try to get the best possible terms for the workers and I would like the financial interests in this Colony to understand that the workers have no desire to kill the goose that lays the golden egg. As regards the amendment suggested by the hon. Nominated Member, Mr. Edun, for the inclusion of Whit-Monday as a holiday, I am entirely in agreement with it.

Mr. FARNUM : I must say that I do not know much about labour laws, but this clause was discussed very fully in Select Committee and my information was that it should remain as it is, for the reason that the employee would know what he would earn in these cases. To my mind, this provision would also be an incentive to the workers and, I think, the clause should remain as it is except for the amendment that Whit-Monday should be added to the other holidays.

Mr. HUMPHRYS : May I point out that the worker might be very well induced by this overtime provision not to work during the ordinary period of the day. Instead of working six days a week at 8 hours each—doing the ordinary 8-hour period each day—he might decide to work 4 hours a day for three days and then do 4 hours overtime work on each of those days, getting time and a half for the overtime work. According to clause 29 (b) a worker will not have to work 8 hours a day regularly in order to get overtime; any day on which he works overtime, he will get overtime rate for that day. Therefore, he can work three days at 4 hours each, get plenty of rest and leisure, and then work 12 hours overtime during those three days.

I submit that a man should work a 48-hour week before he becomes entitled to the overtime rate, but this Bill does not say so. I make that point in answer to the hon. Member for Essequibo River, because he glibly makes the statement that the

workers do not want to kill the goose that lays the golden egg, but with the present crisis in England I think these things should be pointed out. The workers today—in England and in other countries—are not producing as they should. If a man works 8 hours a day surely no employer would grudge him overtime, but if he is going to slack off for three days and make it up by doing overtime work that would not be right. He should work 48 hours a week before he gets overtime pay. You might get a man who is a slacker working three days at 4 hours each and then—as I have already stated—coming back and getting overtime on those days. That would not be right and fair either to the employer or to the worker himself.

Mr. LEE : I understand that the position at the Bauxite Company is that a worker is allowed a 48-hour week. That is, they can work you 12 hours today and not give you overtime. This Bill says that if a worker gives 8 hours work he should be paid overtime for any other work performed the same day. When it comes to the question of production, the hon. Member for Eastern Demerara knows that at the British Guiana Consolidated Goldfields, Ltd.—I have just returned from there—they are working three shifts per day and the men are quite anxious to work.

Similarly, in the timber and rice industries if the workers are paid on the basis of an 8-hour day they would be willing to work longer and get overtime. It is only right and equitable that if the employers want them to work after the 8-hour period they should pay them time and a half. So long as this is done the employers would be able to turn on the workers whenever they like. We do not agree that overtime should be counted or paid after the worker has given a 48-hour week.

Mr. EDUN : The hon. Member for Eastern Demerara is certainly begging the question. We are not trying to find a solution for the problem of absenteeism here; we are dealing with legislation for setting up a fair wage standard. We heard here yesterday that the sugar estates and the Bauxite Company are paying these rates of overtime, and we want to compel other employers—those people at the Saw-

mills and on the rice estates and other places who sometimes work their employees for as long as 15 hours a day without paying them overtime—to do likewise.

We want this provision so that certain people should not cheat the workers, and so that the workers would have an incentive as regards working overtime. So long as employers want workers to put in more than 8 hours a day—something that creates physical strain—they should be made to pay them overtime. I do not see why we should bring in the question of making a worker put in 48 hours a week before he can get overtime.

Mr. ROTH : I have nothing to add to the argument put forward by the hon. Member for Georgetown North and the hon. Member for Eastern Demerara, with which I am in entire agreement. We hear a lot about the necessity for increased production in this Colony, yet we seem to be doing things that will result in more and more restriction every day. As far as forestry and the mining industries are concerned, a clause of this type is bound to restrict production and hamper progress and, I think, it should not be included in the Bill. I think the question of rates for overtime work should be left as a matter for arrangement between the employers and the Trade Unions. I am opposed to the clause as printed.

Mr. SEAFORD : I do not intend to make another speech, but I was hoping that some Member would have answered the question I asked yesterday and that is, why is it necessary to bring in this provision here when it is not in the English Act at all?

Mr. EDUN : There seems to be some specific reason. I think the hon. Member who is a Member of the Executive Council ought to be able to tell us the reason why the Secretary of State and the officers of the Labour Department have put in this provision. I should like to hear it from this Government, and I want to test the ideological conscience of this Government to stand firm on this question.

Mr. HUMPHRYS : I feel sure that the Commissioner of Labour would advise Government that a provision of this de-

scription—laying down the rates for overtime—is not in the English Act. I repeat that that should be a matter of bargaining between employer and employee and I do not see why we should have it in this Bill. There is no answer to the argument I have just put up—that you may have a man who decides to work only three 4-hour days in a week and during the other days put in 12 hours overtime work, thus getting away with a good week's pay in the end. If it is stated that overtime should be paid after he has worked 48 hours in one week, I would agree to that and I am sure employers would not object to paying overtime to such a worker.

Mr. CRITCHLOW : I rise to support this clause. I differ from those who feel that we should leave this question of overtime rates for settlement between the employers and the employees. My experience is that the employers hardly give anything to the employees unless they are practically forced to do so. In 1914 we made an application for an 8-hour working day but the Demerara Company refused to grant it. We interviewed the Governor since the merchants would not hear us and the Governor said to me "Critchlow, you cannot continue to fight the employers without a union." It was he who gave us the idea to form a union and the British Guiana Trade Union was formed on January 19, 1919.

I do not see why we should leave this question for settlement between the employers and the employees. If that is done there would be long and endless disputes. Why is it that there is a provision which states that if employers and employees disagree they must consult the Commissioner of Labour and if he fails to bring them together they should come to Government? I feel that questions such as this should be settled by Government. No worker would want to work 4 hours a day and then rest and go back and work overtime. I admit that there are some lazy people in this country, but all of them are not. I know as a fact that some are willing to work and cannot get work.

Mr. JACOB : I am a little disappointed over some of the arguments raised on this clause. My experience is that in these factories they would never employ a man

to do overtime work if he has not worked 8 hours already that day. Therefore, the argument that a man might work 4 hours a day and then go back and work overtime is something that would never take place in British Guiana. Where has it happened—at the Bauxite Company, on the sugar estates or on the rice estates? Certainly, it does not happen at the sawmills either, so that that argument is very very flimsy indeed. The idea is that if a man works from 8 a.m. to 4 p.m. and he is asked to work another 2 hours or so, he should be paid time and a half for the additional period. I think that is a very sound clause and that it should remain.

As regards the question of production which was brought into the debate, I would say that what is being produced is sugar and rice, but that is not all the production we want in this country. My experience is that the people are not being given an opportunity to produce more. Rice production has gone down, but I admit that of timber has gone up. Apart from sugar and rice on the coastlands what else are we producing? I am afraid that if we delete this clause we would be setting the hands of the clock back.

Mr. SEAFORD: The hon. Member mentioned sugar factories. He does not seem to realize that Georgetown has factories. Anywhere you have machines and four people working it becomes a factory. He seems to have missed that point completely.

Mr. EDUN: Perhaps it would be very interesting to Members of this Council to know that this Bill is the result of an investigation into the conditions of employment obtaining in Georgetown, especially in respect of the small industries, by Mr. Colin Fraser, Labour Commissioner. It was found that they were sweating the people there, and that is why this Bill has been brought in this form.

The CHAIRMAN: Do hon. Members want to hear the Commissioner of Labour on this very point of the conditions of labour existing?

Mr. W. BISSELL (Commissioner of Labour): If I may at the outset, I would like to say that the point made by the hon. Member on my right (Mr. Humphrys) has

no substance in the sense that it is not customary to pay overtime until eight hours of the day have been worked. I would not agree with him that it should be after forty-eight hours a week. The principle in operation in the United Kingdom and in the greatest number of industries is that each day stands by itself. Once the normal hours of a day have been worked by a man he is entitled to overtime for the hours in excess of the normal day, provided always that absence from work is not due to his own fault. If it is due to a breakdown of the plant he would be paid. Listening to the debate it seems to me there are a number of points upon which the Council is agreed. It seems to me also, that the Council does not find anything wrong with the substance of the clause as it stands. What it seems to find difficult is the rigidity of the law. It appears that more elasticity is desired to meet industries and to meet the difficulties that industries come up against from time to time and which cannot be visualized at any given time such as today. The Council has agreed on an eight-hour day. It can be said that is the policy of Government—an eight-hour working day. The Council has agreed that overtime should be paid after eight hours have been worked. The Council does not object to specific holidays having a special rate of pay when men are called upon to work on those days. The Council agreed that Sunday is not a working day except in utility industries where the work goes on every day and cannot be interrupted. The Council has agreed on all those points.

What the Council has not agreed upon, as far as I see, is that the amounts to be paid for overtime should be stipulated in the clause, but it is agreed that the amounts which should be paid for holidays should be stipulated in this clause. One may get over that without disturbing the clause by making provision for varying amounts. For myself I would prefer to see the amounts being agreed upon between the employers and the Trade Unions, because I believe that elasticity can be got out of a voluntary agreement. It is the better method for an industry to regulate its own problems. Each different industry has its own problems. The industry which can pay good wages and afford good working conditions

today may be unable to meet the same set of working conditions ten years hence. In the event of meeting difficulty and trouble it is going to be hedged round by the law, and by having to observe the law for the time being it will add to its troubles. I think the Council should have some regard for the wage-structure in the Colony at the present time. The basic rates of wages in most of the industries are based upon an eight-hour and nine-hour day with certain rates for overtime, the majority of which are less than a time and a half. If the Bill becomes law as it stands, there is the possibility of some employers re-adjusting the basic rates in order to meet the higher overtime rates. Basic wages are more important than the overtime rates.

There are one or two examples of the difficulties which can be attended to by setting down in the law what must be the guide. In the interior, for example, only this year we had a strike in one of our goldfields where the men asked for overtime not after eight hours but six hours. The Trade Union representative entered into an agreement with the employers but the workers themselves repudiated the agreement for this reason: The men did not want an eight-hour day in the interior; they wanted to work as long as they could and then return to Georgetown and their families as quickly as they could and with the most money they could earn in order that their stay in Georgetown could be long. Those men repudiated the agreement and said they wanted a twelve-hour day. What really happened was, in the end they got an alteration in wages which satisfied them and which allowed them as a necessity to work longer than eight hours a day.

There is another type of problem which seems striking at the moment—the Cane Grove Sugar Estate. Government has a year in which to make arrangements in order to deal with the difficulties which arise. If the Bill suddenly comes into operation and increases the difficulties, the proprietors may cut their losses by closing down and thereby foreclosing on Government some months ahead of the time they had expected. Those are the kinds of problems which the law does not provide for. You do not get the elasticity in the law which you can have by

voluntary agreement. Those are only some points that have occurred to me which, I think, should be of some interest to Members.

Mr. EDUN: As we are in Committee I think I ought to clarify the situation since the Commissioner of Labour has spoken. What is the use of Regulations in clause 26? It says:

“(3) Regulations under this section may be made—

(a) for a limited period or without limit of period;”

That is, Government can say that in a certain industry in the interior such and such period of work shall be provided for. You have here one standard in a general way for industries. In fact it is a question of factories alone; it is not a question of conciliation or negotiation. For those conditions we have a Labour Code. But this is a Factories Bill. Certain things must apply in the case of overtime rates and eight-hour day. Therefore if the Regulations are there to provide for seasonal factories and those industries in the interior, I do not see the reason for saying this clause should be amended or deleted at all. I had moved an amendment to clause 29 (a)—insert after the words “Easter Monday” the words “and Whit-Monday.”

Mr. HUMPHRYS: It appears quite clear that the Labour Commissioner supports my argument on this point—this clause should not be included. That is his expressed opinion.

Mr. JACOB: The hon. Member having said that, I would like it to remain on record that is my opinion too. I have always said so. I have told the Labour Department so; I have told Government so, and I say so in open Council.

Mr. EDUN: I do not agree that the Labour Commissioner said so. I may be wrong.

The CHAIRMAN: I understand the substance of the Labour Commissioner's remarks is this: The whole Council is agreed on the principle of eight-hour day and that any man working more than eight hours in a day should be paid overtime, but he saw objection and gave illustrations to

the effect that to make the law so rigid by prescribing the actual rates of overtime applicable to all industries would give rise to difficulties. His criticism of the section, as I saw it, was that it was so rigid it permitted of no settlement or adjustment of any kind such as clause 26 regulating powers permit. I think that was his point as far as I gather.

Mr. HUMPHRYS : If I may respectfully say, Your Excellency, I do not agree that is what I gather—it was too rigid to be put in the section. I do not like the eight hours each day.

The CHAIRMAN : We are agreed on the principle, and it is only the method of application.

The ATTORNEY-GENERAL : As the Labour Commissioner has observed, the feeling of the Council is that on the principles themselves, which appear in this clause, the Members are substantially in agreement and it is only the question of providing the best means of ensuring that no difficulties will arise as the result of a rigid fixing of these provisions or some of them in this clause. The desire of this Council, I take it, is to ensure that the interest of the worker in the factory is safeguarded and at the same time to see there is no hindrance placed on the industrial development of the Colony. And so, with those points of view before us, I think hon. Members will realize that while it is Government's view that in principle eight-hour day is acceptable it should be followed up and that any excess over the eight hours should be paid for by way of overtime rate and that holidays, recognized holidays, should be paid for at overtime rate. Then one must have regard and Government also must have regard to any difficulties which may eventuate as the result of what hon. Members have called "undue rigidity". If that is so, then it would be clearly the duty of the Government to formulate some provision or provisions relating to this clause which would provide the necessary elasticity. I take it, that will meet with the approval of all hon. Members.

So far as the hon. Member for Essequibo River (Mr. Lee), the hon. Member for North-Western District (Mr. Jacob), the hon. Nominated Member, Mr. Edun,

and the hon. Nominated Member, Mr. Critchlow, are concerned, I am sure that they themselves will be the last persons to put anything forward which will militate against the very desirable objective of the industrialization as far as possible of this Colony. Consequently I should suggest to hon. Members that they permit me in the light of the comments which have been made and in the light of the view which has been expressed by the Labour Commissioner to formulate a draft of that clause, bearing in mind the principles which appear to be accepted by hon. Members. I think that course should commend itself to hon. Members, because underlying the whole thing is the desire to do the best for the community as a whole.

As I had pointed out to hon. Members, there is no similar provision appearing in the Factories Ordinance of Trinidad neither in the Factories Act of the United Kingdom of 1937. Of course there is provision for women and girls' overtime in respect of the hours which they work, but there is no provision so far as the amount to be paid in relation to any overtime concerned. I hope hon. Members appreciate that. Apparently that is a matter left for negotiation between the Trade Union representing the people who work in the factories and the employers of the factories, and I am sure we have to approach the matter from a practical point of view, a commonsense point of view. I suggest to hon. Members it is not a question of one side or the other fighting to achieve their point. It is a question of our putting forward something which ultimately will be beneficial to the community as a whole. We are not preventing the worker from getting his due nor at the same time are we crippling industry or preventing industry from developing. Just at this time, as has been observed and commented on, we have to put forward every ounce of energy not only in this Colony but in the British Commonwealth and the Home Country.

With these observations, Sir, again I ask that this very clause be deferred in the light of the expressions of opinion by hon. Members, and I should say that it seems to me desirable that in order to obviate this rigidity, just as in the Labour Ordinance, No. 2 of 1942, the Governor in

Council has certain powers given to it to go into the various aspects of any occupation or occupations and ultimately decide as to overtime, some such similar provision should be provided by way of amending the clause itself. That will get over all the difficulties and meet all the points and objections which have been raised in connection with this clause.

Mr. LEE : I would like to be put on record what I am saying now. That is this : This Factories Bill was specifically drafted when this Colony was told that if we are to receive C.D. and W. money the Labour Ordinances must be passed. This Bill was brought into being with the object of receiving that money. That money has been received and any variation of this Bill will be a breach of faith with the workers and the inhabitants of this Colony, and I ask Government to consider it seriously in that aspect and to look up the files and see the comments made by the Secretary of State for the Colonies when the draft Bill was put forward to him for consideration before the money was given.

Secondly, I desire to put forward this point : The Commissioner of Labour laid stress on the point that the employers would reduce the basic wages if they have to work overtime. If the employers reduce the basic wage for the eight-hour day, are they not compelling the labourer to work in excess of eight hours a day so as to receive money enough to keep up his standard of living required in this Colony ? Has the Commissioner considered that aspect of it ? Is he going to tell the employers that because they have to pay a time and a half for overtime work they must reduce the basic rate of wages and so compel the worker to work longer than eight hours ? That is the inference to be drawn from his remark, and it can be the only inference, and I decry such action on the part of the Commissioner and the Capitalists of this Colony. I say it is a disgrace for it to be said that the employers would consider reducing the basic rate of wages if they have to work the workers longer than eight hours a day. Therefore if it is not necessary that the law should be rigid, then leave it to the employers and workers to bargain as to the basic rate

and let the overtime for working after the basic hours be rigid. The employers would then regulate their work to be done within the eight hours a day. I appeal to the Government to send Labour Inspectors throughout the Colony and it will be found that in every factory, save and except those organised factories, the worker works more than eight hours a day and is not paid for overtime. If you make the law elastic and the employers take the hint of the Commissioner of Labour they are going to reduce the basic rate of wages, and those people who cannot obtain employment otherwise than in factories will be compelled to work for that basic salary which will be offered and to work overtime in order to recover the amount lost by the reduction. Is that the intention of the Imperial Government ? Is that the intention of this Government for the workers to undergo that strain ? If it is, then I decry the clause.

Mr. EDUN : Unfortunately I will have to speak again, but we are in Committee and I think I have to discharge my duties and rights here. In all my experience in this country I have never witnessed such a *volte face* on the part of Government like this, and I consider it to be a contravention of a pledge given to the British Government. Would the hon. the Attorney-General deny that this Bill went to England, was examined by the Colonial Office and came back ? Would the Commissioner of Labour deny that also ? I ask the question, why does this provision creep into the Bill ? There must be some specific reasons. But I notice that neither the Labour Commissioner nor the hon. the Attorney-General can tell me why. I have listened here to the hon. the Attorney-General telling me something about substituting for the provision here of regulations for specific hours when people can be employed beyond the time. Government is giving cause for much agitation in this country. You have done it recently in giving away \$600,000; now you regret it and every Member of this Council will regret it. You are giving cause for agitation on the part of the workers. If the Labour Department is guilty of this, I consider it guilty of a crime and I will have no faith in it. I am fed up with this kind of Govern-

ment which will say one thing now and then withdraw it.

The ATTORNEY-GENERAL : I am sure the hon. Member is not telling me there is any attempt on the part of the Government to make any *volte face*. There is no such attempt.

Mr. EDUN : I consider this an attempt on the part of the Government not to honour a pledge.

The ATTORNEY-GENERAL : I do not know what pledge the hon. Member is referring to.

Mr. EDUN : Maybe the hon. the Attorney-General was not in office then and, therefore, does not know when these things were being considered.

The ATTORNEY-GENERAL : As I pointed out earlier in the course of the debate, we have to approach the whole matter from a practical point of view and also from a commonsense point of view. It is not a question of making a *volte face* or any suggestion of a *volte face* on the part of Government. It is only a question of endeavouring to work out in the best possible manner a solution to the points made by hon. Members which will meet the difficulties which may be envisaged. That is the clear position. That does not imply any *volte face*. I suggest to the hon. Member when he makes an accusation not to do so without proper consideration of all that has been put before this Council. The whole position seems perfectly clear on analysis. Government has said and the Labour Commissioner has put forward to the Council certain aspects dealing with this clause. The Labour Commissioner, from an impersonal point of view having regard to the circumstances, from his experience and his knowledge of the working of these matters, such as wages and overtime and length of hours, is suggesting to this Council that there is a certain amount of rigidity in the clause and that it will be better or more advisable to make some amendment in the clause which will get rid of that rigidity and at the same time preserve the interests of the workers which hon. Members have been putting forward. With that Government is expressing agreement, but that does not suggest any *volte face* or anything like a breach of faith with regard to the Colonial Development and Welfare Fund,

The hon. Member for Essequibo River (Mr. Lee) says there is a breach of faith. All that is being suggested is that, instead of having so rigid an arrangement of double time or time and a half, opportunity should be taken to provide an amendment which, while preserving the principles of an eight-hour day and overtime pay, would at the same time allow of elasticity in circumstances where changes may be desirable. It is one of the principles of trade unionism that certain matters should be left to negotiation between employer and employee, and that is all that is being done in this case. Government is endeavouring to do what is best, having regard to all the circumstances. I am sure no hon. Member will say that the present methods of development in mining and forestry should in any way be interfered with. Rather than that, it is desirable that they should be stimulated, and I suggest to hon. Members that they will appreciate the reason behind the suggestions I have put forward for their consideration.

Mr. JACOB : I am not surprised at Government's attitude at all. My knowledge of the working of this Council during the last 12 years is that when Government brings forward a Bill of this kind for the protection of working people, the protection of certain interests, or in respect of matters of vital importance it has received specific instructions from the Secretary of State for the Colonies. This legislation has been hanging fire in this Colony for several years. I suggest to Government that before such vital changes are made in the Bill the whole matter should be referred back to the Secretary of State for directions. When Government desires to put through certain Bills we are told that no material alterations can be made without the advice of the Secretary of State, and while I am in favour of this Bill going through I suggest to Government not to put it through before the General Elections. If the Department of Labour can act in the way it has, although the former Commissioner of Labour was a member of the Committee which recommended the proposals in this Bill —

Mr. SEAFORD : To a point of correction ! That Committee did not recommend proposals,

Mr. JACOB : I am going to refer to the Committee or the Select Committee as the debate proceeds, but I am strengthened in my conviction that what I said yesterday was perfectly correct. Before anything further is said on this matter I should like Government to put a clear statement on the table showing how many trade unions are in existence in this Colony, their membership for last year, and what the Department has done. There is no trade unionism at all. The Department of Labour discourages trade unionism, and Government and the big employers do the same thing. For once the so-called Labour leaders are agreed on a particular point, and I am asking Government to consider very carefully what it does in this matter. The whole thing looks very shameful.

Mr. SEAFORD : It has been stated here this afternoon that Government has not honoured its undertaking; that there has been a breach of faith on the part of Government because it has suggested this amendment. I think I am correct in saying that the undertaking given was that a Factories Bill will be introduced. That was the undertaking given, and it cannot be a breach of faith if an amendment of the Bill is proposed. If that were the case it would mean that the Bill would have to go through without any amendment whatever. It cannot be suggested that, if the Council is asked to amend a certain clause, it is a breach of faith. Hon members have agreed to certain amendments. How then can it be called a breach of faith if another amendment is suggested? I maintain that the undertaking given by Government was to pass legislation through the Council, and it is no good passing a Bill unless it is made workable.

Mr. LEE : I would like to clear up the point about a breach of faith. The Secretary of State for the Colonies, or some other responsible official at the Colonial Office, must have reviewed the Bill before sanctioning the grant from the Colonial Development and Welfare Fund. I am not saying that the Bill should not be amended, but that it should not be amended on the straight principles. The British Government saw the necessity of protecting the working people by fixing an 8-hour day with a fixed basis of overtime

pay. Is this Government going to leave it to employers, employees and the trade unions to arrange the basis of overtime pay?

The CHAIRMAN : I think the hon. Member is mistaken. It is not a question of just leaving it to the trade unions and the employers. Even under the existing Regulations Government has the power to intervene both as regards wages and overtime pay. Provision is made in the Labour Ordinance for overtime. I do not see any reason to go back on that now.

Mr. LEE : Although the Labour Ordinance makes provision for Government's intervention, there must be a genuine dispute between a trade union and the employers.

The CHAIRMAN : I do not think the hon. Member is right even on that point. It is within the power of Government to intervene at any time. The hon. Member says that Government proposes to leave the matter entirely to settlement between employers and employees. That is not Government's intention, and never has been.

Mr. LEE : Thank you, Sir.

The CHAIRMAN : I mentioned that just to clear up what appeared to me to be a misunderstanding of the position. We must stick to the facts and not lose sight of the actual position. It is a difficult matter. We have had a most interesting debate on it, and Government is as anxious as the hon. Member is to see the workers are protected.

The COLONIAL SECRETARY : I think I must intervene on just two aspects of this matter. The hon. Member for Essequibo River (Mr. Lee) has stressed the significance of this particular clause, which we have been debating, and the policy of the Government in passing labour legislation as a result of the assistance rendered through the Colonial Development and Welfare Fund. I have not the file in front of me; the Attorney-General has it. This Bill may have gone to the Secretary of State; I cannot say, but I can say that all that this Government has undertaken in accepting assistance from the Colonial Development and Welfare Fund is to pass certain labour legislation, and I think we have passed a great deal. Since that pro-

viso was put in the Act of Parliament that Colonies receiving such assistance should pass certain labour legislation, this Council has passed a great many Labour Bills. This Bill may be one of them. The hon. Member has gone too far in saying that any amendment of the Bill dealing with factories would be a breach of a promise given when we accepted money from the Colonial Development and Welfare Fund

What I really got up to say was that I think the speeches made by the hon. Nominated Member, Mr. Edun, and the hon. Member for North-Western District (Mr. Jacob) should be answered on behalf of the Commissioner of Labour. A very strong attack was made against the Commissioner by both speakers and, I think, hon. Members should thoroughly understand that the Commissioner of Labour is here to hold the balance evenly between the employer and the employee. It is not his business to take one side or the other; it is his business to advise Government as to what is an equitable solution of the differences between them. The hon. Mr. Edun said that, because of what the Commissioner of Labour told him, he lost all faith in him, which simply means that, so far as the hon. Member is concerned, unless the Commissioner agrees with him he is wrong. That is not the duty of the Commissioner of Labour. We have a Commissioner who gives what he really believes is the right advice. He does not give the advice which he thinks Mr. Edun wants, or the hon. Member for North-Western District wants. I think it should be clearly stated that he has his duty to do just as every other senior officer. He has come here to help us on this very important point. I think he has made a very constructive speech, and it is only right that that should be put on record.

Mr. EDUN: I have listened to a very impassioned speech by the hon. the Colonial Secretary.

The COLONIAL SECRETARY: Not more impassioned than yours.

Mr. EDUN: That is a matter of opinion. When the hon. the Attorney-General speaks about conditions in the Colony he ought to give me credit for

knowing more than he about conditions here. I have said that we went through this Bill thoroughly in Select Committee, and despite what the hon. Member for Georgetown North (Mr. Seaford) has said, I am confident that it will work because I know conditions here. I have given the Commissioner of Labour all the support possible. I have co-operated with him all these years in the hope of being able to build up a proper trade union system, but when I found out what was being done in respect of this Bill I had to consider my position. Government supported the provisions of this Bill right through to the Select Committee stage, but I see the Attorney-General turning his face. We had the benefit of the experience of the Commissioner of Labour in Select Committee and we went thoroughly into it.

Government is not acting wisely in this matter. Perhaps the Commissioner of Labour will tell Government that there is agitation on the sugar estates among certain people in order to disrupt the harmony on the estates, and given tools of this kind Government will see what will happen. I have been doing my best to keep things quiet, and if I let go my hands it would be a sorry day. With the co-operation of the Labour Department we have succeeded so far, but there are mischief-makers. Some people said that the hours fixed for the opening and closing of spirit shops would not work, but they are working very well. I am pleading with Government to pass this Bill and see how it works.

Mr. LEE: Having given the Council the assurance that the principle of this clause of the Bill will not be defeated, and that the interests of the workers in factories will be protected, I desire to leave the matter entirely in Your Excellency's hands

The CHAIRMAN: The hon. the Attorney-General has asked the leave of the Council to defer the clause in order that he may arrive at some wording which will meet the wishes of the Council generally.

Mr. SEAFORD: If the clause is passed as printed would it mean that employers who are paying higher rates than

are provided in the Bill would have to reduce them in accordance with this clause?

The ATTORNEY-GENERAL: No, these are minimum rates.

Mr. HUMPHRYS: With all due respect I beg to differ. Where there is legislation stating definitely what must be paid it will be an offence for an employer to pay less and also an offence to pay more.

The CHAIRMAN: I cannot see what all the heat is about. The hon. the Attorney-General says it is very perplexing—a lot of heat engendered.

Mr. LEE: We lose control of ourselves sometimes.

The CHAIRMAN: It appears to be the feeling that there is some deep hidden plot—that Government is out to do something unreasonable. I want to assure hon. Members that all I want to see is fairness. The hon. the Attorney-General has asked permission to defer this clause. There is no one more anxious than I am that this Bill should go through as soon as possible. It has been hanging about for a long time, and there was some suggestion that Government was not anxious to get on with it. I can assure hon. Members that we are as anxious as anyone to get it through this session. The motion is that the clause be deferred.

Question put, and agreed to.

Clause deferred.

Clause 30 (1)—Power of Governor in Council to make Regulations.

The ATTORNEY-GENERAL: I move that sub-clause (1) be amended by the substitution for the words "class of person in" in paragraph (a) of the words "class of persons in connection with."

I also move the insertion of the following additional sub-clauses:

"(3) No woman or young person shall be employed in a factory otherwise than in accordance with Regulations made under this section.

(4) In subsection (3) of this section the expression "factory" has the same meaning as it has in section nineteen of this Ordinance."

Amendments agreed to.

Clause 31 — Regulations to be laid before Legislative Council.

The CHAIRMAN: I invite the special attention of hon. Members to this clause.

Clause 31 put, and agreed to.

Clause 32—Special Provisions as to evidence.

Mr. SEAFORD: Sub-clause (2) of this clause says:

"(2) Where, in any proceedings under this Ordinance with respect to a person under or over a specified age, it appears to the court that such person is apparently under or over such age, it shall lie in the defendant to prove that the person is not under, or not over the specified age, as the case may be."

In this Colony it may be very difficult for a defendant to prove a person's age.

The ATTORNEY-GENERAL: The onus of proof lies on the defendant, because it is his duty to inquire into the age of any young person to be employed in his factory. If an employer is brought before a Court he has to prove the age of the person, because he has taken upon himself to have the benefit of the person's labour without due inquiry into his age.

Mr. SEAFORD: That is very nice in theory, but we have had cases in this Colony where employers have made inquiry and persons have produced certificates to prove that they are of a certain age, but it turned out that those certificates related to other members of their family. It is a difficult thing to prove.

The ATTORNEY-GENERAL: It is a question of evidence. If a defendant satisfies the Court that he has made reasonable inquiry the Court would hold that the person had obtained employment by means of a subterfuge.

Clause 32 put, and agreed to.

Clause 35—Special rules as to the making of complaints for offences.

Mr. LEE: I would like an explanation from the hon. the Attorney-General as to why it is necessary to have the previous sanction of the Commissioner of Labour before any prosecution can be brought under this Bill.

The ATTORNEY-GENERAL: The whole object of this sub-clause is really to enable the Labour Department to make certain investigations, and to be more or less satisfied as to the *bona fides* and the necessity for bringing a case. The Labour Department has Inspectors and other officers attached to it who will be in a position to know about the working of this Ordinance and about the general conditions prevailing—the working of factories and so on. That being so, you are really giving to the head of the Department—the Commissioner of Labour—the power and authority to investigate the various complaints and say "This is a proper case for adjudication by the Court." I think one can easily appreciate the fact that the Commissioner of Labour will be dealing with these matters quite impersonally and having regard to all the circumstances relating to the Workmen's Compensation Ordinance.

Mr. LEE: I am satisfied with that. At one time there was a Shop Ordinance which prevented anyone from having any provision shop on an estate. I complained about the matter, but another prosecution was brought and there was a conviction. An amendment to the Ordinance was subsequently moved in this Council, however, and it was carried.

As regards the Bakeries Ordinance, the Bakers Union complained to the Police, but they had to bring their own prosecution and prove that the Ordinance was not being carried out. Why shouldn't a private person be in a position to bring a prosecution for a breach of Common Law? Why should it be left to certain persons to prosecute and one could only complain to the Governor when they fail to do so? I cannot appreciate the argument raised in support of this clause, and I move that it be deleted.

Mr. HUMPHRYS: I am afraid I do not agree with the views of the last speaker. There are many instances in which a prosecution cannot be brought without the sanction of the Attorney-General. It is clear that in the case of a complaint or otherwise, it is a matter which the Commissioner should investigate and say whether a prosecution should be brought or not.

We should not leave it so that any member of the public could persecute any person if he cared to, because he thought there was something wrong.

In clause 35 (2) I think the words "or defend" in the second line should be deleted. You can only have a prosecutor in this case, unless there is a prosecution against one of the officers of the Department and another officer wants to defend him, but he will hardly be allowed to do so unless he is a Barrister at Law, which will give him the right of audience. I am sure the hon. the Attorney-General would agree with me.

Mr. PEER BACCHUS: I think this clause is restricting the liberty of the subject. If anyone thinks he has a grievance against a person he should be allowed to bring that grievance before a competent authority, and that competent authority would be the Courts of this Colony. I go further and say that if he is dissatisfied with the decision of the Magistrate he should have the right and privilege to take the matter to a higher Court. Why should a private individual be guided by a single officer of the Government to say whether he has a grievance or not?

I do not think even Your Excellency would care to exercise such dictatorial powers, and I do not think it is safe that a Bill of this nature — one which is only now coming into operation in this Colony and which holds the entire fate of the workers—should be left in the hands of the Commissioner of Labour. I think a worker should be given the privilege of venting his feelings and of finding out for himself whether he is right or wrong. If he brings a frivolous prosecution he should be penalized by the Court.

The ATTORNEY-GENERAL: It is not a case of a worker being allowed to vent his feelings or to go into a Court of law as he likes. What we are doing is to put forward legislation to provide some measure of security in the interest of the worker. We are not endeavouring to put forward legislation so as to have a continuous procession to the Courts, neither is this clause endeavouring to remove the principle of the liberty of the subject. All that we are endeavouring to do is to en-

sure that *prima facie* cases, or cases with some foundation in them, are brought before the Court. After all, we are dealing with factory legislation for the benefit of a large number of workers, but if a person has an imaginary grievance and brings a case and another person who has an imaginary grievance also brings a case that would not do at all, for we would be using the forum of the Court for venting imaginary grievances.

This clause does not say that the private individual would be debarred from bringing his case; it only means that there will be a certain amount of investigation by the Labour Department before a prosecution is brought. The Department would see whether the matter should go to Court because a principle has been outraged, or whether the matter should be settled, and so on. It seems to me that hon. Members will by approving of this clause enable the Labour Department not only to assist in the successful working of this Ordinance, but to prevent a lot of wasting of time and petty, pin-pricking matters from being brought into the Courts.

Mr. PEER BACCHUS : I never intended that anything I said should convey to this Council the impression that the Commissioner of Labour should not advise. He should investigate and advise, but if one does not agree with his advice he should have the privilege of bringing his own prosecution. I should have thought that the hon. Member for Eastern Demerara, being a lawyer, would have taken a different view from the one he expressed. I still maintain that this clause interferes with the rights and the liberty of the subject.

Mr. LEE : The hon. the learned Attorney-General is the head of our legal department in this Colony and, as the hon. Member for Eastern Demerara has stated, there are certain instances in which a fiat from the Attorney-General has to be obtained before a prosecution can be brought. It has been stated that there will be a review of the facts relating to any complaint made, but I would prefer that to be in the hands of a legal person. I would therefore agree that no prosecution should be brought except with the permission of the Attorney-General and

would therefore suggest that the clause be amended accordingly. The review can be made by either the Solicitor General, the Crown Counsel, or any other Law Officer of the Crown. If sanction must be given before a prosecution is brought, let it be given by a legal officer.

The CHAIRMAN : I think the whole object in this case is to prevent unnecessary litigation and also to save the worker from legal expenses. I think one of the duties of the Labour Department is to effect conciliation; that is half of their job. It is the principle of conciliation which, I assume, underlies this clause of the Bill and I do not think we are interfering with the liberty of the subject in any way. Conciliation rather than litigation is the spirit of the whole clause.

Mr. HUMPHRYS : I do not press my objection, Sir. I do not want to cause any of these people any unnecessary expense by having to defend any of these matters. I think the hon. Member for Essequibo River would not press his objection either. After all, we must trust somebody in these things.

Mr. Lee : I will not press my objection but, as I have already stated, I would prefer the complaints to be reviewed by a legal officer.

The ATTORNEY-GENERAL : I think hon. Members will be well advised to leave the clause as it is. After all, the Commissioner of Labour can always consult the Legal Department. As it is, the Labour Department consults us in various matters and I have to accept responsibility in many other things. It has been pointed out that the Commissioner of Labour should be charged with this responsibility because it is part and parcel of the work of the Labour Department. A person who is not desirous of going to Court might go to the Commissioner and raise a point which the Commissioner himself might feel justified in bringing before the Court. As hon. Members are aware, complaints are brought on all sorts of subjects and the Commissioner himself should be charged with the responsibility for bringing a prosecution. You will find complaints made to him by various members of his staff and there will be investigation, and he will have to say

whether or not the matter should be taken into Court.

Legal matters must arise, but the person who is administering the Ordinance itself will know all the details and will sometimes be even in a better position to advise than counsel who may have to go through the whole of the Ordinance for the purpose of advising. It is a matter where we are endeavouring to inculcate in workers a spirit of understanding; consequently we do not wish to multiply opportunities for them to bring prosecutions in the Law Courts. I think hon. Members will appreciate that from the point of view of the trade unions and labour generally.

Mr. LEE : There may be local men who know conditions of labour and, perhaps, one of them may aspire in the Service and get appointed as Commissioner of Labour although he or his friends may have shares in companies or factories. In such a case we will find his duty clashing with his financial interest, but I would expect his duty to prevail. I still ask that the amendment I have suggested be made, so that complaints will be reviewed by a legal officer.

Mr. EDUN : I do not think the point just raised by the last speaker is involved in this matter at all, because I know that an officer of Government cannot have shares in a sugar company or any other company. I think this clause is all right; what we want is more conciliation rather than more litigation.

Clause 35 put, and agreed to.

Clause 42—Enforcement by local sanitary authority of Regulations made under this Ordinance.

The ATTORNEY-GENERAL : As regards this clause I beg to move the following amendments :—

Sub-clause (1) be amended by the substitution for the words "shall be enforced" of the words "shall be enforced, in cases under sub-section (2) of section three of this Ordinance, by an Inspector and in all other cases."

Sub-clause (3) be amended by the substitution for the words "sanitary authority aforesaid" of the words "sanitary authority aforesaid and to the

Central Board of Health;" and by the substitution for the words and commas, "as the case may be" of the words and commas, "as the case may be, and the Central Board of Health."

Sub-clause (4) be amended by the substitution for the words "act, the Commissioner" of the words "act, the Central Board of Health, the Commissioner."

Amendments put, and agreed to.

Clause 42, as amended, passed.

Clause 43—Expenses.

The ATTORNEY-GENERAL : With the permission of hon. Members I desire to insert a new clause 43. It reads :—

"43. (1) Every Order made by the Governor in Council under this Ordinance shall be published in the *Gazette*.

(2) Any Order made by the Governor in Council under this Ordinance may be revoked or varied by a like Order."

New clause 43 put, and agreed to.

Clauses 43, 44, and 45, as printed, re-numbered 44, 45, and 46, respectively.

SECOND SCHEDULE.

The ATTORNEY-GENERAL : There will be a consequential amendment in this schedule : "Section 44" will now read "Section 45."

Amendment put, and agreed to.

Second Schedule passed.

Council resumed.

EMPLOYMENT OF DOMESTIC SERVANTS.

Mr. CRITCHLOW : I beg to move the following motion standing in my name :—

"That Whereas the conditions of employment of Domestic Servants are in need of improvement;

"And Whereas a Committee appointed by Government to investigate the conditions of employment of these workers, made recommendations along the following lines—

1. That the normal working week of Domestic Servants be not

more than 60 hours, with a daily break of at least two hours;

2. That each Servant receive a half day off weekly, in addition to being relieved from duty every other half Sunday;
3. That one week annual holiday with pay be given each Domestic Servant; and
4. That where workers are expected to wear uniforms, the Employers should supply the uniforms;

Resolved that this Honourable Council urge that Government give sympathetic consideration to the possibility of enacting legislation to give effect to the recommendations cited above."

This motion, Sir, will not interfere with those good employers who are already giving their domestic servants some of these conditions, especially in those cases where the servants live in. This motion is intended to improve those bad employers who work their servants until very late at nights and give them no holidays, and so on. I do hope that it would find a seconder and that Government would be able to do something to assist these poor domestic servants.

Mr. LEE : I desire to second this motion and to draw the attention of this Council to something which was brought to my notice recently. It is a fact that cooks are experiencing very much difficulty through having to go to markets very early in the morning. They have to leave their homes between 6 and 6.30 o'clock in order to queue up at the markets, and their children are hardly ever awake when they leave home. When they are awake their children are not, and they have to wake them up in order to provide their meals before they go to school. They go to work between 6.30 and 7 o'clock in the morning. Some people have late dinner and as a result their servants do not leave work until late in the evening. No provision is made for servants' quarters where they can rest in the intervals during working hours. Some of the servants, although they are given time to go home during the day, live so far away that they cannot take advantage of it and, therefore, those hours must be counted as

being in the employment. Especially the cooks, they have to remain at work and do not get to their homes until 8.30 and 9 o'clock in the evenings. I am asking the Council to give consideration to the motion and to compliment the hon. Mover on having brought it to the Council.

Mr. ROTH : I am not prepared right now to agree to every item mentioned in the motion, but I certainly support the principle involved and trust that Government will take some action in the matter. I do not know what the position is now, but I do know that up to comparatively recently the position of domestic servants for some years was a scandal. I understand it is better, but still there is room for improvement in certain cases. I beg to support the motion.

Mr. FARNUM : I am entirely in sympathy with the motion, but I am not quite clear with respect to No. 1— "*That the normal working week of domestic servants be not more than 60 hours, with a daily break of at least two hours.*" Does that mean sixty hours exclusive of the two hours per day ?

Mr. LEE : Yes !

Mr. FARNUM : What I want to draw attention to is this : There is a very large number of families amongst the middle class people who employ what is known as "Half day servants." I see no provision for that is made in the recommendations of the Committee, and I ask that the matter be given attention.

Mr. SEAFORD : I think the majority of people agree in principle with the motion, but first of all is it a practical motion ? Can it be carried out ? It is all well to say that Government should enact legislation, but is it practical to enact such legislation and to carry it out ? Perhaps we may borrow legislation from some other country so as to get an example as to how it can be carried out. I do not know there is any country in the world with such legislation. Perhaps the hon. Member may enlighten me.

Mr. EDUN : This motion will certainly have my full support. I maintain that the time has come when certain uniform standards should be set up in all spheres of

life. I remember very well indeed when there was so much agitation in this country, especially in Georgetown, about the conditions of work of the domestic servants, and when you read those conditions they were simply abominable. There are so many variations, each set of families with certain conditions. I think, if this motion is accepted by Government and with the ingenuity of the present holder of the office of Attorney-General to devise some kind of law in order to make things uniform, something practical can be had. I have so much faith in him as to hold that something can be done for this class of people. There is certainly this point which the hon. Nominated Member, Mr. Roth, has made. Things have improved, but were it not for the agitation which had been made things would have remained the same way. It is wisdom for your Government to appoint this Committee and, I think, the time has come that all sides of the question should be examined in the hope of bringing about conditions to suit all the parties concerned.

The COLONIAL SECRETARY : If I may say a few words, the hon. Mover of this motion had consulted me when I was Colonial Secretary and during the time when I was acting Governor, and I actually did go into the question personally with the Commissioner of Labour and a member of the Social Welfare Service League. The recommendations which have been made are those embodied in the motion which the hon. Nominated Member, Mr. Critchlow, has just moved. He wrote suggesting those points—1 to 4—as a principle to go on, and he consulted his colleagues who accepted them, and he has now moved the motion which is before you. The hon. Nominated Member, Mr. Farnum, asked whether the sixty hours mentioned includes the two hours off. My recollection is, the answer is "No". Servants have to go exceedingly early in the morning for some employers who themselves have to go to work early. As far as I recollect the discussion with the Commissioner of Labour who has just spoken to me, it does not include the two hours off. The real difficulty is how can any Government pass legislation to control the hours and condi-

tions of employment of personal servants of the community. As far as I know, there is no country, except perhaps New Zealand where it applies to hotels, restaurants and public places, which has legislation controlling the hours and conditions of work of domestic servants.

As a matter of interest I may state that the Government wrote to all the Governments in the Caribbean—Jamaica, Honduras, Bahamas, the Leeward and Windward Islands, Barbados and Trinidad—and one and all said they had no legislation on the subject and, further, no legislation was contemplated, except that Jamaica said that there was some provision for regulating the hours of work for female servants in hotels, guest-houses, restaurants and clubs. I have asked for a copy of those regulations for further investigation. Actually, Sir, I addressed a room full of ladies including my wife about this very question. It was a meeting of the Social Welfare Council, and I made the suggestion to them that the matter of domestic servants cannot be dealt with by Government but it can be dealt with by the people in the community. There are two things that we want. We want better service and better employers. In the Bahamas there was an institution that trained domestic servants who on producing a certificate that they have been trained there, by custom not by law they were entitled to a certain wage to start with. No employer would pay them less if they had that certificate. Now I suggested that in British Guiana we should start at the other end. We should have a Union or Association of good employers and good housewives, and each person who belongs to that Association should give an undertaking that she would give certain conditions to her domestic servant, so that any domestic servant who wants good employment would know that if she went to an employer who belongs to the Association she would get humane treatment, reasonable hours and reasonable wages. The whole lot of ladies laughed me to scorn and said the suggestion was ridiculous.

But the point is really that I sympathize with the hon. Nominated Member, Mr. Critchlow's motion. In fact I have gone

into it very closely and I am deeply interested in it, but I still have no solution to offer to you, Sir, instead of this standard of principle that employers in this country should go on. I see no use in appointing a committee, no use in Government introducing a Bill because I do not think you can control domestic servants by legislation. It is very much a good principle for Government to go on, but it should never introduce or pass legislation which cannot be carried out. I would like to know what a Member can defend a domestic servant on. So the whole problem, as we have discussed in another place, is full of difficulties and, I think, Government should accept the principle that lies behind this motion and continually give it consideration. I will write and ask the Government of Jamaica for a copy of its regulations dealing with female servants in hotels. I do not suggest that we do more than that.

Mr. ROTH : I suggest that we communicate with New Zealand where apparently there is such a regulation.

The COLONIAL SECRETARY : I can do that, but I believe that regulation applies to servants in hotels and not private houses. I may be wrong.

The PRESIDENT : There is practical difficulty there. In hotels you can expect to have such regulations, but you cannot expect them to work in private houses. If you start going into places, private homes, to enquire about the condition of work of domestic servants, you can imagine the difficulties that would arise, and that is one of very many difficulties.

Mr. LEE : If that is so, the object of the motion is to get the hours of domestic servants fixed or controlled. If Government is in sympathy with the Mover of the motion, cannot Regulations be brought in whereby the hours of domestic servants can be limited and domestic servant defined in a proper manner ?

The PRESIDENT : Yes; but how are you going to enforce it ?

Mr. CRITCHLOW : I do not know how the Ministry of Labour in England got it done. We have books showing where a committee was appointed which made certain recommendations for domestic servants, those who sleep in and those who do not, and especially in the catering trades, hotels, etc. I do not know how they enforced it. They had promised that they would consider domestic servants later, but I do not know what they have done in the matter. I want to thank the hon. the Colonial Secretary for appointing the Committee. I am going to leave this matter entirely in Government's hands. Women are very troublesome people and they will continue to worry me as to what is happening about the matter. I was told in England that when God made the world He rested and when He made man He rested, but from the time He made woman neither God nor man rested. They will continue to worry me, and so I leave the matter entirely with Government.

Motion put, and carried unanimously.

The Council adjourned to 2 p.m. on Friday, 29th August, 1947.