

LEGISLATIVE COUNCIL

(Constituted under the British Guiana
(Constitution) (Temporary Provisions)
Order in Council, 1953.)

Friday, 19th October, 1956

The Council met at 2 p.m.

PRESENT:

The Deputy Speaker:

Mr. W. A. Macnie, C.M.G. O,B,E. —
In the Chair.

Ex-Officio Members:

The Hon. the Chief Secretary,
Mr. F. D. Jakeway, C.M.G., O,B,E.

The Hon. the Attorney General
Mr. G. M. Farnum (Ag.)

The Hon. the Financial Secretary,
Mr. F. W. Essex.

*Nominated Members of Executive
Council:—*

The Hon. Sir Frank McDavid, C.M.G.
C.B.E. (Member for Agriculture,
Forests, Lands and Mines).

The Hon. P. A. Cummings (Mem-
ber for Labour, Health and Housing)—

The Hon. W. O. R. Kendall (Mem-
ber for Communications and Works).

The Hon. G. A. C. Farnum, O,B,E,
(Member for Local Government, Social
Welfare and Co-operative Develop-
ment.)

The Hon. R. B. Gajraj

The Hon. L. A. Luckhoo, Q.C.

Nominated Unofficials:

Mr. T. Lee

Mr. W. A. Phang

Mr. C. A. Carter

Mr. E. F. Correia

Mr. H. Rahaman

Miss Gertie H. Collins

Mrs. Esther E. Dey

Mr. R. B. Jailal

Mr. Sugrim Singh.

Clerk of the Legislature

Mr. I Crum Ewing.

Assistant Clerk of the Legislature

Mr. E. V. Viapree.

Absent:

His Honour the Speaker, Sir
Eustace Gordon Woolford, O,B,E.,
Q.C.—on leave.

The Hon. R. C. Tello—on leave.

Mr. W. T. Lord, I.S.O.—on leave,

Mr. J. I. Ramphal—on leave.

Rev. D. C. J. Bobb—on leave.

Dr. H. A. Fraser—on leave.

The Deputy Speaker read prayers.

The Minutes of the meeting of the
Council held on Thursday, the 11th
of October, 1956, as printed and cir-
culated, were taken as read and con-
firmed.

ANNOUNCEMENTS

SPEAKER'S LEAVE EXTENDED

Mr. Deputy Speaker: Honourable Members, I have to announce that His Excellency the Governor has granted a short extension of leave to His Honour the Speaker, Sir Eustace Woolford, from the 2nd to the 7th of November. The Speaker is expected to arrive back in the Colony on the 7th of November.

I have to announce also that leave has been granted from today's meeting to the Rev. Mr. Bobb and to Dr. Fraser.

APPRECIATION OF MR. LIDDERDALE'S
VISIT

Hon. Members will recall that during the debate on the motion by the hon. the Attorney General for the adoption by the Council of the Standing Orders which are now in force and which have been drafted by a Committee of the Council, it was decided that I, on behalf of the Council, should convey to the Speaker of the House of Commons our appreciation of and gratitude for the assistance given to us by Mr. Lidderdale (Fourth Clerk at the Table in the House of Commons) who visited this Colony recently and was of great assistance to the Committee. I have received a letter from the Speaker of the House of Commons which I will read to you. It states:

"Dear Mr. Macnie,

Thank you very much for your letter of the 6th September with its kind word of appreciation of Mr. Lidderdale's work with you.

I am naturally delighted to hear that he was able to help your committee so effectively, and I shall have much pleasure in passing on to Sir Edward Fellowes

and through him to Mr. Lidderdale the expression of your appreciation and thanks.

Yours Sincerely,
W. S. MORRISON,
Speaker.

CHIEF SECRETARY RETURNS FROM LEAVE

Finally, I am sure hon. Members would wish me, on their behalf, to extend a very warm welcome to the hon. the Chief Secretary, Mr. Jake-way, who has come back to us. I feel sure that he is much refreshed and full of energy after his leave. I feel also that hon. Members would like me to pay a tribute to the expert manner in which Mr. Porcher carried out his duties in this Council during the time he was acting as Chief Secretary in the absence of Mr. Jakeway.

The Chief Secretary: Thank you, sir, for your kind words of welcome. I may say I am very glad to be back again at work, and I am also glad to learn that Mr. Porcher has done very good work during my absence on leave. That is the impression I got, and it is very gratifying to get confirmation of what I have heard abroad.

PAPERS LAID

Sir Frank McDavid: I beg to lay on the table:

Financial Statements of the Milk Marketing Organisation for the year 1955 together with the Certificate of the Director of Audit thereon.

Mr. Cummings: I beg to lay on the table the following documents:

Report of the Georgetown Planning Commissioners in respect of the period 1st February to 31st July, 1956.

Order in Council No. 31 of 1956—Minimum Wages (Building Trade Employees) Order, 1956.

Order in Council No. 56 of 1956—Minimum Wages (Grocery Employees) Order, 1956.

Order in Council No. 57 of 1956—Minimum Wages (Hardware Store Employees) Order, 1956.

Order in Council No. 58 of 1956—Minimum Wages (Dry Goods Store Employees) Order, 1956.

Order in Council No. 59 of 1956—Minimum Wages (Drug Store Employees) Order, 1956.

Order in Council No. 60 of 1956—Minimum Wages (Georgetown and New Amsterdam Cinema Employees) Order, 1956.

Order in Council No. 61 of 1956—Minimum Wages (Georgetown and New Amsterdam Laundry Employees) Order, 1956.

Order in Council No. 62 of 1956—Minimum Wages (Hire Car Chauffeurs) Order, 1956.

Order in Council No. 63 of 1956—Minimum Wages (Watchmen) Order, 1956.

Order in Council No. 64 of 1956—Minimum Wages (Sawmill Workers) Order, 1956.

Mr. Kendall: I beg to lay the following document on the table:

Report of the Director of Civil Aviation for the year 1955.

TIME-LIMIT FOR SPEECHES

Mr. Lee: I would like to draw the Council's attention to the fact that under Order 35 (2) of the Standing Orders by which we are being governed at the present moment, a Member (who is not moving an original motion or replying thereto) shall not be entitled to address the Council for more than 30 minutes on any subject. It has been the custom in this Council when matters of a developmental or financial nature are being discussed — as in the case of the Budget—to afford Members the opportunity of a full and free discussion so that their views might be

recorded in Hansard and, if necessary, forwarded to the Secretary of State. On the last occasion that such a motion was discussed, I asked for an extension of the time allotted to me by 30 minutes, but the motion to that effect was defeated. Therefore, I would like it to be recorded that the Development Programme was not fully discussed so far as I am concerned, and I am suggesting that this Standing Order, 35, should be reconsidered by Government with a view to deciding whether it should not be amended.

Mr. Deputy Speaker: A record will, of course, be made of the hon. Member's remarks, and it will be pointed out that the hon. Member has requested an amendment of the Standing Order, 35. What the hon. Member has stated is correct—that the motion for extension of time was defeated—and he would forgive me for expressing the opinion that the discussion of the Development Programme for 1956-60 is not similar to a discussion on the Budget. The Development Estimates, as I understand it, will be a subject for detailed discussion when the Budget is presented to the Council, and there will then be a full meeting, I hope. There will also be a detailed summary before hon. Members of the financial proposals put forward.

Mr. Lee: Thank you, Sir.

INTRODUCTION OF BILLS

The Chief Secretary: I beg to give notice of the introduction and first reading of a Bill intituled:

"An Ordinance to amend the Education Ordinance with respect to the Education Committee."

The Attorney General: I beg to give notice of the introduction and first reading of a Bill intituled:

"An Ordinance to amend the Supreme Court Ordinance."

ORDER OF THE DAY

EDUCATION (AMENDMENT) BILL

SUPREME COURT (AMENDMENT) BILL.

The following Bills were read a first time :

(a) "An Ordinance to amend the Education Ordinance."

(b) "An Ordinance to amend the Supreme Court Ordinance."

MINING (AMENDMENT) BILL

Sir Frank McDavid: I beg to move the second reading of a Bill intitled:

"An Ordinance further to amend the Mining Ordinance with respect to the payment of royalty on timber."

This Bill is an extremely simple one. In March, 1955, we passed an amendment to the Mining (Consolidation) (Amendment) Ordinance. That amendment is now Ordinance No. 15 of 1955 and the purpose of that Ordinance was to authorise that the holder of any concession or lease granted under the Mining Ordinance can, within that concession or lease, cut timber and use such timber within the concession for the purpose of the concession without the payment of royalty. There was a proviso to that section which sought to declare that the holder of any concession shall not cut and remove timber outside of a mining concession unless he paid due royalty thereon. The words of the proviso were in this fashion, the whole thing being in respect of the payment of royalty under the Regulations prescribed in this Ordinance.

We are contemplating whether the several Regulations under the Mining Ordinance should be consolidated, but that would seem to be a very cumbersome proceeding since we have three sets of Regulations—the Forest Regulations, the Crown Lands Regulations and the Mining Regulations. There

are powers under the Mining Ordinance to make Regulations providing for the payment of royalty on minerals—gold and things of that sort—so that we would have to amend that particular section to secure the necessary power. What this Bill seeks to do is to alter those words: "prescribed by Regulations made under this Ordinance" to read: "prescribed by the Crown Lands Regulations." In other words, the royalty payable on timber cut on concessions granted under the Mining Ordinance will be governed by the Crown Lands Regulations.

Opportunity has been taken to slightly alter the wording. The words of the section as they now read are: "The holder of any concession or lease granted under this Ordinance *shall not remove*" . . . "The proposed amendment in clause 2 of this Bill alters those words to read: ". . . shall not remove or allow to be removed . . ."

That is all this Bill seeks to do—to provide that royalty be collected on timber cut, in accordance with the rates prescribed by the Crown Lands Regulations. It is a very simple alteration and I commend the amendment to the Council.

Mr. Cummings: I beg to second the motion.

Question put, and agreed to.

Bill read a second time.

Council resolved itself into Committee and approved the Bill as printed.

Council resumed.

Sir Frank McDavid: I beg to move that the Bill be now read a third time and passed.

Mr. Cummings: I beg to second the motion.

Question put, and agreed to.

Bill read a third time and passed.

PUBLIC UTILITY UNDERTAKINGS AND
PUBLIC HEALTH SERVICES ARBITRATION
BILL

Second reading of the Bill intituled:

"An Ordinance to provide an Arbitration Tribunal for the settlement of disputes in public utility undertakings and in certain services, and to prohibit strikes and lockouts in such undertakings or services, in certain circumstances, and for purposes in connection therewith."

Mr. Cummings (Member for Labour, Health and Housing): Sir, I gather that it is not the wish of the Council to proceed with this Bill today, and in view of the fact that the labour situation is not disturbed, there is no urgent need for me to press it. I also gather that there is certain national excitement at present (the intercolonial cricket final between British Guiana and Barbados) which might affect the concentration of hon. Members.

Mr. Deputy Speaker: There is considerable excitement according to my latest information. Does the Council agree that the hon. Member should not proceed with the Bill today?

Mr. Cummings: I beg to move the adjournment of the Council.

Sir Frank McDavid: I beg to second the motion.

Mr. Deputy Speaker: There will be a meeting of Finance Committee immediately after the adjournment of the Council. Council is adjourned until Thursday next, at 2 p.m.

Mr. Lee: Is it not possible to adjourn until Friday next?

Mr. Deputy Speaker: It seems to be immaterial. I adjourn Council until Friday, 26th October, at 2 p.m.