

LEGISLATIVE COUNCIL.

Tuesday, 14th June, 1932.

The Council met pursuant to adjournment, His Excellency the Hon. C. DOUGLAS-JONES, C.M.G., the Officer Administering the Government, President, in the Chair.

PRESENT.

The Hon. the Colonial Secretary, Major W. Bain Gray, M.A., Ph.D (Edin.), B. Litt. (Oxon), (Acting).

The Hon. the Attorney-General, Mr. F. J. J. F. McDowell (Acting.)

The Hon. P. James Kelly, C.B.E., M.B., Ch. B., Surgeon-General.

The Hon. F. Dias O.B.E. (Nominated Unofficial Member).

The Hon. J. S. Dash, B.S.A., Director of Agriculture.

The Hon. R. E. Brassington (Western Essequibo).

The Hon. W. A. D'Andrade, Comptroller of Customs.

The Hon. M. B. G. Austin (Nominated Unofficial Member).

The Hon. B. R. Wood, M.A., Dip. For. (Cantab.), Conservator of Forests.

The Hon. S. H. Bayley, General Manager, Transport and Harbours Department

Major the Hon. J. C. Craig, D.S.O., M.E.I.C., Director of Public Works.

The Hon. J. Mullin, A.I.M.M., F.S.I., Commissioner of Lands and Mines.

The Hon. E. F. McDavid, Colonial Treasurer (Acting).

The Hon. E. G. Woolford, K.C. (New Amsterdam).

The Hon. A. V. Crane, LL.B. (Lond.) (Demerara River).

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

The Hon. A. R. F. Webber, F.R.G.S. (Western Berbice).

The Hon. J. Gonsalves (Georgetown South).

The Hon. A. E. Seeram, (Eastern Demerara).

The Hon. Jung Bahadur Singh (Demerara-Essequibo).

MINUTES.

The minutes of the meeting of the Council held on the 8th June, as printed and circulated, were confirmed.

ANNOUNCEMENT.

Mr. D'ANDRADE (Comptroller of Customs): I am the bearer of the following Message to the Council, which takes the place of the Message bearing the same number communicated to the Council on the 7th June:—

MESSAGE No. 15.

Honourable Members of the Legislative Council,

I have the honour to invite the Council to approve of the steps which Government has taken to assist the British Guiana Fruit and Canning Co., Ltd.

2. By letter dated 27th November, 1930, Mr. A. V. Crane on behalf of Messrs. C. J. and A. J. da Silva requested Government to consider the question of granting an Exclusive Permission to occupy 100,000 acres of Crown land on the left bank of the Demerara River (in the rear of the private lands from Dunoon to the northern boundary of the tract surveyed for the British and Colonial Bauxite Co., Ltd.) for the purpose of cultivating the pineapple and of establishing a fruit canning industry. The applicants (later incorporated as the British Guiana Fruit and Canning Co., Ltd., a Company incorporated under the Companies (Consolidation) Ordinance, Chapter 178), also asked for concessions as regards exemption from Customs duties, and from taxation generally. Government on 10th March, 1931, conveyed to the applicants its decision to grant the following concessions as hereafter set out.

3. A lease, without the option of purchase, of approximately 47,460 acres of land within the area specified on the following terms:—

- (a) First five years to be free of rent.
- (b) a nominal rental of \$800 a year to be paid during the succeeding ten years.
- (c) Renewal of the lease at the option of the Company for a further period of fifteen years at a rent to be agreed upon.
- (d) Guarantee of expenditure by the lessees annually on the cultivation and development of the area of an increasing sum of money ranging from \$10,000 to \$50,000.
- (e) Royalty to be paid on all timber and forest produce removed from the land in terms of the Crown Lands Regulations.

(f) Government not to grant any Crown lands to others for establishing a canning factory or for cultivating pineapples in connection with such factory within a distance of 20 miles of the land leased to the Company; or for establishing a canning factory or cultivating any other fruit already being canned or cultivated for canning purposes by the Company within a distance of 10 miles as aforesaid.

(g) No further woodcutting licences to be granted in the area leased and the question of renewal of existing licences to be held in abeyance until the area is surveyed and the Commissioner of Lands and Mines can advise whether any such licences should be renewed or not.

4. The admission, duty free, of plant, machinery, tools, implements, materials, equipment and apparatus required for use in the cultivation, canning and preparation for the market of pineapples. A Bill amending the Fourth Schedule to the Customs Duties Ordinance to provide for the admission duty free of such articles as, in the opinion of Government, should be so admitted on importation will be introduced during this session for your consideration.

5. An undertaking that no tax would be levied in respect of the produce of the industry for a period of twenty-five years.

6. Government has, however, made it clear to the Company that it will not enjoy a monopoly as regards any favourable treatment that may be accorded its venture, nor the privilege of mining for metals, minerals and precious stones within the occupied area on any terms or conditions which would confer any particular advantage not enjoyed by any other person, company or corporate body, in virtue of a mining permission.

C. DOUGLAS-JONES,

Officer Administering the Government.

14th June, 1932.

PAPERS LAID.

The following documents were laid on the table:—

Report of the Immigration Agent General for the year 1931.

Balance Sheet at 31st December, 1931, and Revenue Account for 1931 of the Demerara Mutual Life Assurance Society, Ltd., in accordance with section 47 of the Demerara Mutual Life Assurance Ordinance, Chapter 227 (*Colonial Secretary*).

Reports by Mr. Gerald O. Case on the Sea Defences of the Colony with comments by Major the Hon. J. C. Craig, D.S.O., M.E.I.C., Director of Public Works (*Major Craig*).

GOVERNMENT NOTICE.

Mr. D'Andrade gave notice that at a later stage he would move the suspension of Standing Order No. 11 (1) to enable

him to introduce and have read a first time "A Bill further to amend the Customs Duties Ordinance, 1930."

PUBLIC HEALTH BILL.

Mr. Webber: Will you permit me, sir, to draw the attention of Government to the fact that there are practically no copies of the Public Health Bill available for distribution, and also that the Local Authorities have not been supplied with copies. I suggest the advisability of placing a sufficient number, at least so far as my own constituency is concerned, with the District Commissioner to let each Local Authority have a copy to make such recommendations as they may be disposed to make to the Committee now sitting.

THE COLONIAL SECRETARY (Major Bain Gray): We sent out a limited number, roughly half-a-dozen, to the District Commissioners. We will try to supply them with any further copies that may be available.

THE PRESIDENT: I anticipate, in the light of the deliberations of the Select Committee, that the Bill will be so amended that it is hardly worth having it reprinted, and I suggest that it would be very much better when the Bill is re-introduced to have sufficient copies for distribution.

Mr. CRANE: I was about to make the same suggestion as you have made, sir. Seeing that the Bill is now committed to a Select Committee it would not be wise to print copies because it will be radically revised by the Committee, and I hope when it is completed the villages will have no complaint.

THE PRESIDENT: I am sufficiently optimistic to think that will be the case. At any rate the suggestion will not be overlooked.

ORDER OF THE DAY.

PETROLEUM BILL.

Mr. D'ANDRADE: I move that "A Bill further to amend the Petroleum Ordinance, 1930" be read the third time.

Mr. BAYLEY seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time.

PATENTS BILL.

THE ATTORNEY-GENERAL (Mr. McDowell): I move that "A Bill to amend the Patents Ordinance, Cap. 62, with respect to patents granted in the United Kingdom" be read the second time. This Bill deals with the registration in this Colony of patents which have been granted in the United Kingdom. Under section 34 (1), Cap. 62, the grantee of a patent in the United Kingdom has three years within which to apply for registration in this Colony; and under sub-section (3) on compliance with the requirements the Registrar shall register the patent and issue a certificate of registration. Under sub-section (7), which it is proposed to amend, the Court may declare that the exclusive privileges and rights conferred by the certificate have not been acquired on any of the grounds upon which the United Kingdom patent might be revoked. That includes the manufacture, use or sale of the article in the United Kingdom before it is actually patented. This Bill provides that the grounds upon which exclusive privileges and rights conferred by the certificate have not been acquired include not only the grounds upon which the United Kingdom patent might be revoked but also include the manufacture, use or sale of the invention in the Colony prior to the date of issue of the patent in the United Kingdom, but not to include the manufacture, use or sale of the invention in the Colony by some person or persons after the issue of the patent in the United Kingdom and prior to the date of the issue of the certificate of registration under sub-section (3).

Mr. DIAS seconded.

Mr. WOOLFORD: I rise not for the purpose of opposing the proposed amendment but of directing attention to the very many omissions in the Ordinance itself. The Principal Ordinance was enacted in 1902, and since then the only amendment that has been made to the Ordinance itself has been that providing for the registration of patents granted in the United Kingdom, which was passed somewhere about 1914. It is with the

object of further amending that legislation that the proposed amendment is sought. But since the Ordinance of 1902 was passed there has been at least two enactments in the United Kingdom equally applicable to conditions here which have not been placed on the statute books of the Colony, *i.e.*, the Patent and Designs Act, 1907, as amended by the Act of 1919. If the necessity had arisen for amending the registration of patents that have been granted in the United Kingdom, it obviously follows that the Patent Acts under which some of these registrations are granted should form part and parcel of the law of the Colony itself. I would ask that as soon as possible that omission be rectified. Altogether apart from that it is an opportune time also to direct Government's attention to the omission to frame any kind of rules under the Ordinance itself. No rules have been passed in this Colony and the consequence was that only quite recently it transpired that there was no procedure by which an opposition to the grant of a patent in this Colony may be admitted. A firm of practitioners in the Colony initiated some procedure following the English procedure, and the office opposing the grant of the patent adopted the same procedure, but whether that procedure is going to be recognised one does not know. I do not think the public should be placed in the position to have to come to Government in order to have that position rectified.

It seems to me that the Patent Rules of the United Kingdom, 1920, may with very little amendment be introduced into this Colony. Take advantage of the present Registrar's special ability in that direction, and I suggest that the obligation be put on him of comparing the English Rules with our local necessities and so produce a very useful amendment to the Ordinance. I discussed the matter quite informally with him on another occasion, and I fancy that those of us who are interested in this particular form of practice of the law will render as much assistance as we can. It is becoming increasingly important to the trade of this Colony that there should be some system whereby designs may be registered. There are frequently enquiries from people abroad to register what are called designs for the protection of their trade in goods which are being imported into the Colony. What is happening is

that articles are being protected under trade mark descriptions which are really designs in effect. It affects Government in this way that a different class of fees and a different class of protection are involved in the form of registration. In the absence of any rules the Registrar receives designs as trade marks and trade marks as designs. If there is no danger in further postponing what is indeed very important legislation, I would ask that this Bill be not proceeded with in order to keep the matter before the mind of Government. There is no immediate hurry about this Bill, but there is considerable hurry that the matters to which I have referred should form part of the statute laws of the Colony. If there is no substantial objection therefore I shall be glad if this Bill can be postponed for a little while.

Mr. CRANE: Registration is controlled by Chapter 61.

THE PRESIDENT: I am grateful to the hon. Member for his suggestion. I must be guided by the advice of the Attorney-General to pass this Bill now, and I will give an assurance that the other matter will be taken up at once.

Mr. WOOLFORD: Chapter 61 only refers to designs already registered in the United Kingdom. I am speaking of original designs for registration in the Colony.

THE ATTORNEY-GENERAL: This is purely a question of registration of United Kingdom designs. I agree with the hon. Member that a great deal of the Ordinance is left in the air, and I welcome the suggestions for amendment of that Ordinance, but this amendment is on one specific watertight compartment of the Ordinance. I gather that this point has arisen in the Court here, and it seems to have given the Law Officers a considerable amount of trouble, where a patent or design was used here before it was even taken out in the United Kingdom.

Mr. WOOLFORD: The point is that there are no rules applying to fees and procedure when these applications are being made.

THE PRESIDENT: Do the same remarks apply to the next Bill?

Mr. WOOLFORD: Yes.

THE PRESIDENT: I have no objection to complying with the request of the hon. Member, but the only question is whether there is urgent need for these amendments. I undertake that the matter will be attended to.

Mr. WOOLFORD: I don't object to the Bill being proceeded with, but I ask that some steps be taken to have rules put into force immediately.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee and considered the Bill clause by clause.

THE ATTORNEY-GENERAL: I omitted to state to the Council that this Bill is introduced at the express wish of the Secretary of State.

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*Attorney-General*).

DESIGNS REGISTRATION BILL.

THE ATTORNEY-GENERAL: I move that "A Bill to amend the Designs (United Kingdom) Registration Ordinance, Cap. 61, with respect to the registration of designs in the United Kingdom" be read the second time. This Bill has exactly the same reasons as the other and it is word for word as the previous measure.

Mr. DIAS seconded.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee and considered the Bill clause by clause without discussion.

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*Attorney-General*).

POST AND TELEGRAPH BILL.

THE ATTORNEY-GENERAL: I move that "A Bill to amend the Post and Telegraph Ordinance, Cap 185, by making provision for the grant of licences for wireless broadcast reception sets" be read the second time. Until recently it was considered that the provisions of section 61 of the Post and Telegraph Ordinance covered installations of wireless broadcast receiving sets in private houses. Doubts have arisen, however, and it is considered that the position should be made quite clear. The Bill amends section 61 and provides that no person shall instal or work any wireless broadcast receiving set in any place or on board any British ship registered in the Colony except under a licence granted by the Governor in Council; it also provides for the imposition of a penalty not exceeding \$25 for a contravention of this provision.

Mr. DIAS seconded.

Mr. WEBBER: I do not know what amount of revenue Government expects to derive from this taxation. Government is hard up, but is it not going too far with these petty licences. It is very well to say that \$3 is a small tax, but there are already many such taxes. Perhaps it is desirable that wireless sets should be registered. In England there is a registration tax but the tax is for the special purpose of the upkeep of the Broadcasting Station. In America it is free; but in British Guiana even the air we breathe must not be free. Government has abandoned its broadcasting station. I think people who have receiving sets would consent to pay a small fee if VRY was maintained, but that station has been shut down. What are we to pay \$3 for? Government is trespassing on the goodwill of other countries. Either this tax is going to be evaded or people will abandon listening in. There is so little money in it that merchants who have been catering for the business have shut down. I believe there is only one firm now in the business, and I have heard on good authority that if this tax is imposed that business also will be closed down. I ask Government to remember people in the "bush," where we have no railways and telegraph. Government might very well encourage the installation of wireless sets in the interior rather than levy this irritating tax. It is too big anyhow.

Mr. CRANE: I am afraid my position is that of an opponent of this measure. Under section 61 of the Post and Telegraph Ordinance all persons are forbidden to establish wireless telegraph stations, and under that term Government had hoped to be able to collect \$3 for every wireless receiving set installed in the Colony. Government found that people had not been paying the \$3, and it seems to me that they were quite right because you could not bring wireless receiving sets within the definition of the Ordinance. They are not sending sets and merely exist for receiving messages of entertainments which appear in the ether. Every subject has the right to use the air space superimposed over his plot of land. If Government were putting something in that air space that cost it money and the subject was using it I could understand Government levying a fair tax, but such entertainment as people get from these wireless receiving sets is provided by the American people. We cannot even use the entertainments provided by the British people because of the difference in time between Great Britain and this Colony. This Council voted \$300 per annum to enable the Telegraph Department to supply wireless concerts. That entertainment was carried on to such an extent that British Guiana was becoming known even in the remotest corner of North America. Government in its wisdom checked it. I suppose the reason was retrenchment. Having abandoned the local station Government now has the temerity to compel people to pay for something they are not getting. That is shameless. This tax is analogous to a tax on a piano, dining table, or any other piece of furniture in one's house, but we have not reached that stage yet to tax a man's furniture. The clear intention is to collect \$3 from persons. I should like to know if Government has any information as to the number of wireless sets in the Colony. If no considerable sum would accrue from this tax it is useless to investigate the subject.

THE ATTORNEY-GENERAL: The number is about 95.

Mr. CRANE: \$285. I ask Government not to press this measure. I agree that there should be registration of every wireless set in the Colony, and Government should be in a position to know where every set is. It is possible to pick

up messages which might be useful to one person or another, and in any case Government should know where these sets are located. I suggest that Government should accept registration and for it charge a fee of 48 cents. The Colony affords very few places of amusement and Government should not make it more difficult for people to carry on their little hobbies. I also think that registration by the Postmaster General is an easier process than by the Governor-in-Council.

Mr. SEERAM: Can Government inform the Council what duty has been received on wireless sets imported into the Colony?

Mr. D'ANDRADE: It would take a considerable time to get the information. We do not keep separate statistics.

Mr. SEERAM: I agree that there should be some form of registration so that Government should be aware of the number of wireless sets in the Colony, but this proposal may be the means of depriving persons of this form of amusement.

Mr. GONSALVES: As one of the representatives of Georgetown I disapprove of this Bill. The amount involved is very small. If the Council is given an assurance that the vote will be revived for re-establishing Station VRY there would be some justification for the proposed tax, and perhaps with that assurance more broadcasting sets will be installed. If what one hears is correct this Bill has been introduced on account of a difference of opinion between one officer and another. I understand that an officer in an outlying district who was using a receiving set had the boldness to raise the question that the tax could not be recovered from him and this Bill is the result. If that is the case I do not think it is fair that the Ordinance should be amended because that officer happens to be correct in his reading of the law. In any case the charge seems to be very high. A registration fee would be reasonable and Government should accept that suggestion.

THE PRESIDENT: There are two main points arising out of the debate, one the question of registration of these broadcast receiving sets and the other the licence to be paid. As regards the licence I do not think Government cares

very much what that amount is. Three dollars has been charged in the past and I have a suspicion that that \$3 was collected without any authority. That is the reason for this legislation, but I won't be quite sure about it. There is, however, a rather important matter, and that is registration. Hon. Members agree that that is necessary. There is also the question of who should grant licences. I am not quite sure that we should leave it as it is. The Governor-in-Council should, at all events for the present, keep a very close watch on the development of this business. We are getting despatches from the Secretary of State with regard to the development of it and I think in the meantime, having regard to the changes which are likely to take place, that it would be a good thing to leave the licence to be granted by the Governor-in-Council. Later it may very well be granted by the Postmaster-General, but in the meantime I suggest that it should remain as it is. I therefore suggest that the Bill be accepted and that when we come to deal with the Tax Ordinance we should then decide what the licence should be. Government is not wedded to the sum of \$3, but I think some reasonable charge should be made.

Mr. CRANE: If we adhere to this form of granting licences there will be delay. The Governor-in-Council does not deal with matters with such expedition as the public expects.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee to consider the Bill clause by clause.

Clause 2—Licence for wireless broadcast receiving sets.

Mr. CRANE: I move that the words "except under and in accordance with a licence granted in that behalf by the Governor-in-Council" be deleted and the words "until he shall have registered the same with the Postmaster-General" be substituted. I quite appreciate what Your Excellency said as regards the importance of this subject, but it is going to be a long time before wireless telegraphy becomes so developed in this Colony as to be a danger to any Empire interest. English broad-

cast stations will never be of any use to this Colony owing to the difference of time in the two countries. I am pleading for an expeditious method of obtaining licences. I am not accusing the Governor-in-Council of delay but its very constitution necessitates delay. No great harm can be done if licences are granted by the Postmaster-General, and Government should be satisfied with registration by the Postmaster-General.

Mr. WOOLFORD: I support the amendment but not in its present form. The hon. Member cannot mean that registration must precede installation. I share very largely the apprehension of Members not merely on the ground of delay but objection on the part of some members of the community to wireless stations. The procedure in matters of this kind should permit of reasons to be given for refusal to grant a licence. Reasons cannot be exacted from the Governor-in-Council, therefore power to grant a licence should be placed either in the hands of the Inspector-General of Police or the Postmaster-General. I favour the latter because before a wireless set can be installed there may or may not be defects in the electrical equipment in the house itself and the Postmaster-General with his officers may be of some assistance in that direction.

Mr. CRANE: I ask to be allowed to withdraw the amendment and to substitute "Postmaster-General" for the "Governor-in-Council."

Mr. WEBBER: I support the suggestion that the licensing should be in the hands of the Postmaster-General. I do so for the reason that the Governor-in-Council would best be retained as a Court of Appeal. If the Postmaster-General refuses a licence there can be an appeal to the Governor-in-Council to have his decision reviewed.

THE CHAIRMAN: All applications in the past have been made to the Governor-in-Council and I do not think it is true that any delay took place, but Government is willing to accept the suggestion that the licence may be issued by the Postmaster-General provided that there is an appeal to the Governor-in-Council from his decision. If hon. Members will be satisfied with the

substitution of the Postmaster-General for the Governor-in-Council Government will accept that.

Question put, and agreed to.

The title of the Bill was amended by the substitution of the word "receiving" for "reception."

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*Attorney-General*).

TAX BILL.

THE COLONIAL SECRETARY: I move that a Bill further to amend the Tax Ordinance, Cap. 37" be read the second time. This Bill deals with three points of taxation. The first one, which is contained in clause 2, extends to motor buses kept and used in Georgetown the privilege to operate at Kitty. This privilege was overlooked in the legislation of 1931 and these buses were therefore confined strictly to the Municipal limits of Georgetown. It has been represented with some force that this is an inconvenient arrangement to the public and that Georgetown buses might properly be allowed to travel to Kitty, and the Motor Traffic Committee recommend that the amendment now proposed should be made. The second point is in clause 3, which deals with the licence for wireless telegraphy and wireless broadcasting reception. Government is prepared to consider in Committee the suggestion of the actual cost of the licence, but there are two points which I should like hon. Members at this stage to consider. One is that the Head of any Department signing a document of any kind charges \$1 for his signature, so I think \$1 might be regarded as the minimum. The other point is from the financial aspect. It is true that at the moment broadcasting stations in the United Kingdom are not of very great value to listeners in this Colony, but the Imperial Government has taken a very deep interest in this subject and is now re-organising matters thoroughly and building what we all hope is the biggest international station in the United Kingdom, and I think we are going to benefit more

than we do at present. We might therefore consider the question of making some contribution to that Imperial station. The third point deals with the wharfage tax for the use of Springlands stelling. Some time ago representation was made to Government that the present rates were excessive, especially with regard to rice and padi. The rates were so high that the stelling was not being used and padi was being dealt with at Crabwood Creek instead of at the stelling. That matter was considered and it was decided to reduce the rates and at the same time to modify the other rates downwards where necessary. While it is true that Government will lose on individual items, the expectation is that it will gain on the whole by the increased use of the stelling.

Dr. KELLY seconded.

Mr. WEBBER: I welcome the reduction of the rates to our own people for the use of the stelling. A good amount of trade is done by Dutch farmers to the detriment of our own farmers and I think that the rates for the landing of their produce should be so much more.

Mr. CRANE: I am only concerned with clause 3 and the reason given by the Colonial Secretary for suggesting that we should make the licence \$1.

Question put, and agreed to.

Bill read the second time.

The Council resolved itself into Committee to consider the Bill clause by clause.

Clause 3—Licence for wireless telegraphy and wireless broadcasting reception.

Mr. CRANE: I move that for the "Governor-in-Council" the "Postmaster-General" and for "three dollars" the words "forty-eight cents" be substituted. I do not think Government should insist on a licence of \$1 in a matter in which a number of young people are engaged.

THE COLONIAL SECRETARY: I think the licence should be \$1. The Electrician might have to make some enquiry and I suggest that \$1 is reasonable. I move that \$1 be substituted for \$3.

The clause was amended by the substitution of "Postmaster-General" for the "Governor-in-Council" and of "\$1" for "\$3."

Clause 4—Wharfage tax for use of Springlands stelling.

Mr. D'ANDRADE: With reference to the suggestion of the hon. Member for Western Berbice, this tax does not only apply to the landing of goods from Dutch Guiana but also to goods from Georgetown, and I do not see how we can get over the difficulty of different rates for Dutch Guiana.

Mr. WEBBER: I see the difficulty.

The Council resumed.

Notice was given that at the next meeting of the Council it would be moved that the Bill be read the third time (*Colonial Secretary*).

HOSPITAL FEES REGULATIONS.

The Council resolved itself into Committee and resumed consideration of Regulations as to the terms and conditions upon which patients may be treated as out or in-patients in any public hospital, and the recovery of expenses from persons who have improperly received gratuitous treatment.

Dr. KELLY (Surgeon-General): When these regulations were previously before the Council a question was raised as to whether the special conditions for Government officers should be limited to officers on the Fixed Establishment. Government has gone into the matter and I propose to move an amendment to clause 12 (2), which will now read: "Every Public Officer on the Fixed Establishment and every Government employee who is on the regular monthly salaried staff of any Department," etc. That brings in all classes of employees. Another amendment is that after the word "officer" in the eighth line the words "or employee" be inserted.

Question put, and agreed to.

Dr. KELLY: The hon. Member for Western Berbice raised a point in connection with paragraph 9 which has been

added to Schedule I. The explanation is that at the hospital there are certain departments which cater for the general public. The rule is that officers attached to the hospital are there for the care of the patients in the hospital and are not intended to be used by the public for consultation or treatment. The specific duties of the Surgeon Specialist relate to his work in the operating theatre and the treatment of cases in hospital. Otherwise he is permitted by the terms of his appointment to go outside the hospital in consultation with his medical colleagues. What has brought about this clause is that people frequently try to make appointments with the hospital staff when they can well afford to pay a private practitioner and sometimes are attended by their own practitioner and wish to have a consultation. At times they are a bit of a nuisance to the hospital staff. A further point is that this situation has more than once brought about complaints from the point of view of professional etiquette by people succeeding in consulting the hospital staff without the knowledge of their consultants. While outside people will be permitted to consult the hospital staff, the method of consultation is intended to be more in the form of privilege. Where a medical practitioner wishes a case of his to be seen by one of the medical officers attached to the hospital he would ask the officer concerned to have a look at the patient and report. If this procedure is adopted it will result in the hospital staff being far less exploited, and it would also, to some extent, control the system which in recent times has become somewhat of a nuisance to the hospital staff. Where their colleagues would like advice the hospital staff are perfectly willing to give that advice, but the staff are not concerned with out-patients but with the treatment of cases in hospital.

Mr. WEBBER: It is an enormous statement to make that taxpayers who are paying the doctors have no business in the public hospital. A taxpayer has every business there as long as he pays for what he wants. Apparently the hospital is to be administered for the convenience and amusement of the doctors; they must not be disturbed. There is no question of benefiting the taxpayers and relieving the suffering or anxiety which a

man might have. I have never heard anything more impertinent.

THE CHAIRMAN: I think the hon. Member rather misunderstood what the Surgeon-General said. The Surgeon-General said that anybody who wish to obtain the advice of the medical staff of the hospital can do so by becoming a patient in the hospital. The only question which arises is whether payment should be made in the case of a person who does not necessarily wish to become an in-patient of the hospital.

Dr. KELLY: It is not a question that this is a high-handed procedure. It is the ordinary procedure in hospitals all over the world. Perhaps I might have used a happier word than "nuisance." When I used the word I did so from the point of view that when the officers are doing their work in the wards it is not a nice thing for them to be disturbed by people who try to get their services legitimately when they are not entitled to them.

Mr. WEBBER: I am not suggesting that people should not be made to pay for the privilege of calling the medical staff of the hospital in consultation. Government says that if a man wants to do so he should go into the hospital as an in-patient. Take the case of a man who is not sure whether he should become an in-patient of the hospital and wants the advice of the Specialist to decide whether he should do so. There is a highly paid Specialist at the hospital and in 99 cases people want to consult him as to their case. Why shouldn't I take advantage of the greatest skill available if I am willing to pay for his services, and without being compelled to produce a certificate. I do not know why there should be this halo of fascines and barbed wire strung around the Surgeon Specialist. It is unkind, unjust and particularly unwise. I want the skill of the highest paid man in the Service and it must be available to me as long as I am prepared to pay for it. This is what fills Mackenzie and the Surinam hospitals.

Dr. KELLY: Yesterday evening I saw the Surgeon Specialist in connection with this subject and gathered from him that he wished to terminate the practice of people who from their social status have

no right to it trying to get consultations with the hospital staff. This is to stop that class of individuals, who are getting too numerous and interfering with the routine work of the hospital, and the Surgeon Specialist said to me it appears to him to be the only mechanism to stop it.

THE CHAIRMAN: I appreciate what has been said by the hon. Member, but the matter has been very carefully considered since it was last before the Council, and I am afraid Government must stand by the wording of the amendment.

The paragraph was agreed to.

Dr. KELLY: I have gone into the matter of X-Ray charges since the last meeting of the Council. I should, first of all, like to say that the fees have been revised three times, and on each occasion they have been lowered. Patients in

hospital hitherto paid full rates; now they will be charged half rates. There is also a right of appeal to the Surgeon-General for a reduction of the fee in special instances where prolonged treatment is required or where circumstances warrant it. I have consulted the Radiographer and he told me he very rarely receives any complaint about excessive fees. The total number of patients treated last year was 2,031. Of this number only 378 paid fees and 1,653 were examined free. The total amount of fees received was \$930, of which \$260 represented fees paid by in-patients (which will be halved now) and \$670 by out-patients. The Radiographer has worked out the actual cost of the higher rates of charges at \$3.75, which does not allow for deterioration or overhead charges of the Department.

The Council resumed and adjourned until the following day at 11 o'clock.