

LEGISLATIVE COUNCIL

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

—
Wednesday, 3rd 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. M. S. Porcher (Ag.)

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 Agri-
culture, 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 De-
velopment),

The Hon. R. B. Gajraj

The Hon. R. C. Tello

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

Nominated Unofficials

Mr. T. Lee

Mr. W. A. Phang

Mr. C. A. Carter

Mr. E. F. Correia

Rev. D. C. J. Bobb

Mr. H. Rahaman

Miss Gertie H. Collins

Mrs. Esther E. Dey

Dr. H. A. Fraser

Mr. R. B. Jailal

Mr. Sugrim Singh

Clerk of the Legislature
Mr. I. Crum Ewing.

Assistant Clerk of the Legislature
—Mr. B. M. Viapree (Ag.)

Absent

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

Mr. W. T. Lord, I.S.O.—on leave.

Mr. J. I. Ramphal—on leave.

Prayers were read by Venerable
R. M. Pattison-Muir, Archdeacon of
Guiana.

ANNOUNCEMENT

ACTING ATTORNEY GENERAL

Mr. Deputy Speaker: I have to announce that Mr. G. M. Farnum has been appointed to act as Attorney General. Mr. Farnum will now take the Oath.

The Oath of Allegiance was then administered to Mr. Farnum who afterwards took his seat.

The Minutes of the meeting of the Council held on the 27th September, 1956, as printed and circulated, were taken as read and confirmed.

GOVERNOR PRESENTS AWARDS

Mr. Deputy Speaker: Hon. Members, the sitting of the Council will now be suspended in order that we may receive His Excellency the Governor on his arrival at the Building in a few moments. Thereafter His Excellency will proceed with the ceremony of investiture. I therefore suspend the sitting until His Excellency arrives, and I would ask that hon. Members and our distinguished visitors endeavour to be in their seats before His Excellency enters the Chamber.

Council adjourned and resumed at 2.15 p.m. when His Excellency the Governor, Sir Patrick Renison, K.C.M.G., accompanied by the Deputy Speaker, entered the Council to make the following presentations:

Mr. F. M. Boland, C.B.E.—the Insignia appertaining to the award of a Commander of the Most Excellent Order of the British Empire.

Mr. H. A. M. Beckles, O.B.E., Mr. W. A. Knight, O.B.E.—the Insignia appertaining to the award of an Officer of the Most Excellent Order of the British Empire.

Mrs. May Rodrigues, M.B.E., Dr. A. B. Foo, M.B.E., Mr. H. S. Jackson, M.B.E.—the Insignia appertaining to the award of a Member of the Most Excellent Order of the British Empire.

Mr. E. E. Melville, B.E.M., Mr. J. Boyan, B.E.M., Mr. A.C.L. Van Groningen, B.E.M.—British Empire Medal.

Mr. J. S. Persaud, I.S.M.—Imperial Service Medal.

The Clerk: Mr. Frederick Malcolm Boland!

Mr. Boland proceeded to the dais accompanied by the Hon. Sir Frank McDavid, C.M.G., C.B.E., and Mr. C. V. Wight, C.B.E.

His Excellency: I call on the Chief Secretary to read the Grant of Dignity.

The Chief Secretary read the Grant of Dignity.

His Excellency: Frederick Malcolm Boland; you have given 30 years of loyal and distinguished public service during which for nearly two years you were Chief Justice of British Honduras. You have also acted as Chief Justice of British Guiana for long periods. You are held in high regard by the general public and by the legal profession of this Colony.

By command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the Insignia of a Commander of the Most Excellent Order of the British Empire. (Applause).

His Excellency placed the Insignia on Mr. Boland and congratulated him on the award.

The Clerk: Mr. Hilary Alberic Maughn Beckles!

Mr. Beckles proceeded to the dais accompanied by the Hon. G. A. C. Farnum, O.B.E., and Major I. O. Smith, O.B.E.

His Excellency: Hilary Alberic Maughn Beckles; you have given 29 years of meritorious service as a Master of Queen's College, often being called on to act as Principal, which you did with marked success. A man of character and attainment you enjoy great popularity and the respect of Masters and pupils of the College as well as of the general public. You take an active interest in the life of the community and have served with distinction on many advisory committees.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the Insignia of an Officer of the Most Excellent Order of the British Empire. (Applause).

His Excellency pinned the Insignia on Mr. Beckles and congratulated him on the award.

The Clerk: Mr. William Arnold Knight!

Mr. Knight proceeded to the dais, accompanied by Mr. J. L. Fletcher, O.B.E. and Major I. O. Smith, O.B.E.

His Excellency: William Arnold Knight; as a member of the Oversea Audit Department you have served in various territories in the Commonwealth during the past 18 years, for over four of which you have held the post of Director of Audit of British Guiana. The award is in recognition of the loyal and efficient service you have rendered not only to British

Guiana but to the other territories in which you have served.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the Insignia of an Officer of the Most Excellent Order of the British Empire.

His Excellency pinned the Insignia on Mr. Knight and congratulated him on the award.

The Clerk: Mrs. May Clementine Rodrigues!

Mrs. Rodrigues proceeded to the dais, accompanied by the Hon. G. A. C. Farnum, O.B.E. and Mrs. H. B. Selman-Fraser, M.B.E.

His Excellency: May Clementine Rodrigues; you have been connected with the Young Women's Christian Association since 1933, and became its Secretary early in the war. Your work for the movement—an important influence in British Guiana—has been outstanding.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies I present to you the Insignia of a Member of the Most Excellent Order of the British Empire.

His Excellency pinned the Insignia on Mrs. Rodrigues and congratulated her on the award.

The Clerk: Dr. Albert Benjamin Foo!

Dr. Foo proceeded to the dais, accompanied by Mrs. H. B. Selman-Fraser M.B.E. and Dr. W. deW. Wishart, M.B.E.,

His Excellency: Albert Benjamin Foo; your work as Municipal Matern-

[His Excellency]

ity and Infant Welfare Officer has been outstanding. As a member of the St. Vincent de Paul Society you have given freely of your services to the Holy Family Home for aged women, as well as to the girls of the St. Bernadette's Hostel. In addition you are on the panel of doctors for the British Guiana Branch of the Red Cross Convalescent Home. Your devotion to duty and willingness to serve and help others has earned you the regard of the community.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the Insignia of a Member of the Most Excellent Order of the British Empire.

His Excellency pinned the Insignia on Dr. Foo and congratulated him on the award.

The Clerk: Mr. Harold Stormouth Jackson!

Mr. Jackson proceeded to the dais, accompanied by Mr. E. R. Burrowes, M.B.E. and Mr. J. E. Forde, M.B.E.

His Excellency: Harold Stormouth Jackson; you have maintained a consistently high standard of work throughout your 31 years as a Head-teacher, and in so doing have made an outstanding contribution to primary education in British Guiana. You have been a staunch member of the Teachers' Association, and were twice elected its President. From 1950 to 1954 you were President of the Caribbean Union of Teachers.

You have also served with distinction on the Education Committee and other educational bodies.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the Insignia of a Member of the Most Excellent Order of the British Empire.

His Excellency pinned the Insignia on Mr. Jackson and congratulated him on the award.

The Clerk: Mr. Edward E. Melville!

Mr. Melville proceeded to the dais.

His Excellency: Edward E. Melville; as Chief Ranger in the Rupununi you have performed your duties with fidelity and efficiency. In 1954, when the Foot and Mouth disease broke out in Brazil just over the British Guiana border, you undertook the fencing of all river crossings for some 250 miles and supervised and assisted in the erection of 180 miles of control fence. Through your outstanding devotion to duty and long hours of work under difficult conditions frontier control was practically complete in two months.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the British Empire Medal.

His Excellency pinned the Medal on Mr. Melville and congratulated him on the award.

The Clerk: Mr. Jonah Boyan!

Mr. Boyan proceeded to the dais.

His Excellency: Jonah Boyan; you have given devoted and outstanding service to the Forest Department since your appointment as Technical Assistant in 1933. The Conservator of

Forests has stated that your botanical knowledge is such that it will be impossible to replace you, and that your contribution to the basic information collected by the Forest Department is inestimable. You are highly respected by the Amerindian community from which you come.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the British Empire Medal.

His Excellency pinned the Medal on Mr. Boyan and congratulated him on the award.

The Clerk: Mr. Arlington Colin Levi Van Gronigen!

Mr. Van Gronigen proceeded to the dais.

His Excellency: Arlington Colin Levi Van Gronigen; you have been working as a Sicknurse-Dispenser for the past seven years amongst the riverain population of the North West District. Your interpretation of your duties entails considerable travelling on the rivers in all weathers—during heavy flood and storm, and during drought—giving medical and dental treatment to the Amerindian population. During brief visits you also work in the laboratory in the Mabaruma Hospital. You are a loyal, keen and efficient officer, performing, without thought for your personal comfort, work of a specially trying nature.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the British Empire Medal.

His Excellency pinned the Medal on Mr. Van Gronigen and congratulated him on the award.

The Clerk: Mr. John Shiv Persaud!

Mr. Persaud proceeded to the dais.

His Excellency: John Shiv Persaud; except for a brief period of about six months in 1932, when you were with the Transport and Harbours Department, you were the Governor's chauffeur from 1917 until your retirement in April, 1956. You have served ten Governors, and your wide knowledge of the country areas and the people have often proved of great assistance to them. You have given courteous, loyal and efficient service, and your devotion to duty has been an example to others.

By Command of the Queen, conveyed to me through Her Majesty's Principal Secretary of State for the Colonies, I present to you the Imperial Service Medal.

His Excellency pinned the Medal on Mr. Persaud and congratulated him on the award.

His Excellency then withdrew from the Chamber, accompanied by the Deputy Speaker.

PAPERS LAID

The Attorney General: I beg to lay on the table the following document:

Report on the Deeds Registry and the Supreme Court Registry for the year 1955.

The Financial Secretary: I beg to lay on the table the following documents:

"(a) Minutes of a meeting of Finance Committee held on 31st August, 1956.

"(b) Report of the Finance Committee of the Legislative Council on its consideration of Sessional Paper No. 8 of 1956—Development Programme 1956-1960.

GOVERNMENT NOTICES

DEVELOPMENT PROGRAMME,
1956—1960

The Financial Secretary: I beg to give notice of the following motion:

"Be it resolved that with reference to Resolution No. XIV of the 10th of August, 1956, this Council having considered the report of the Finance Committee on its consideration of the Development Programme 1956-1960 (Sessional Paper No. 8 of 1956) accepts the schemes and allocations set out in the Sessional Paper as an outline of development expenditure over the period 1956-1960."

ORDER OF THE DAY

INDUSTRIAL TRAINING (AMENDMENT)
BILL, 1956

Mr. Cummings (Member for Labour, Health and Housing): beg to move the second reading of the Bill intituled:

"An Ordinance to amend the Industrial Training Ordinance."

As hon. Members are aware, there is an Ordinance—Chapter 94 — which deals with this subject, but the provisions of that Ordinance are not sufficiently adequate for proper apprenticeship schemes. Following upon a report by Dr. F. J. Harlowe, Adviser on Technical Education to the Secretary of State for the Colonies, who visited this Colony at the end of 1952, it was decided that we should amend the Ordinance to give effect to certain recommendations he had made. In order to assist the Council in this matter, I will quote from Dr. Harlowe's report, with Your Honour's permission. The relevant portion reads:

"The Ordinance establishing a Board of Industrial Training should be revised and brought up to date as quickly as possible, the main function of the Board to be that of an Apprenticeship Council with

powers to foster and encourage apprenticeship for various industries, and along with the Commissioner of Labour and his staff to see that those conditions, which should become statutory, are complied with by employers and employed. Steps should be taken to strengthen the Board which should be a live body representative of the respective branches of industry, and include both Employers and representative Employees. The Board should be associated with the Department of Labour for administrative purposes, and should operate in close co-operation with the Department of Education and with the Technical Institute in particular. Until this is done—and it should be done with all possible speed—neither the development of sound apprenticeship schemes nor progress towards the proper function of the Technical Institute will be possible. Immediate steps should be taken by the Departments of Labour and Education, in consultation with representatives of Industry, to put the Board of Industrial Training and Apprenticeship legislation on sound footing. I understand that the Ordinance establishing the Board of Industrial training has not been revised since 1922."

Government took these recommendations seriously and considered them along with the present Board of Industrial training, and the Bill which is now before the Council seeks to give effect to those recommendations. I do not think I need do more than invite hon. Member's attention to the "Objects and Reasons" set out along with the Bill. I do not propose to deal with them seriatim, but Members will see therein how they seek to implement the recommendations. I now move that this Bill be read a second time.

Sir Frank McDavid: I beg to second the motion.

Mr. Deputy Speaker: Does any other Member wish to speak on the Bill?

Question put and agreed to.

Bill read a second time.

COUNCIL IN COMMITTEE

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

Clause 2—*Amendment of section 2 of Chapter 94.*

The Attorney General: I should like to move a small amendment to the effect—

- (1) that the word "expression" be substituted for the word "word" in the third line of paragraph (a);
- (2) that the word "repeal" be substituted for the word "deletion" in the first line of paragraph (b);
- (3) that the word "expression" be substituted for the word "word" in the first line of paragraph (b); and
- (4) that the colon after the word "definition" in the third line of paragraph (b) be deleted.

Mr. Cummings: I accept the amendments, Sir.

Mr. Deputy Speaker: Do hon. Members understand the amendments?

Mr. Luckhoo: As long as the hon. Member (Mr. Cummings) accepts them, Sir.

Clause 2, as amended, passed.

Clause 3—*Amendment of Section 5 of Chapter 94.*

The Attorney General: I beg to move another small amendment—that the colon after the word "paragraph" in the third line of paragraph (b) be deleted.

Agreed to.

Clause 3, as amended, passed.

Clause 4—*Amendment of section 6 of Chapter 94.*

The Attorney General: I beg to move the insertion of the word "of" between the words "thereof" and "the" in the second line of paragraph (a).

Agreed to.

Clause 4, as amended, passed.

Clause 5 passed as printed.

Clause 6 — *Insertion of new Sections 9A and 9B.*

The Attorney General: I beg to move—

- (1) that the colon after the word "Ordinance" in the second line be deleted; and
- (2) that the word "of" in the penultimate line of the new "Section 9 B" be deleted and the words "not exceeding" be substituted therefor.

Mr. Cummings: I was rising to point out that when one considers the proper administration of this Ordinance it would be for the betterment of labour, and inspectors will have to be appointed for the purpose of the particular functions in the Ordinance. They are already there as Inspectors of Labour. I hope hon. Members appreciate what is being done. I, personally, have no strong feelings on the question of the amendment to new section 9B; I think it is due to an oversight. The decision was taken in Executive Council and I am wondering whether all the Government Members supported that amendment.

The Attorney General: There is no legal difference if it remains as worded, but still I think we should have this.

Mr. Cummings: I do not follow that, but I think it is my own stupidity. I would have thought that if the section says "a fine of forty-eight dollars" there can be no discretion in a Magistrate and he must impose a fine of \$48.

[Mr. Cummings]

I know that there was a question raised to the effect that a Magistrate had no discretion when it came to a fine relating to bush rum. If the Attorney-General is sure about this, then I would not interfere.

Clause 6, as amended, passed.

Clause 7—*Insertion of new section 10A.*

The Attorney General: I propose the deletion of the colon after the word "Ordinance" in the second line of the clause, the deletion of the word "purported" in the third line of the proposed new section 10A, and substitution therefor of the words "they purport"; the insertion of the words "to be" between the words "and" and "counter-signed" in the fifth line, and the insertion of the words "to be" between the words "and" and "sealed" in the penultimate line. The new section will then read:

"10 A. Agreements executed under this Ordinance shall not be liable to stamp duty, and shall be admissible in evidence in all courts of law if they purport to be signed by the master and the apprentice in the presence of one witness and to be countersigned by the Chairman and the secretary of the Board, and to be sealed with the seal of the Board."

Clause 7, as amended, agreed to.

Clause 8 and the title and enacting clause passed as printed.

Council resumed.

Mr. Cummings: I move that the Bill be now read a third time and passed.

Sir Frank McDavid: I beg to second the motion.

Question put, and agreed to.

Bill read a third time and passed.

DUTY ON ACETIC ACID

CONFIRMATION OF ORDER IN COUNCIL No. 54 OF 1956

The Financial Secretary: I beg to move:

"That this Council in terms of section 9 of the Customs Ordinance, Chapter 309, confirms Order in Council No. 54 of 1956 which was made on the 7th day of September, 1956, and published in the Gazette on 22nd September, 1956."

As hon. Members are aware from the previous Order, the importation of acetic acid is in connection with the treatment of parboiled rice to prevent fermentation. The previous Order which this amends altered the duty from 20 per cent. Preferential Tariff and 36 per cent. General Tariff to 5 per cent. and 10 per cent. *ad valorem*, the idea being, of course, to reduce the cost and encourage the use of acetic acid in the process, but in doing so the margin of preference was substantially reduced, and representations have been made in accordance with the general policy of preference, that the margin should be restored. Hon. Members will see from the Order that the margin of preference has been somewhat reduced by proposing that imports from scheduled countries should be free of Customs duty, while imports from outside the scheduled countries should remain at the former 10 per cent. duty. The loss of revenue will be very small, because in fact most of the acetic acid comes from non-schedule territories. I move the adoption of the motion.

The Attorney General: I beg to second the motion.

Question put, and agreed to.

Motion carried.

PLYWOOD COMMITTEE'S

ADJOURNMENT

RECOMMENDATIONS

Motion by Mr. Correia:

"Be it resolved:

That this Council accepts in principle the recommendations contained in the Report of the Select Committee appointed in terms of Resolution No. XXXVI of 1955, and requests the Administration to give favourable consideration to those recommendations."

Mr. Correia: With regard to the motion standing in my name on the Order Paper I wish to say that before Council assembled I had a discussion with the hon. the Financial Secretary who suggested that I should defer the motion to some future date for reasons which he will explain to the Council. I therefore ask that the motion be deferred to a later date.

The Financial Secretary: The position is exactly the same as it was a few weeks ago, sir, when you were good enough to agree to a deferment of the motion. The fact is that we have referred the Report of the Select Committee to our technical advisers, including the Credit Corporation, and the views of the Corporation and the technical Department concerned have not been received, or have not been studied by Government. It is therefore very desirable that the motion be deferred a little longer. We are not sitting on it, but it is preferable that we come here with definite views on the subject, rather adjourn until next Thursday, 11th October, at 2 p.m.

Motion deferred.

Mr. Deputy Speaker: That brings us to the end of the Order Paper for today.

The Chief Secretary: I move that the Council adjourn until tomorrow week when I understand the hon. the Financial Secretary would like to bring forward his motion for the adoption of the Development Programme. There is also the question of a meeting of Finance Committee on Friday.

Mr. Deputy Speaker: Would it be agreeable to hon. Members if Finance Committee met tomorrow instead of on Friday?

Mr. Lee: The cricket tournament starts tomorrow.

Mr. Deputy Speaker: Cricket will be going on, on Friday also.

Mr. Lee: But one usually likes to see the first ball bowled.

Mr. Deputy Speaker: I do not know if other Members feel that Government business should be deferred at the expense of keeping the country Members in Georgetown. My own view is that Finance Committee should meet tomorrow, which would undoubtedly meet the convenience of the country Members, like Dr. Fraser and Mr. Rahaman. Council will adjourn until next Thursday, 11th October, at 2 p.m.