

MINUTES of the Proceedings of the Fourth Legislative Council of the Colony of British Guiana at its Fourth Session, 1951, held at the Public Buildings, Georgetown, Demerara, on

WEDNESDAY, 19TH DECEMBER, 1951,

AT 2 .M.

PRESENT:

The Deputy President, the Honourable C.V. Wight, C.B.E.
the Colonial Secretary (in the Chair) .E.
The Honourable Secretary, Mr. J. Guttenberg, B.A., B.Sc.
" " the Acting Attorney General, Mr. A.D.R. J.B.
" " the Acting Financial Secretary and T. Lee (Treasury)
" " Mr. W.O. Fraser W. Sing, C.B.E. (Demerara-Essequibo)
" " Essequibo River)
" " J. Raatgever (Nominated)
" " V. Roth, O.B.E. (Nominated)
" " C.P. Ferreira (Berbice River)
" " T.T. Thompson (Nominated)
" " G.A.C. Farnum, O.B.E. (Nominated)
" " J.F. Coghlan (Demerara River)
" " D.P. Debidin (Eastern Demerara)
" " J. Fernandes (Georgetown Central)
" " Dr. O. Jagan (Central Demerara)
" " W.O.R. Kendall (New Amsterdam)
" " A.T. Peters (Western Berbice)
" " W.A. Phang (North Western District)
" " G.H. Smellie (Nominated)
" " J. Carter (Georgetown South)
" " L.A. Luckhoo (Nominated)
" " W.A. Macnie, C.M.G., O.B.E. (Nominated).

The Clerk read prayers.

✓ CONFIRMATION OF MINUTES

Mr. Debidin referred to certain questions tabled by him some time ago and expressed concern at the fact that they had not yet been incorporated in the Minutes of the Council.

The Attorney General explained that the Honourable Member had been informed that the questions had been ruled out of order by the President and would therefore not appear in the Minutes.

In protest, Mr. Debidin then moved that the confirmation of the Minutes of the previous meeting should be deferred, but as the motion was not seconded the Deputy President put the question for the confirmation of the Minutes which was adopted.

Accordingly, the Minutes of the Meeting of Council held on the 8th of December, as printed and circulated, were confirmed.

PRESENTATION OF REPORTS AND DOCUMENTS

The Financial Secretary and Treasurer laid on the table the following:-

- (a) Minutes of the Meeting of Finance Committee of the Legislative Council held on the 3rd, 4th, 6th, 7th, 10th, 11th, 12th, 13th, 14th and 17th of December, 1951.
- (b) Report of the Finance Committee of the Legislative Council on the motion introduced by the Honourable the Financial Secretary and Treasurer on the 28th of November, 1951, in connection with the 1952 draft Estimates.

GOVERNMENT NOTICES

The Colonial Secretary gave notice of the following motion and of his intention to move the suspension of Standing Rules and Orders to take it at a later stage or at a subsequent meeting:-

That, in accordance with the provisions of section 9(a) of the Co-operative Credit Banks (Special Provisions) Ordinance, 1948. (No. 22), this Council approves of that Ordinance being continued in force throughout the year 1952.

The Attorney General gave notice of the introduction and first reading of the following Bills and of his intention to move the suspension of Standing Rules and Orders to take them through all stages at a later stage or at a subsequent meeting of Council:-

- (a) A BILL intituled AN ORDINANCE FURTHER TO AMEND THE TAX ORDINANCE, 1939.
(M.P. 66/24 I).
- (b) A BILL intituled AN ORDINANCE FURTHER TO AMEND THE INTOXICATING LIQUOR LICENSING ORDINANCE.
(M.P. 66/24 II).

ORDER OF THE DAY

RENT RESTRICTION ORDINANCE, 1941 (No. 23) -
CONTINUATION DURING 1952.

Standing Rules and Orders having been suspended, the Attorney General moved and the Colonial Secretary seconded the following motion which was adopted:-

BE IT RESOLVED that the Rent Restriction Ordinance, 1941 (No. 23 of 1941) shall continue in force for a further period of one year up to and including the 31st day of December, 1952.
(M.P. 186/11 IV),

TAX (AMENDMENT No. 3) BILL, 1951 - Second Reading

With Council's consent the Financial Secretary and Treasurer moved the second reading of the following Bill which was seconded by the Colonial Secretary:-

A BILL intituled AN ORDINANCE FURTHER TO AMEND THE TAX ORDINANCE, 1939.

After discussion the motion was put and Council divided and voted as under:-

<u>For</u>	<u>Against</u>	<u>Did not vote</u>
Mr. Macnie	Mr. Debidin	Dr. Jagan
Mr. Luckhoo		Mr. Lee
Mr. Smellie		
Mr. Phang		
Mr. Peters		
Mr. Kendall		
Mr. Fernandes		
Mr. Coghlan		
Mr. Farnum		
Mr. Thompson		
Mr. Roth		
Mr. Raatgever		
Dr. Singh		
The Financial Secretary		
The Attorney General		
The Colonial Secretary		
<u>16</u>	<u>1</u>	2

The motion having been affirmed, the Bill was read the second time.

Committee

Council resolved into committee and considered the Bill clause by clause.

Clause 1 - passed as printed

Clause 2 - A motion by Mr. Kendall to reduce the annual licence duty to be paid by money lenders from \$150 to \$100 was put and rejected on the following division :-

<u>For</u>	<u>Against</u>
Mr. Carter	Mr. Macnie
Mr. Kendall	Mr. Smellie
Dr. Jagan	Mr. Phang
Mr. Debidin	Mr. Peters
	Mr. Fernandes
	Mr. Coghlan
	Mr. Farnum
	Mr. Thompson
	Mr. Lee
	Dr. Singh
	The Financial Secretary
	The Attorney General
	The Colonial Secretary

The following amendment moved by the Financial Secretary and Treasurer was accepted:-

Substitution of a colon for the full stop at the end of the clause; and the insertion of the following proviso:-

"Provided that the provisions of this section -

(a) shall only apply to a person who is a money lender within the meaning of section two of the Money-Lenders Ordinance;

(b) shall not apply to a person registered as a money-lender under the Money-Lenders Ordinance who does not enter into any new money-lending transaction after the thirty-first day of December, nineteen hundred and fifty-one."

Clause 2 was passed as amended.

The Financial Secretary and Treasurer gave members the assurance that the question of amending the Money Lenders Ordinance, Chapter 68, with respect to loans on mortgages as suggested in the course of the debate, would be referred to Government for consideration.

Clause 3 - Mr. Lee moved the insertion of the following proviso at the end of the Clause -

"Provided that the tax in this section in sub-section (a) shall not be chargeable in the rural areas of this Colony."

After discussion the amendment was put and rejected on the following division:-

<u>For</u>	<u>Against</u>
Mr. Kendall	Mr. Macnie
Dr. Jagan	Mr. Carter
Mr. Debidin	Mr. Smellie
Mr. Thompson	Mr. Phang
Mr. Lee	Mr. Peters
	Mr. Fernandes
	Mr. Coghlan
	Mr. Farnum
	Dr. Singh
	The Financial Secretary
	The Attorney General
	the Colonial Secretary

There ter Clause 3 as printed was put and adopted on the following division:-

<u>For</u>	<u>Against</u>	<u>Did not vote</u>
Mr. Macnie	Dr. Jagan	Mr. Kendall
Mr. Carter	Mr. Debidin	
Mr. Smellie	Mr. Thompson	
Mr. Phang	Mr. Lee	
Mr. Peters		
Mr. Fernandes		
Mr. Coghlan		
Mr. Farnum		
Dr. Singh		
The Financial Secretary		
The Attorney General		
The Colonial Secretary		
12	4	1

Clause 4 and the Title and Enacting Clauses -
were passed as printed.

Council resumed.

Third Reading

With Council's consent and on a motion by the Financial Secretary and Treasurer seconded by the Colonial Secretary the Bill was then read a third time and passed as amended in Committee.

CUSTOMS DUTIES (AMENDMENT No. 4) BILL, 1951

The Financial Secretary and Treasurer moved the second reading of the following Bill and the Colonial Secretary seconded:-

A BILL intituled AN ORDINANCE FURTHER TO AMEND
THE CUSTOMS DUTIES ORDINANCE, 1935.

At this stage a motion by Mr. Debidin seconded by Mr. Thompson for the adjournment of Council was put and adopted on the following division:-

<u>For</u>	<u>Against</u>	<u>Did not vote</u>
Mr. Macnie	Mr. Fernandes	Mr. Coghlan
Mr. Carter	Dr. Singh	
Mr. Phang	The Financial Secretary	
Mr. Peters	The Attorney General	
Mr. Kendall	The Colonial Secretary	
Dr. Jagan		
Mr. Debidin		
Mr. Farnum		
8	5	1

ADJOURNMENT

Accordingly, the Deputy President adjourned Council to 2 p.m. the following day.

Confirmed,

COUNCIL CHAMBER,
Public Buildings,
British Guiana.
20th December, 1951.

Schooner
President.