

MINUTES of the Proceedings of the 46th Sitting of the Legislative Assembly of the Colony of British Guiana under the British Guiana (Constitution) Order in Council, 1961, held in the Chamber of the Legislature at the Public Buildings, Georgetown, Demerara,

AT 2.00 P.M.

on

FRIDAY, 31ST AUGUST, 1962.

PRESENT:

His Honour the Speaker, Mr. R.B. Gajraj.

(a) Members of the Government

People's Progressive Party

(i) Ministers

Dr. the Honourable C.B. Jagan,  
Premier and Minister of Development and Planning.  
The Honourable B.H. Benn,  
Minister of Natural Resources.  
The Honourable R. Chandisingh,  
Minister of Labour, Health and Housing.  
Dr. the Honourable Charles Jacob, Jr.,  
Minister of Finance.  
Dr. the Honourable F.H.W. Ramsahoye,  
Attorney-General.  
The Honourable E.M.G. Wilson,  
Minister of Communications.

(ii) Parliamentary Secretaries

Mr. G. Bowman, Parliamentary Secretary to the  
Ministry of Natural Resources.  
Mr. L.E.M. Mann, Parliamentary Secretary to the  
Ministry of Finance.  
Mr. S.M. Saffee, Parliamentary Secretary to the  
Ministry of Works and Hydraulics.

(iii) Other Members

Mr. G.L. Robertson  
Mr. M. Bhagwan  
Mr. J.B. Caldeira  
Mr. V. Downer  
Mr. M. Hamid  
Mr. D.C. Jagan  
Mr. H. Lall  
Mr. M. Shakoor

(b) Members Constituting the Minority

(i) People's National Congress

Mr. L.F.S. Burnham, Q.C.  
Mr. W.O.R. Kendall, Deputy Speaker  
Mr. J. Carter  
Mr. E.F. Correia  
Mr. N.J. Bissember  
Mr. W.A. Blair  
Mr. J.G. Joaquin  
Mr. R.J. Jordan  
Mr. C.A. Merriman  
Mr. H.M.S. Wharton

(ii) United Force

Mr. P. d'Aguiar  
 Mr. S. Campbell  
 Mr. R.E. Cheeks  
 Mr. E.E. Melville

Clerk of the Legislature - Mr. I. Crum Ewing.  
 Assistant Clerk of the Legislature - Mr. F.A. Narain (Ag.)

Absent:

The Honourable Ram Karran, Minister of Works and Hydraulics -  
 on leave.

Mr. R.S.S. Hugh - on leave.  
 Mr. B.S. Rai.

PRAYERS

The Clerk read prayers.

ANNOUNCEMENTS BY THE SPEAKER(i) Leave

His Honour the Speaker announced that the Honourable Ram Karran, Minister of Works and Hydraulics, had been granted leave from the 29th of August to the 9th of September, 1962, to attend the Trinidad and Tobago Independence Celebrations as British Guiana's representative. During his absence, Mr. S.M. Saffee, Parliamentary Secretary to the Ministry would deal with the Ministry's business in the Legislature.

(ii) Congratulations to Dr. Ramsahoye and Mr. Bhagwan

On behalf of the Assembly, His Honour the Speaker extended congratulations to Dr. Ramsahoye and Mr. Bhagwan who were recently married.

(iii) Apologies by the Newspaper "Thunder" and the Member for Essequibo Islands.

His Honour informed the House that in compliance with his order at the last sitting, the apologies had been received from the newspaper "Thunder" and the Member for Essequibo Islands, Mr. Moses Bhagwan.

The Clerk then read the apology published in the issue of "Thunder" of Saturday, 25th August, 1962, and the letter dated 31st August, 1962, received from Mr. Bhagwan.

PRESENTATION OF PAPERS AND REPORTS, ETC.(a) By the Premier and Minister of Development and Planning:(i) Statement by the Premier on Mission to the United Nations.

On a point of order Mr. Burnham objected to the laying by the Premier of a Statement on his Mission to the United Nations on the grounds that the Premier did not go to the United Nations in his capacity as Premier of the country nor at the request of the Assembly.

The Premier stated that the visit was made on a decision by the Council of Ministers.

The Speaker ruled that the Statement could be laid.



(ii) Proposed Draft of the Constitution of Guyana.

On a point of order Mr. Burnham objected to the laying of the Proposed Draft of the Constitution of Guyana which had previously been circulated to Members and made public. Mr. Burnham claimed that it was not a Government document for in terms of section 22 of the British Guiana (Constitution) Order in Council, 1961, Her Majesty, on the advice of Her Privy Council, reserved to Herself the right to revoke, alter or amend the Constitution. In the circumstances he felt that it was not competent for Government to put forward the new Constitution; and further, that no decision had been taken by the Legislative Assembly authorising the preparation of a Draft Constitution for submission to the House. Mr. Burnham expressed the view that if the document were to be regarded as a Government measure, then a breach of privilege had been committed for it had been circulated to the public before it was laid in the House.

The Premier referred to the impending discussions to be held in the United Kingdom on the question of the granting of Independence to British Guiana, and intimated that it was considered necessary to have a draft Constitution which would serve as a basis for discussion. With that in view Government had caused a draft Constitution to be prepared and had circulated copies to Members of the House and thereafter to the public for information. Copies had also been despatched to the Secretary of State for the Colonies who had instructed the Governor to request the Government to make copies available to the other two main political parties and to request them to submit their comments on the draft for the Secretary of State. This had been done.

The Speaker deferred a decision on the matter to the next sitting in order to give consideration to the several points raised by the Members.

(b) By the Minister of Natural Resources:

- (i) Annual Report of the Forest Department for the year 1960. (FOR. 46/4/8<sup>II</sup>)(Circulated).
- (ii) Report of the Director of Audit on the Accounts of the Ham and Bacon Factory for the years ended 31st December, 1959 and 31st December, 1960. (T.I. 121/113).
- (iii) Report of the Director of Audit on the Accounts of the Government Produce Depot for the year ended 31st December, 1960. (M. 2/120/2<sup>V</sup>).
- (iv) Report of the Director of Audit on the Accounts of the Government Produce Depot, New Amsterdam, for the year ended 31st December, 1960. (M. 2/120/2<sup>V</sup>).
- (v) Report of the Director of Audit on the Accounts of the Commodity Control Organisation for the years 1959 and 1960. (S.P. 398/11(11)(Circulated).
- (vi) Address by the Hon. C.V. Nunes, Minister of Education and Social Development, at the 11th Biennial Conference of the Caribbean Union of Teachers, at Queen's College on Tuesday, 21st August, 1962. (Circulated).

(c) By the Minister of Finance:

- (i) Order No. 46 of 1962 made under section 8 of the Customs Ordinance, Chapter 309, on the 10th day of July, 1962, and published in the Gazette on the 11th of August, 1962.  
(G. 316/61)(Circulated).
- (ii) Order No. 47 of 1962 made under section 8 of the Customs Ordinance, Chapter 309, on the 15th day of August, 1962, and published in the Gazette on the 18th of August, 1962.  
(G. 378/60)(Circulated).
- (iii) Report of the Director of Audit on the Accounts of the British Guiana Post Office Savings Bank for the year ended 31st December, 1961.  
(P.O.S.B. 6 IV).
- (iv) Financial Paper No. 3/1962 - Schedule of Additional Provision on the Recurrent Estimates for July and August, 1962, totalling \$945,477.

QUESTIONS TO MINISTERSQuestion No. 26

Mr. d'Aguiar asked the Minister of Natural Resources the following question:

- QUESTION:
- (a) What are the terms of the Government's rice contract with Cuba as to quantity and payments?
  - (b) Is it true that shipments have been suspended since May?
  - (c) Is it true that Government is now negotiating for payment otherwise than on a cash basis?

The Minister of Natural Resources gave the following reply:

- ANSWER:
- (a) The Rice Agreement entered into between the Government of British Guiana and the Empresa Cubana de Importaciones on March 17, 1961, provides for the sale of 36,000 long tons of rice, more or less per annum, over a period of five years from January 1st, 1962. The words "more or less" are written into the Agreement and make it possible for the annual shipments to be increased or reduced in accordance with the wishes of either party and to secure our supply position with the West Indies. Regarding the terms of payment the Agreement stipulates that the Cuban authorities shall open an irrevocable confirmed letter of credit at sight in the name of the British Guiana Rice Marketing Board in respect of each shipment within four days after having been notified by cable that the shipment is ready.
  - (b) With respect to the second question, it is not true that shipments had been suspended. The last ship left British Guiana on August 10, with a cargo of 768 bags of rice. This shipment completed our contractual obligations with Cuba.
  - (c) The answer to the third question is "No, Sir".

Supplementary Questions were asked by Mr. d'Aguiar, Mr. Burnham and Mr. Shakoore.



Question No. 27

Mr. d'Aguiar asked the Minister of Natural Resources the following question:

QUESTION: Will Government give full particulars as to the rice deal with Czechoslovakia in regard to quantity and terms of payment?

The Minister of Natural Resources gave the following reply:

ANSWER: The Rice Contract between the British Guiana Rice Marketing Board and Koospool, Foreign Trade Corporation of Czechoslovakia, covers the sale of 3,000 metric tons (2,952½ long tons approximately) of white "E" rice, the seller having the option of varying this quantity by 5% either way. The contract price is \$130: U.S. per 1,000 kilos f.o.b. This works out at \$221: B.W.I. per metric ton or \$17.82 B.W.I. per bag of 180 lb. gross. The contract stipulates upper and lower limits for brokens of 21% and 50%, but the actual brokens content of the rice to be shipped is 45%.

Payment is by means of irrevocable letter of credit opened through the Czechoslovakia State Bank in Prague.

The Czechoslovak Authorities have declared their willingness to make further purchases of up to 20,000 metric tons of rice if our Autumn crop yields a surplus as predicted.

Supplementary Questions were asked by Mr. d'Aguiar, Mr. Burnham and Mr. Correia.

Question No. 28

Mr. Cheeks asked the Minister of Finance the following question:

QUESTION: Was any report or memorandum prepared by Mr. Nicholas Kaldor for Government? If the answer is in the affirmative, will Government consider laying it on the table for the information of the Members of the Legislative Assembly?

The Minister of Finance gave the following reply:

ANSWER: A report was prepared by Mr. Nicholas Kaldor.

Because it contains confidential information on the tax system and on the future lines of tax policy, it is not considered to be in the public interest to divulge its contents by laying the report on the table of the Legislative Assembly.

Supplementary Questions were asked by Mr. Cheeks and Mr. Burnham.

Question No. 29

Mr. Burnham asked the Minister of Communications the following question:

QUESTION: How old is the s.s. Tarpon?  
Is Government satisfied with the economics of the policy of "patching" this ship?

The Minister of Communications gave the following reply:

ANSWER: The s.s. 'Tarpon' is 33 years old.

While it cannot be said that Government is satisfied with the economics of the policy of "patching" the s.s. 'Tarpon' there was no alternative to its continued use because of the shortage of vessels. It was not until the month of June, 1962, that a suitable replacement became available and the 'Tarpon' was immediately withdrawn.

Supplementary Questions were asked by Mr. Burnham, Mr. Campbell and Mr. Carter.

Question No. 30

Mr. Burnham asked the Minister of Communications the following question:

QUESTION: How many accidents occurred on the East Coast Railway for the six months ended 30th June, 1962?

Of these, how many are attributable to -

- (a) worn-out equipment and rolling stock; and
- (b) carelessness by employees?

What steps have been taken to prevent such occurrences?

The Minister of Communications gave the following reply:

ANSWER: Interpreting the word "accident" in its widest sense to include occurrences resulting in interruption or delays in the service and involving personal injury or damage to equipment, the answer to this question is that there have been 15 accidents during the six-month period ending 30th June, 1962.

Of these accidents, 8 are attributable to worn-out equipment and rolling stock and 3 to carelessness of employees. Of the remaining 4, 3 are attributable to carelessness by persons other than employees and the Investigating Committee has not yet reported as to the cause of one.

In regard to the occurrences attributable to worn-out equipment and rolling stock, the Transport and Harbours Department has embarked on an intensified repair programme.

With regard to those occurrences attributable to carelessness of employees, the Department's procedure requires disciplinary action against the employees concerned.

Supplementary Questions were asked by Mr. Burnham.

Question No. 31

Mr. Burnham asked the Minister of Communications the following question:

- QUESTION:
- (a) Has the Report on Public Transport by Dr. Smolaka been presented to Government yet?
  - (b) Does the U.N. Adviser recommend the abolition of our Railways?
  - (c) How soon will Government present a White Paper on this most vital matter of Public Transportation?



The Minister of Communications gave the following reply:

ANSWER: The Report on Public Transport by Dr. Smodlaka has not yet been officially transmitted to this Government by the United Nations Organisation. Dr. Smodlaka did leave a few copies of his draft report for the information of the Ministries which would be interested in the various matters dealt with in the report. It would be appreciated, however, that in the circumstances Government is not yet in a position to release the information contained in the draft report.

Supplementary Questions were asked by Mr. Burnham.

Question No. 32

Mr. Blair asked the Minister of Labour, Health and Housing the following question:

QUESTION: Has Government any plans for the anti-polio vaccinations in the Berbice River District; if so, when will they be put into effect?

The Minister of Labour, Health and Housing gave the following reply:

ANSWER: On August 22nd and 23rd, anti-polio and tetanus vaccinations were given to children in the Berbice River (De Veldt, Sand Hills, Kimbia, Ebini, St. Lust and Maria Henrietta). Second doses will be given in September.

A Supplementary Question was asked by Mr. Blair.

STATEMENTS BY MINISTERS

British Caribbean Court of Appeal

The Attorney-General made a statement concerning the setting up of the British Caribbean Court of Appeal, its composition, and British Guiana's contribution thereto.

The Speaker noted that Sir Donald Jackson, a former Speaker, had been appointed a Justice of Appeal and on behalf of the Assembly recorded its pleasure at the appointment.

INTRODUCTION OF BILLS - First Reading.

- (a) WILD BIRDS PROTECTION (AMENDMENT) BILL, 1962.  
(Bill No. 19/1962 (L.A.) published 25.8.62).

The Minister of Natural Resources, on behalf of the Government, presented the following Bill:

A BILL intituled AN ORDINANCE TO AMEND THE WILD BIRDS PROTECTION ORDINANCE.

The Bill was read the first time.

- (b) PROPERTY TAX AND THE GIFT TAX BILL, 1962.  
(Bill No. 20/1962 (L.A.) published 25.8.62).

The Minister of Finance, on behalf of the Government, presented the following Bill:

A BILL intituled AN ORDINANCE TO PROVIDE FOR THE LEVY OF A TAX COMPUTED BY REFERENCE TO PROPERTY AND GIFTS.

The Bill was read the first time.

### PUBLIC BUSINESS

#### MOTIONS

##### Item 1 - MOTION TO CONFIRM CUSTOMS ORDER NO. 46 OF 1962.

On a motion by the Minister of Finance the following Resolution was adopted:

RESOLVED, That the Legislature in terms of section 9 of the Customs Ordinance, Chapter 309, confirms Order No. 46 of 1962 which was made on the 10th day of July, 1962, and published in the Gazette on the 11th of August, 1962.

##### Item 2 - MOTION TO CONFIRM CUSTOMS ORDER NO. 47 OF 1962.

On a motion by the Minister of Finance, the following Resolution was adopted:

RESOLVED, That the Legislature in terms of section 9 of the Customs Ordinance, Chapter 309, confirms Order No. 47 of 1962 which was made on the 15th day of August, 1962, and published in the Gazette on the 18th day of August, 1962.

##### Item 1 (Supplementary Order Paper) - MOTION TO APPROVE FINANCIAL PAPER NO. 3/1962.

In terms of Standing Order No. 69(1), the Minister of Finance named the 10th of September, 1962, for the consideration of Financial Paper No. 3/1962 in Committee of Supply.

##### Item 3 - MOTION BY MR. d'AGUIAR RECOMMENDING FINANCIAL AID BY GOVERNMENT TO BUSINESS FIRMS AND INDIVIDUALS WHO SUFFERED LOSS BY FIRE ON FEBRUARY 16TH AND WERE NOT COVERED BY RIOT INSURANCE.

Mr. d'Aguiar moved and Mr. Cheeks seconded the following motion:

BE IT RESOLVED:

That this Legislative Assembly recommends that Government pay the amount of assessed loss suffered in the fires of February 16th by those business firms or individuals or owners of property who suffered loss or damage not covered by riot insurance provided that the amount is used to re-establish the business and reinstate the property as the case may be.



Suspension of Sitting

At 3.57 p.m. the sitting was suspended for tea.

Resumption of Sitting

At 4.34 p.m. the sitting was resumed.

Mr. Cheeks, Mr. Campbell and Mr. Wilson spoke to the motion.

Mr. Carter moved the following amendment which was seconded by Mr. Merriman who reserved his right to speak at a later stage:

Deletion of the words "pay the amount of assessed loss suffered in the fires of February 16th by those business firms or individuals or owners of property who"; and

Substitution of the words "extends long term credit facilities at a small interest rate to those small businessmen and/or owners of small property who as a result of the fires of the 16th of February, 1962,".

The Premier, Mr. Merriman and Mr. Mann spoke to the motion.

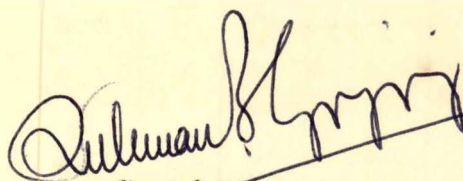
Mr. Burnham moved the following amendment to the amendment, which was accepted by Mr. Carter and Mr. Merriman:

Substitution of the words "accepts the principle of extending" for the word "extends".

The Minister of Finance was speaking to the motion when it was agreed to adjourn.

ADJOURNMENT

At 6.32 p.m. and on a motion by the Minister of Natural Resources, the Assembly was adjourned to 2.00 p.m. on Monday, the 10th of September, 1962.

  
Speaker.

PUBLIC BUILDINGS,  
Georgetown.

4th September, 1962.