

FIRST LEGISLATIVE ASSEMBLY

SECOND SESSION

1962 - 1963

MINUTES of the Proceedings of the 39th 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, 24TH MAY, 1963.

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 Agriculture, Forests and Lands.  
The Honourable Ram Karran,  
Minister of Works and Hydraulics.  
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 Home Affairs.  
Mr. L.E.M. Mann, Parliamentary Secretary to the  
Ministry of Education and Social Development.  
Mr. S.M. Saffee, Parliamentary Secretary to the  
Ministry of Agriculture, Forests and Lands.

(iii) Other Members

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. Komdall, Deputy Speaker.  
Mr. J. Carter, Q.C.  
Mr. E.F. Correia  
Mr. N.J. Bissember  
Mr. W.A. Blair  
Mr. R.S.S. Hugh  
Mr. J.G. Joaquin

Mr. R.J. Jordan  
 Mr. C.A. Merriman  
 Mr. H.M.S. Wharton

(ii) United Force  
 Mr. P.S. d'Aguiar  
 Mr. S. Campbell  
 Mr. R.E. Cheeks  
 Mr. E.E. Melville

Clerk of the Legislature - Mr. E.V. Viapree (Ag.)  
 Senior Clerk - Mr. B.M. Viapree

Absent:

Mr. G.L. Robertson - leave due to illness.  
 Mr. B.S. Rai.

PRAYERS

The Clerk read prayers.

ANNOUNCEMENTS BY THE SPEAKER

His Honour the Speaker stated that Mr. G.L. Robertson, Member for Leonora, had been granted one month's leave due to illness.

PRESENTATION OF PAPERS AND REPORTS, ETC.

While the Honourable the Premier and Minister of Development and Planning was addressing the Assembly, Mr. d'Aguiar interrupted to raise a point of order under "Privileges"; he referred to certain acts by some Members during the final stages of the previous sitting which he alleged were contemptuous of and disrespectful to the Speaker, as a result of a ruling given by him.

At this stage, Mr. Saffee rose on a point of order and submitted that the statement being made by Mr. d'Aguiar did not constitute a point of order.

His Honour the Speaker said it was the prerogative of the Chair to rule on a point of order that Mr. d'Aguiar was entitled to proceed.

Mr. d'Aguiar proceeded to exhibit certain photographs in the Guiana Graphic and Daily Chronicle of the 23rd May, 1963, showing the alleged contemptuous and disrespectful attitude of certain Members to the Speaker as he was passing through the Lobby.

At this stage, Mr. D. Jagan rose on a point of order and submitted that the alleged misconduct to which Mr. d'Aguiar was drawing attention, could be questioned only on a substantive motion under Standing Order 35(8).

Mr. Burnham interposed to say that it was not possible to determine whether Mr. d'Aguiar would not move a "Privilege Motion" under Standing Order 26 until he had finished his statement on the question of "privilege".

His Honour the Speaker said that he did not consider that Mr. d'Aguiar was raising the question under a motion of privilege in terms of Standing Order 26 as Mr. d'Aguiar had previously stated that every Member had the right to refer to breaches of procedure and practice and to direct any such breach to the attention of the Chair at the earliest opportunity. As regards Standing Order 35(8), this stipulated that the conduct of the Governor or Officer Administering the Government, Members of either Chamber of the Legislature, Judges of the Supreme Court or other persons performing judicial functions shall not be raised except upon a substantive motion moved for the purpose but when one read through the Order, one would find that it referred to conduct which perhaps bore upon the judiciary that might be limiting the Chair. It seemed to him that if any Member wished to refer to a breach of conduct by another Member, the Assembly should hear him and therefore Mr. d'Aguiar should be allowed to continue and be as brief as possible.

Mr. d'Aguiar further went on to say that the Members involved in the alleged acts of misconduct should not be permitted to participate in the business of the Assembly until they had purged themselves of such misconduct by an unequivocal apology, and that he would serve notices for the suspension of the services of the Members concerned depending on His Honour's ruling.

The Honourable the Attorney-General said that Mr. d'Aguiar had raised no point of order in connection with the "Presentation of Papers and Reports, etc." and if he had wished to raise a substantive motion for the suspension of Members the procedures were there for his guidance. He was greatly shocked and perturbed by Mr. d'Aguiar's naive attempt to prevent the business of the Assembly from proceeding in accordance with Standing Order 12, which was nothing else but clear obstruction and he did not think His Honour was justified in allowing it.

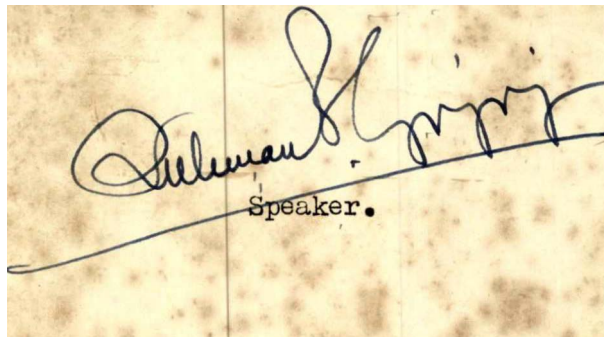
His Honour the Speaker said that there was no intention of the Chair to prevent the business of the Assembly from proceeding but he had allowed Mr. d'Aguiar to intervene because he had raised a point that where a breach of conduct had been committed in the Assembly, it was the right, and that right was incontestable, of any Member to bring it to the attention of the Chair. As far as the incidents referred to were concerned, it was a matter of disappointment to him and the Office he held that Members should have lost control of themselves. He understood that Mr. d'Aguiar would be prepared to move a substantive motion which would be ~~the best~~ <sup>one</sup> way to deal with the matter and let the Assembly decide.

By the Premier and Minister of Development and Planning:

Proclamation No. 8 of 1963 issued by His Excellency the Governor on the 22nd May, 1963, declaring the existence of a state of public emergency for the purposes of Article 14 of the Constitution of British Guiana.

#### ADJOURNMENT

At 3.00 p.m. on a motion by the Honourable Minister of Agriculture, Forests and Lands, the Assembly was adjourned to 2.00 p.m. on Tuesday, the 28th of May, 1963.



Speaker.

PUBLIC BUILDINGS,  
Georgetown.

27th May, 1963.