

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

[VOLUME 7]

**PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE NATIONAL
ASSEMBLY OF THE THIRD PARLIAMENT OF GUYANA UNDER THE
CONSTITUTION OF GUYANA**

27th Sitting

2 p.m.

Tuesday, 29th January, 1974

MEMBERS OF THE NATIONAL ASSEMBLY

Speaker

His Honour the Speaker, Mr. Sase Narain, J.P.

Members of the Government – People’s National Congress (50)

Prime Minister (1)

The Hon. L.F.S. Burnham, O.E., S.C.,
Prime Minister

Deputy Prime Minister (1)

Dr. the Hon. P.S. Reid,
Deputy Prime Minister and Minister of
National Development and Agriculture

Senior Ministers (7)

The Hon. H.D. Hoyte, S.C.,
Minister of Works and Communications

*The Hon. S.S. Ramphal, S.C.,
Minister of Foreign Affairs and Justice

*The Hon. H. Green,
Minister of Co-operatives and National Mobilisation

The Hon. H.O. Jack,
Minister of Energy and Natural Resources **(Absent)**

*The Hon. F.E. Hope,
Minister of Finance

*Dr. the Hon. K.F.S. King,
Minister of Economic Development

*The Hon. S.S. Naraine, A.A.,
Minister of Housing

The Hon. W.G. Carrington,
Minister of Labour

The Hon. Miss S.M. Field-Ridley,
Minister of Information and Culture

The Hon. B. Ramsaroop,
Minister of Parliamentary Affairs
and Leader of the House

*The Hon. Miss C.L. Baird,
Minister of Education **(Absent)**

*Dr. the Hon. O.M.R. Harper,
Minister of Health

*The Hon. G.A. King,
Minister of Trade

Ministers of State (9)

The Hon. M. Kasim, A.A.
Minister of State for Agriculture

The Hon. O.E. Clarke,
Minister of State – Regional
(East Berbice/Corentyne)

***Non-elected Ministers**

The Hon. P. Duncan, J.P.,
Minister of State – Regional (Rupununi) **(Absent – on leave)**

The Hon. C.A. Nascimento,
Minister of State, Office of the Prime Minister

The Hon. M. Zaheeruddeen, J.P.,
Minister of State – Regional
(Essequibo Coast/West Demerara)

*The Hon. C.V. Mingo,
Minister of State – Regional

*The Hon. W. Haynes,
Minister of State – Regional (Mazaruni/Potaro) **(Absent)**

*The Hon. A. Salim,
Minister of State – Regional
(East Demerara/West Coast Berbice) **(Absent)**

*The Hon. F.U.A. Carmichael,
Minister of State – Regional (North West) **(Absent)**

Parliamentary Secretaries (8)

Mr. J.R. Thomas,
Parliamentary Secretary, Ministry of Housing

Mr. C.E. Wrights, J.P.
Parliamentary Secretary, Ministry of Works and Communications

Miss M.N. Ackman,
Parliamentary Secretary, Office of the
Prime Minister and Government Chief Whip **(Absent)**

Mr. E.L. Ambrose,
Parliamentary Secretary, (Agriculture),
Ministry of National Development and Agriculture

Mr. K.B. Bancroft,
Parliamentary Secretary (Hinterland),
Ministry of National Development and Agriculture

***Non-elected Ministers**

Mr. S. Prashad,
Parliamentary Secretary, Ministry of
Co-operatives and National Mobilisation

Mr. J.P. Chowritmootoo,
Parliamentary Secretary, Ministry of Education

Mr. R.H.O. Corbin,
Parliamentary Secretary, Ministry of
Co-operatives and National Mobilisation

(Absent – on leave)

Other Members (18)

Mr. J.N. Aaron
Mrs. L.N. Branco
Mr. M. Corrica
Mr. E.H.A. Fowler
Miss J. Gill
Mr. W. Hussain
Miss S. Jaiserrisingh
Mr. K.M.E. Jones
Mr. M. Nissar
Dr. L.E. Ramsahoye
Mr. J.G. Ramson
Mr. P.A. Raymon
MR. E.M. Stoby, J.P.
Mr. S.H. Sukhu, M.S., J.P.,
Mr. C. Sukul, J.P.
Mr. H.A. Taylor
Mr. R.C. Vansluytman
Mrs. L.E. Williems

(Absent – on leave)

Members of the Opposition

Liberatory Party (2)

Mr. M.F. Singh, Deputy Speaker
Mrs. E. DaSilva

OFFICERS

Clerk of the National Assembly – Mr. F.A. Narain

Deputy Clerk of the National Assembly – Mr. M.B. Henry, AMBIM.

29.1.74
2.15 p.m.

National Assembly

2.15 – 2.25 p.m.

PRAYERS

ANNOUNCEMENT BY THE SPEAKER

Leave To Members

The Speaker: Leave has been granted to the hon. Prime Minister to the 12th February, to the hon. Member Mr. Duncan to the 11th February, to the hon. Member Mr. Corbin and to the hon. Member Mrs. Willems for today's sitting.

PRESENTATION OF PETITION

PRIVATE BILLS

THE WESLEYAN CHURCH

The Speaker: Hon. Member Mr. Aaron.

Mr. Aaron: Mr. Speaker, I beg to move a Petition on behalf of the General Missionary Superintendent of the General Board of the Foreign Missions of the Pilgrim Holiness Church Corporation seeking to have introduced in the Assembly a Private Bill to incorporate the Wesleyan Church.

The Speaker: The Clerk will read the petition.

The Clerk read the Petition as follows:

“GUYANA

PETITION TO THE HONOURABLE MEMBERS OF THE NATIONAL ASSEMBLY

THE HUMBLE PETITION OF THE PILGRIM HOLINESS CHURCH

RESPECTFULLY SHEWETH –

1. That Your Petitioner is a body corporate incorporated under the Pilgrim Holiness Church Ordinance (chapter 224 of the 1953 Edition of the Laws):
2. That on the 10th of October, 1968, a new Church was formed called “THE WESLEYEN CHURCH” to carry on the work formerly carried on by the Wesleyan Methodist Church of America and the Pilgrim Holiness Church throughout the world.
3. That movable and immovable property in Guyana have from time to time been acquired for use by, or in connection with the work of the said Pilgrim Holiness Church;
4. That Your Petitioner is desirous that all of the aforesaid property may lawfully be used by the said Wesleyan Church to the intent that the work of the said Pilgrim Holiness Church may be carried on without interruption and of promoting a Bill to establish a local Board of Trustees to hold all such property and for purposes in connection therewith;
5. That the objects of the Bill are to incorporate the Board of Trustees, to replace the Pilgrim Holiness Church by the Wesleyan Church and to provide for other related and incidental matters thereto which are considered desirable and expedient in the interests of the said Pilgrim Holiness Church and the said Wesleyan church.
6. That the provisions of the Bill have been approved by the said Pilgrim Holiness Church and the said Wesleyan Church.
7. That the provisions of the Bill have been approved by the said Pilgrim Holiness Church and the said Wesleyan Church.
8. That a copy of the Bill is hereto annexed.

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9. That Your Petitioner humbly requests that he Honourable Members of the National Assembly be pleased to permit the introduction of the bill and to enact the same.

WHEREFORE YOUR PETITIONER AS IN DUTY BOUND
WILL EVER PRAY

Dated the 22nd day of January 1974

THE PILGRIM HOLINESS CHURCH

(sdg.) C.J. Knuff

Attorney

The General Missionary Superintendent for the Time being of

(sgd.) C.J. Knuff

Attorney

The General Board of the Foreign Missions of the Pilgrim Holiness Church Corporation.”

The Speaker: In accordance with Standing Order No. 57(4) I will now put the Question.

Question –

“That the Promoter be allowed to proceed”,

put and agreed to.

The Speaker: The Promoter may accordingly proceed.

THE UNIVERSAL CHURCH OF SCIENTIFIC TRUTH

The Speaker: Hon. Member Mr. Van Sluytman.

Mr. Van Sluytman: I beg to lay before this House a petition on behalf of the Reverend doctor Walter Sydney Bayley of 111 Leopold Street, Werk-en-Rust, Georgetown, seeking to have introduced in the Assembly a Private Bill to incorporate the Universal Church of Scientific Truth, and ask that the Petition be read the First time.

Mr. Speaker: The Clerk will read the Petition.

The Clerk read the petition as follows:

“GUYANA

County of Demerara

In the matter of:

The Universal Church of Scientific Truth (Incorporation Bill, 1974.

To:

His Honour the Speaker and the Honourable Members of the National
Assembly

PETITION

THE HUMBLE PETITION OF THE REVEREND DOCTOR WALTER SYDNEY BAYLEY of 111 Leopold Street, Werk-en-Rust, Georgetown, County of Demerara.

1. That your Petitioner is the pastor, Founder and Head of the Universal Church of Scientific Truth in Guyana (hereinafter referred to as the Church).
2. That the said Church was established in Guyana on the 23rd day of February, 1955 at lot M Hadfield Street, Wortmanville, Georgetown.
3. That the said Church has a total membership of Five Hundred and Three (503) members who believe that god is Omnipresent, Omniscient and Omnipotent and that the Father, Christ and the Holy Spirit and that Invisible, Imperishable and Eternal.
4. Your Petitioner and his Brethren also believe that Man is created in the image and likeness of God, that human thoughts is creative and therefore fear, wickedness, aggression, sickness, and evil result from the violation of mental and spiritual laws.
5. The philosophy of the Church also inculcated that all healing emanates from the individual and that Spiritual Healing is the result of exact law which can be operated scientifically.
6. True Democracy, according to the belief of members, comes by liberating the Divine in all men and by exalting the diving Self or Christ in all men; further that the Kingdom of Heaven in attainable here on earth.”

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2.30 p.m.

7. Finally, Brethren of the Church believe that the true goal of every individual is to attain Perfection and that man's progress during his sojourn on earth is determined by the degree of love he is able to manifest and express toward god, his fellowmen and all God's creation, since "Love is the fulfilling of the Law."

8. There is one (1) place of worship situate at lot M. Hadfield Street aforesaid.

9. The objects of the Bill are, inter alia, to incorporate the Universal Church of Scientific Truth with a right to determine its own affairs through or by a Board of Trustees, to acquire and dispose of property and to provide for other matters relevant to the administration of the said Church.

10. That it is proposed that all person who immediately before the incorporation o the said Church were members should not be prejudiced in any way whatsoever.

11. That your Petitioner has the unanimous approval of the members of the Church to promote the instant Bill, a copy of which is annexed hereto.

12. That your Petitioner humbly requests that he Honourable Members of the National Assembly be pleased to permit the introduction of the bill and to enact the same.

WHEREFORE YOUR PETITIONER AS IN DUTY BOUND WILL EVER PRAY.

Dated the 19th day of January, 1974.

(sgd.) Walter Sydney Bayley
Pastor & Head of Church,
The Petitioner.

The Speaker: In accordance with Standing Order No. 57(4), I will now put the question.

Question –

“That the Promoters be allowed to proceed with the Bill”,

put, and agreed to.

The Speaker: The Promoters may accordingly proceed

PUBLIC BUSINESS

BILLS – SECOND READING

SLAUGHTER OF CATTLE (CONTROL) BILL 1974

A Bill intituled:

“An Act providing for the control of the slaughter of cattle.”

**[The Deputy Prime Minister and Minister of
National Development and Agriculture]**

The Deputy Prime Minister and Minister of National Development and Agriculture (Dr. Reid): Mr. Speaker, in presenting the Second reading of this Bill I should like to made a few remarks.

This Bill has come to this House at this time because a great effort is being made to develop the livestock industry in Guyana.

All though the years livestock development has not been properly organized and for the first time this is being arranged through assistance for the International Bank of Reconstruction and Development and the efforts of our local expertise and technicians.

If we are to ensure that development does take place in the livestock industry we have to discipline ourselves and co-operate with this development. In this pursuit of livestock development we may even suffer a shortage of beef. For some time now we have been giving notice that this would happen and that the people of the country would have to turn to other available protein, for example, poultry meat and fish.

It is good to note that that there is self-sufficiency in poultry meat. Since this is so, we ought to be able to supply ourselves with good quality and a quantity of protein and give our beef production a change to develop.

In some countries with even larger cattle population, for instance, Columbia there are several days in the week when people must go without beef. Guyana has not instituted any such programme but we do realize that because of this advancement in the development of beef, cattle there will most likely be less cattle for slaughter.

What, however, is of great concern is that at this time when we need every animal that that can contribute to this development there is indiscriminate slaughtering of animals that should not be slaughtered. Probably there are all sorts of reasons for doing this. Notwithstanding those reasons, Guyana has set a goal to develop itself and hence must at, every stage, be prepared to pay the price of development because development has a price.

We have made the decision that we must develop and development must proceed now, hence we cannot put off or postpone this measure which is before the House. In 1973, 58.5 per cent of the animals slaughtered at the abattoirs were females. In October of that same year it was well above average, some 77 per cent. It is not possible to give the exact number of calves

slaughtered as the abattoirs do not keep this type of record. When I talk of calves I am thinking more of female calves.

In our mechanics of livestock development we are endeavouring to do the best with our own resources. It would probably have been beyond our reach if in this development programme we should have imported all the additional animals that we need. This would have been indeed a very expensive exercise, too expensive for us to have even initiated the programme for in some of the developed countries all the goods and services are very expensive

2.35 p.m.

It is not unusual to learn that one good breeding animal can cost thousands of dollars. In working out this plan the decision was made that we would use our own livestock and grade them up in such a way that in time we will have increased production and better quality of animals. Hence, we need to conserve the animals that we have in this country and to do all we can to dissuade people, in one way or the other, from slaughtering animals that can be used in the breeding programme to assist in the development of the livestock industry.

This Bill before the House is dealing with just two categories of cattle; (i) calves, and (ii) any cattle of the female sex. The calf must be of a very young one with less than one permanent incisor tooth; and the female animal, the cow must be one that is still capable of producing calves. If this Bill is passed, should any person attempt to violate the law in these two specific categories, sanctions would have to be imposed.

We must remember that any measure for development will affect people one way or the other, and it is not expected that a new measure like this would not affect some people adversely. I do not think there is going to be any measure that will promote development that would not affect some people, however few, adversely. I am satisfied in my own mind that for some few

[Dr. Reid continued]

there will be some amount of hardship. But as I said a while ago, development has a price, and, if we are to develop, that price must be paid.

For instance, it would be somewhat inconvenient for a man after slaughtering any cattle to retain the skin and the head; they do this in some cases. But in this case it would be an additional number of heads that they will have to keep, an additional number of skins, and they will have to keep these parts for some forty-eight hours. We hope that with the Amendment that is proposed for this special clause 4 it would be less burdensome, so that instead of keeping the entire head we would request that the skeleton of the head be kept, that there will be no real loss. You can debone the head, take out all the useful meat and then withhold the head, because it is the skeleton of the head that will show the teeth and thus we can decide on the age. Of course, there is not great difficulty in keeping the skin because we have not reached the stage where we consume the skin as food; it is kept for tanning in some cases. But the skin is very important because it is on the skin that you would see the brand, and this would help in other ways. We are plagued with cattle rustling and probably this would be another way to assist in the prevention of cattle rustling, or identifying some of the people who are too disposed to reap what they do not sow.

To do this the Veterinary Officer and a police constable must be given some additional authority. We realise that it might be useful for more prompt work to have not only Veterinary Officers and police constables but also Agriculture Assistants doing this.

I am very grateful to my friend on the opposite side for taking such pains in studying this bill very carefully and bringing to our attention some Amendments that can improve this Bill. I should want to recognise that gratitude at this stage because he thought that there might be severe losses if we had to keep the entire head of the animal, persons might have lost the meat from the head. We will debone the animal, get the meat of and you can use the meat. That is how we come to the point where we will have the skeleton. Since it might have created some hardship in

getting the inspection done promptly we have included Agricultural Assistants to assist in the matter.

It is hoped that the cattle dealers, the butchers etc., would give reasonable assistance to the Veterinary Officers and their assistants. They will also have power or authority to seize the carcass and other things if they believe that there is a contravention of the law. This is as expected. You could not have a measure like this unless they have some authority to seize the carcass and other things, so that they would be in a position to identify the age of the animal. If it is a young animal, not having that first incisor tooth, then the person would have contravened the law.

In considering the livestock dealers, the farmers and butchers, we have taken care that even if a sample is taken the owner of that sample shall be entitled to compensation. So great consideration was given to livestock dealers and producers. But at the same time, no person will be allowed to obstruct a Veterinary Officer, a police constable, or Agricultural Assistant in the exercise of his functions under this Act. This is as it should be.

2.45 p.m.

If in their questioning they should discover any misleading statement, then the person can be charged for giving a false or misleading statement. Then, of course, there will be penalties for offences and things of that kind and a fine of not less than \$500 nor more than \$1,000 and to imprisonment for not less or more than twelve months, in the case of the first conviction, will be imposed. Of course, the penalty will be a little heavier if you allow yourself to be convicted a second time.

As we proceed to bring this Act into being and to carry out the mechanics of it all in the field, we will come across injured animals and the authority will allow people to slaughter there when they are satisfied that the animals were injured by accident or so forth.

[Dr. Reid continued]

In dealing with cows those that, probably, cannot breed and those that he farmer might wish to get rid of because they are not productive, then it would be the business of the Veterinary Officer or Agricultural Assistant to ensure that these animals really are not productive we have various examinations that they can carry out to ensure this.

Now and again you will come across an animal that is scrub and is uneconomic to keep. The Inspectors will ensure that they identify such animals and make a decision of what should be done.

In all that we are doing care is being taken in this Bill not to encroach upon the authority that they Public Health Officers already have so there is no question of any conflict. Public Health Officers have certain duties by law to perform and this Bill will in no way erode their authority.

I hope that I have said enough to let us all realize how important a measure this is in helping to further the development of the livestock industry in this country of ours.

Question proposed.

The Speaker: Hon. Member, Mr. Feilden Singh.

Mr. M.F. Singh: Mr. Speaker, there is no doubt that at the present time in Guyana in order to preserve and, indeed, to foster the cattle industry, there is the necessity to enact legislation to control the indiscriminate slaughter of certain categories of animals. I think the Government should be commended for bringing measures such as this before this honourable House. There is also urgent need to do everything possible to prevent cattle stealing which is not so prevalent in Guyana.

However, Mr. Speaker, there are certain aspects of the proposed legislation which I would urge the hon. Minister to reconsider. We want everyone involved in the cattle industry to co-operate; we want them to be involved in this legislation; we do not want to be antagonized but we should really try to do whatever we can to get the co-operation of all and sundry involved in the cattle industry.

I shall go on to amplify the certain aspects of the proposed legislation which I should like the hon. Minister to reconsider and I shall start by giving, perhaps, a brief outline as I see the position.

The primary purpose of this Bill before the House is to prohibit the slaughter, without permission, of young cattle and female cattle. While he was on his feet, the hon. Minister added a rider: "Female cattle still capable of producing calves" were his words. So we do have that qualification even though it is not inserted in the legislation, but we are glad for that amplification.

It is estimated that there are about 600,000 head of cattle in Guyana. Of these, about half are estimated to be females and of the other half about one-third are estimated to be young, that is, below eighteen months and are caught by the provisions of this proposed legislation. So we see that the Bill, if enacted, would affect about two-thirds of the entire cattle population.

Let us look at the position on the big ranches and then we will look at the position along the coastland and in the smaller areas. On the large ranches, for example in the Rupununi, there are perhaps about 30,000 to 40,000 head of cattle. Perhaps, about 20,000 of these would be females. As I understand it, every year there is what is known as a 'round-up'. I remember my days of reading cowboy stories and comics. I think we all know what a round-up is. As I understand it, the purpose of a round-up is not only to take an inventory of the cattle but also to find out what female cattle there were that have been running with bulls for a year and a half to two years and have not produced any calves. Maybe it would be a longer period than that; I do

not know the mechanics and do not claim to be a Vet. The time may vary but there would be cows that would have been running with bulls – as the hon. Deputy Prime Minister has himself admitted – which have not produced any calves. These would have been taking up valuable land space and feed. In terms of economic in the cattle industry, they would be uneconomical and they would, therefore, have to be separated from the main stream of cattle, put aside, perhaps fattened, and then slaughtered.

Also, in the process of this round-up, one would expect that cattle would be injured. The cowboys would be chasing their cattle around and there would be injuries so there would be the necessity, which I understand obtains now, to slaughter cattle so injured. Some of these may come within the category of cattle now sought to be prohibited from slaughter except with written permission. There would also be barren cattle. In big ranch of about 20,000 head this may easily number about 500 head.

This slaughtering of 500 head obviously cannot be done at one time. It would have to be phased and, as I understand it, it is normally phased over the succeeding year so that you have slaughtering of the barren cows, together with the others, on a phase basis. All these barren cows would require, under this proposed legislation, a written permission. The point we have to bear in mind is that in order not to impede the economic working of the ranch, in order to have the smooth and expeditious running of the ranch continue, we would need to have machinery whereby, for example, this written permission for say these 500 head of cows to be slaughtered could be easily and expeditiously obtained.

2.55 p.m.

Now, who are the person who would give this written permission? We look to the original provisions of the Bill. The original provisions of the Bill say that it can be given by a veterinary officer, and ‘veterinary officer’ is defined in the interpretation clause as being “the Principal Veterinary Officer and includes any veterinary officer”. The Minister’s Amendment

[Mr. Singh contd.]

comes in the here to enlarge it to include “livestock officer or livestock assistant.” The clause will now read: “any veterinary officer, livestock officer or livestock assistant of the Department of Agriculture. It is confined to the Department of Agriculture “authorized in writing by the Principal Veterinary Officer to perform the functions of the Principal Veterinary Officer”. So we see clearly that the category officers who can give this permission is limited to a certain set of officers within the Department of Agriculture.

I noticed that the hon. Deputy Prime Minister spoke of agricultural assistant”. I presume that may well have been a slip of the tongue because the Amendment says, “livestock officer or livestock assistant.” If the intention was to make it “agricultural assistant”, I would be very happy because – [Dr. Reid: “No. That was a slip of the tongue.”] – if we look at the Estimates for 1974, we would see that the factual position is in respect of people who can in fact give this permission. There is one Principal Veterinary Officer. We all know that that gentleman, whoever he maybe, is normally involved in very heavy administrative duties. He is called upon to attend very important conferences out of the country and there are many occasions when he would not be in the country. Of course, there would be somebody acting in his place, but the number of officers would be decreased.

There is one Principal Veterinary Officer, then there are seven Veterinary Officers, and we all know that Veterinary Officers have to go on leave at some time or other. Even if they spend their leave in Guyana they are entitled to leave and they will go on leave; whatever passage entitlement is left over, they will have the matter is that at any point of time one of the officers will be on leave so, immediately, we cut out for day-to-day practical purposes the Principal Veterinary Officer and one Veterinary Officer. Who are these people whom it is now sought to include? The Livestock Officer and Livestock Assistant!

In the Estimates, there is one Livestock Officer and my information is that he is stationed at Mon Repos. Indeed, his duties are full time there. How many Livestock Assistants are there?

Again, I am reading from page 69 of the Estimates there are five Livestock Assistants. I understand most, if not all of them, are in the Rupununi, at again if my information is correct at least three of them are stationed at one ranch in the Rupununi.

How many people do we have who can give this necessary permission? How many people are there to service the coastland and the interior areas? For all practical purposes it amounts to perhaps six Veterinary Officers and six Livestock Officers, that is twelve people to service the entire country. One wonders: is this really enough? The opinion has been expressed that in view of all the circumstance, this number really is not enough to service the whole country. But then, one has to ask the question why do we have to confine it only to the vets in the Department of Agriculture? Why should it not be, “duly registered veterinary surgeons” as one existing law has it?

In fact, most of our veterinary surgeons outside of the Department of Agriculture have served Guyana in the capacity of Chief Veterinary Surgeon. They have given dedicated service to Guyana, and I am sure that all would agree that they are men of unquestionable honesty and integrity, men with professional ethics first and foremost. We have men like Dr. Hugh Fraser, who was formerly Principal Veterinary Officer. That was not the designation at the time but it was the equivalent. There are men like Dr. Byrne, who was occupying a similar position. We have men of integrity like Dr. Reid, who, one of these days, may be outside practicing his profession: he would be excluded from the main stream here. Why should he exclude men of such caliber, men of such capacity and integrity?

Even a man like Dr. Frank Mongul, who is now with the Ministry of Health, is excluded. Another man in private practice, Dr. Persaud, is excluded. Men like Dr. McKenzie, former Chief Veterinary Officer, who is now with the Cattle Development Scheme, would be excluded, unless you say that he is merely on secondment and is still, therefore, a Veterinary Officer of the Department of Agriculture. So will other people be excluded.

We have here a United Nations sponsored Australian cattle expert, Joe Ritzen, and his assistant with that famous name, Robin Hood. They have the reins of this cattle development scheme in their hands and they will be excluded from it.

When any of these vets want permission for barren cattle to be slaughtered, these worthy gentlemen, these professional gentlemen – those who are professional gentlemen – these qualified men of undoubted integrity, these men who have served Guyana so well in the past, they may well have to go to, as the Amendment states, the Livestock Officer or Livestock Assistant. Professional men will have to go to a Livestock Assistant to obtain that certificate to say that cattle are barren and therefore can be slaughtered. I think it is something that is worthy of reconsideration. Why should they, professional men, have to go to a Livestock Assistant to ask for permission? Even the existing law gives them the kind of recognition which one would have to respect.

3.05 p.m.

If, for example, we look at the Summary Jurisdiction (Offences) Act, Chapter 8:02, section 184(1) we will see how their professional status is recognised.

Section 184(1) of the Summary Jurisdiction Offences Act, chapter 8:02 states:

“If a police officer or constable finds any animal so diseased or so severely injured or in such a physical condition that, in his opinion, having regard to the means available for removing the animal, there is no possibility of removing without cruelty, he shall, if the owner is absent or refuses to consent to the destruction of the animal, at once summon a duly registered veterinary surgeon that the animal is mortally injured, or so severely injured, or so diseased, or in such a physical condition, that it is cruel to keep it alive, it shall be lawful for the police officer or constable, without the consent of the owner to slaughter the animal, or cause, or procure it to be slaughtered.”

[Mr. M.F. Singh contd.]

So that the general law recognised the position a long time ago. The law recognised the integrity and the importance of these duly registered veterinary surgeons. It recognised their importance. Power is given in the general law for him to issue a certificate in particular circumstances. In particular circumstances he will issue a certificate to cause the animal to be destroyed and the police constable, on his certificate, has a duty, an obligation to do so. If the man is so recognised why is it we are excluding him from the provisions of this law? He is a professional man with professional ethics. As I said the majority of these people have served Guyana very well in the past.

I urge the hon. Minister to include them in this legislation - to include them in the general scheme of things-have them involved. After all let us understand that these men must realize that in order to run the cattle industry economically the provisions that are set out in this law will have to be observed without there being a law. If you slaughter breeding cattle, you are prejudicing your chances of survival as a viable economic industry. If you slaughter young cattle you are also doing the same thing. If you are to run an industry properly, economically, then you must, on your own without legislation, observe the provisions laid down in this law.

This legislation is mainly to control the indiscriminate slaughter by the bandits. We know who they are. We are not aiming at those people who are running an industry on an economic basis. We want to catch the bandits. Do not penalize other people. Let us gear the legislation in such a way that we can really catch those people who are doing such serious damage to the cattle industry. Again, I urge the hon. Minister to include these people.

I should like a second category of people to be included, but only in special circumstances. As I said before, at the present moment there are at the most twelve classified officers through the length and breadth of Guyana. One butcher did make the point very forcibly in one of the daily newspapers, that there may be circumstances which would require an animal to be slaughtered almost immediately. An animal maybe hit by a vehicle; it may be seriously

injured. In those circumstances could the hon. Minister not stretch it a little bit and allow the meat Inspectors to give the written permission in those emergency circumstances not otherwise?

At the present moment the Meat Inspector has to inspect the meat of animals slaughtered. He has to pass it as fit for human consumption. In view of the fact that it might well be difficult to get one of these classified officers in cases of emergency, I urge the hon. Minister to consider giving to the Meat Inspectors the authority to issue the written permission to slaughter an animal in cases of emergency. After all, they are at the present moment performing a very, very important function. They are the ones who decide whether that meat can be eaten by yes or not. If they say, No, unfit for human consumption away the meat goes. It cannot be eaten. It is an important power they have now. Are we really giving them something so very, very much more important if we give them the power under emergency conditions to write the written permission to slaughter the animals? If the hon. Minister wants to keep it within the department of agriculture, fair enough. I have no objection. Then, let us give it to the Agricultural Officers.

They are scattered throughout the country, according to page 69 of the Estimates, 32 Agricultural Officers. If we do not want to give them the authority to the Meat Inspectors, give it to the Agricultural Officers. In cases of emergency let the Agricultural Officers have the power to issue that certificate to permit the slaughter of the animals.

I am not particularly concerned about the particular person to whom that you give the permission. My concern is that if an animal is injured and it needs to be destroyed very urgently, then there should be some person easily accessible who can give the written permission. I am presupposing, of course, that the animal falls within the category covered by the proposed legislation here. If it is such an animal then that officer, whether it be the Meat Inspector or the Agricultural Officer, must be easily available to give the written permission.

If the hon. Minister accepts these recommendations then it would be a matter of changing the interpretation clause and certain other consequential amendments. I have not attempted to

put forward Amendments because I should like the hon. Deputy Prime Minister to indicate his acceptance of what I am promulgating at the present moment.

If we turn to Clause 4 of the proposed legislation there is already legislation in fact to deal with the retention of skins.

The provisions of section 14(1) of the Cattle Stealing Prevention Act, chapter 9:03 states:

“Everyone who slaughters or causes to be slaughtered in any place other than the Georgetown market any buffalo, bull, cow, ox, steer, heifer, calf, ram, ewe, sheep, lamb, goat, or kid shall be bound to keep the skin of the animal for forty-eight hours after it has been slaughtered, and shall during that time be bound to produce the skin to any member of the police force or constable requiring to see it.”

So that we have existing legislation to enforce the keeping of the skin for 48 hours. We are expanding it now to apply not only to police constables but also to the veterinary officers.

3.15 p.m.

I am very happy to note that the Amendment would change “head” of the cattle to “skeleton of the head (including the horns)”, so that the slaughterer would be able to strip the meat off the head and have it for use.

But I am still of the view that the legislation can serve a more useful purpose if there is the compulsion to keep the skin of the cattle and the skeleton of the head together. I am thinking of the prevalence of cattle stealing and the enforcement of the present legislation. When you examine the skeleton of the head you will find whether one permanent incisor tooth is present. But then there is a question of proof in the courts. Would it not be an easier matter if you can correlate that head with the skin? The identification is really on the brand when the skin would carry. Therefore, if you have the brand on the skin and the skin together with the head, you can take a case to the Court and say, “Look, this is a young animal, it should not have been

[Mr. Singh continued]

slaughtered.” But whose animal is it? How do you prove identification? How do you bring those cogent facts before the Court to actually prove the identity of the animal? It may well be done without the skin, but I am saying that if the men has to keep the skin and the head for forty-eight hours would it not be more advantageous if we merely put in the word “together “ so that it would read:

“Where a person slaughters or cause to be slaughtered any cattle, he shall retain the skeleton of the head including the horns of the cattle together.”

Put in the word “together” so that they can be kept together. It seems that the law enforcement officers would have a much easier time if they can take not only the head, which does not have the particular tooth, but also the head with the skin, which carries a particular brand in order to really identify that animal before the Court.

Another matter which commend for the consideration of the hon. Minister is that he skeleton of the head could be disposed of before forty-eight hours provided it has been examined by the proper officer. I am thinking in this case of congestion in the place of slaughter. If the head has been examined by the proper officer, if he is satisfied about it, unless there is some particular cause that I cannot think of, there seems to be no reason why the head should be continued to be kept for the remainder of the forty-eight hours. It might well be that the hon. Minister can insert the in the legislation a proviso saying that if the skeleton of the head has been examined by the proper officer it may be disposed of before the expiration of the forty-eight hours. I commend that for the consideration of the hon. Minister.

I should like to make one last point so that he records can be straight. There is at the moment existing legislation dealing with the slaughter of animals in certain circumstances. I gather that it is the view of the law officers that these provisions deal with special cases and that the proposed legislation containing, as it does, general provisions does not interfere with the special provisions. Therefore, what is being said is that the existing legislation dealing with

special circumstances will not at all come into collision with the legislation now being sought to be enacted. I have given one example already, the case where a Veterinary Officer, duly registered, may give permission in his certificate under special circumstances to a police officer to destroy an injured animal. There is also the provision in section 20 of the Animal diseases Act, Chapter 71:02 that –

“That Chief Agricultural Officer may cause any animal infected with disease or any animal having been in the same stable, shed, pen, herd, or flock or in contact with any animal infected with disease, in any part of Guyana, whether declared to be an infected areas or not to be slaughtered, in order to prevent the spread of diseases.”

The Chief Agricultural Officer has the power under this Animals Diseases Act to order the immediate slaughter of an animal. There is no question of certificates according to the interpretation of the law officers. Section 21 of this same Animals Diseases Act reads as follows:

“Any animal slaughtered under the provisions of the last preceding section, or which may die after becoming infected with diseases, shall be buried or disposed of as soon as possible in accordance with any order in force.”

The view is that the present proposed legislation will not at all come into collision with these specific provisions of the existing law dealing with specific circumstances. We hope that the officers administering the law are of the same view also.

Lastly, I should like to mention in the strongest possible terms the present wave of cattle stealing in the country. I know the hon. Minister himself is concerned about this. I have had so many cases of cattle stealing reported to me. I should like to urge the hon. Minister to re-double his efforts and to take the strongest possible measures to curb the present wave of cattle stealing in Guyana. Indeed, I commend to him the provisions of the Cattle Stealing Prevention Act, Chapter 9:03. Under this Act, areas where cattle stealing is prevalent can be declared “emergency areas” by the Minister.

[Mr. Singh Continued]

3.25 p.m.

It is dealt with in Section 24 of the Act which states:

“The Minister may, where he is satisfied that the prevailing circumstances in any area of Guyana requires additional measures to be taken for the suppression therein of cattle stealing, by order declare that area to be a cattle stealing emergency area and thereupon a magistrate shall during the continuance of the order, have jurisdiction to hear and determine any charge of larceny of cattle or receiving stolen cattle committed within such area, and notwithstanding any written law to the contrary, may impose on any person guilty of any such offence a penalty of three years imprisonment.”

I think it is time the hon. Minister considered putting the provisions of this Cattle Stealing Prevention Act into operation. There are areas like the Essequibo Islands and the Parika area. Indeed, one person reported to me the prevalence of cattle stealing in the West Coast Berbice area. The hon. Minister will have at his disposal the police reports on these matters but I would urge him to put into operation the provisions of this Act so that we could, once and for all, put a curb on this disgusting practice which is placing havoc in the cattle industry at the present moment. We want to curb cattle stealing and we want, also, to have the co-operation and the involvement of all interested parties in the carrying out of this proposed legislation. That is why I have enumerated these points for the kind consideration of the hon. Deputy Prime Minister.

The Speaker: Hon. Deputy Prime Minister.

Dr. Reid (replying): Mr. Speaker, I want to thank my friend for the observations he has made. I have already indicated that he has been very helpful in this measure. He has taken a keen interest in it and we have two Amendments so as to make it even better legislation.

As far as cattle stealing goes, we are deeply concerned with that and at this very moment additional work is being done so that before long we will have some new legislation other than

what is already in force so that we will be able to curb and prevent cattle stealing in this country. Of course, our great interest in the livestock development in Guyana must also take into account cattle rustling which I have mentioned. Even this legislation that is before the House will in some way assist to curb cattle rustling.

I am certain my friend has his figures about the cattle population in this country from some uniformed person and I am certain, too, that he is not deliberately misleading this House knowing him as I do because he has given our cattle population as 100 per cent more than it is. We have, from our most recent census, not many more than 250,000 head and there is no ranch in Guyana that has 40,000 cattle. In the Rupununi itself where we have some of the largest ranches I think the maximum in any one ranch will be about 25,000 cattle.

Concerning cattle injured when they are rounding up – as the hon. Member described it so aptly – this is an administrative matter and I cannot see why, if this is properly organized, the manpower now cannot take care of handling some animals that will have to be examined to see if they are non-productive or not. From the information I have received from the men who will manage the scheme, they are in a position to deal with this matter properly. We must not forget that any Police Officer can also be involved in these exercises. All we have to do is to mobilize and plan properly and as long as this is organized one man can examine a lot of cattle in eight hours or even twenty-four hours, if needs be. We must also include in the manpower all the men who work in the Livestock Development Company who are Livestock Officers and Livestock Assistants. We did not include the general Agricultural Officer because we need men who have some expertise in dealing with cattle.

The hon. Member made a point about a Livestock Assistant having to have discussions with Veterinary Officers and to make a decision when a Veterinary Officer is present. I do not think in these days we look at that kind of relationship any more as one man being superior to the other because he is a professional. What we need here is functional authority and the Livestock Assistant or the Livestock Officer would have a functional authority, and it is useful in this

country that we have regard to that. When a man has a functional authority, even if he is a Police Constable, and he gives a direction we must carry out that direction. That is all part of our discipline in growing up.

I want to remind the hon. Member that this legislation, as I said before, does not erode laws that are already in action. No current law is interfered with. So the Meat Inspector can do his work, the Public Health Officer involved in this can carry on his work, the police, in cases where there is need to call a private Vet to do some work, can do that. Especially in cases where an animal is injured in an accident on the road the policeman is the man who will be on the scene and he has authority under this legislation to assist.

The hon. Member has made quite a stand on the identification of the animal but I believe that he has not read very carefully Clause 4 and all I wish to do not is to draw his attention to Clause 4. Probably he will then agree that all that he has been saying is actually in Clause 4 which reads:

“Where a person slaughters or causes to be slaughtered any cattle he shall retain the skin and head of the cattle for forty-eight hours after it has been slaughtered and during that veterinary officer or a police constable.”

I would think if we are going to mix them up we would have to say “skin and heads” but as long as we say “the skin” it means a particular skin and a particular head, “The skin” can only come from one animal. I have never seen a cow with more than one skin so when we say “the skin” I take it for granted that it is referring to one particular animal. We are dealing with “the skin” of the animal and “the head” of the animal. And thus that item takes care of that. The interpretation from our legal officers is that this takes care of what are friend is so concerned about.

We would like to point out that if the principal Veterinary Officer is to manage this scene efficiently and effectively, he in turn have authority over the staff that would function under his

direction. And if we refer to the Customs Act we note that particular care is taken in that work to only made use of people over whom they have complete authority. This is very important in this exercise, this is not the ordinary illness of animals. This is involving a lot of business and I would not like to know that we have any person whose professional integrity we have to strain.

3.35 p.m.

I want to explain.

If a man like Dr. Fraser, who is part of the Rupununi Development Company, were to go up to Rupununi to advise us what to do, that would be putting a strain on Dr. Fraser, The same thing goes for anybody who is employed by these companies. It is unfair, I think, to put that type of stain on person where he would be acting in a background of dual loyalty. Further, even if we were to take them in, they would not add to the numbers.

I think the provisions here can be carried out very effectively once these men, who have indicated that they are capable of doing this work, get out in the field and do the job that has to be done, even if they have to spend two or three days on a ranch, if it is large, when the rounding-up is taking place. And we do not have many of those ranches. They are all small ranches up to now. In time, as we develop the livestock industry and we get more and more ranches, we will get more men attached either to the Livestock Development Company itself or to the Ministry of National Development and Agriculture. Thus in the future, we are assured that we will have enough bodies to carry out the work.

I am very grateful for all the remarks my friend has made, but it is not necessary. If it were, Mr. Speaker, we would have willingly made further amendments because, after all, we want a law that can work well, but at the same time, we cannot expect that we will have a law that will please all and sundry. If we try to patter this law to meet the desires and needs of these some people in the end we will have nothing at all.

[Dr. Reid contd.]

Mr. Speaker, those are the only comments I need to make at this stage to the remarks already made by my friend on the other side.

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Clause 1 agreed to and ordered to stand part of the Bill

Clause 2

Dr. Reid: Mr. Chairman, I would wish to move an Amendment to clause 2. In the definition of “veterinary officer”, insert immediately before the words, “of the Department”, the words, “livestock officer or livestock assistant.”

Amendment put, and agreed to.

Clause 2, as amended, agreed to and ordered to stand part of the Bill.

Clause 3 agreed to and ordered to stand part of the Bill.

Clause 4.

Dr. Reid: Mr. Chairman, I would wish to propose an Amendment to clause 4. For the word, “head”, wherever it appears, substitute the words “skeleton of the head (including the horns)”.

Amendment put, and agreed to.

Clause 4, as amended, agreed to and ordered to stand part of the Bill.

Clause 5.

The Chairman: Hon. Members, please note the following correction. In clause 5 (1), delete the letter “s” from the word “things” in lines 3 and 4.

Clause 5, as corrected, agreed to and ordered to stand part of the Bill.

Clause 6

The Chairman: may I also mention that in clause 6, sub-paragraphs 1 and 2, wherever the word “things” appears, the letter “s” should be deleted.

Clause 6, as corrected, agreed to and ordered to stand part of the Bill.

Clause 7 to 10 agreed to and ordered to stand part of the Bill

Assembly resumed.

Bill reported with Amendments: as amended, considered; read the third time and passed

MISCELLANEOUS ENACTMENTS (AMENDMENT) BILL

A Bill intituled:

“An Act to amend and repeal certain enactments.”

[The Minister of Finance]

The Minister of Finance (Mr. Hope): I beg to move that the bill, the Miscellaneous Enactments (Amendment) Bill 1974, be read a Second time. There are two sections of the Bill

3.45 p.m.

on which I should like to speak, and I think the hon. Minister of Labour will wish to comment on the third section.

First of all, sir, the Bill seeks to make an amendment to the Post Office Savings Bank Act. In fact, what has been happening over the years is that the financial institutions of this country were so organized as to require them to invest most of their funds outside of Guyana. Most of those funds represent the savings of the people of this country.

Within recent years we have been making every effort to ensure that savings arising from the Guyanese people are in fact invested in Guyana. We did this in the case of the insurance companies where in the past they invested most of their funds abroad. Now they are required by Act to invest at least 95 percent of their funds locally. Even the commercial banks which in the past tended to hold substantial portions of their assets, which again represent savings garnered from the Guyanese people, have been required by the controlling authorities to keep all their funds in Guyana and to invest those funds in Guyana. I think the time has come when we should also require the Post Office Savings Bank, over which the Government has practically complete control, to conform to those requirements.

The law, as it at present stands, requires the Post Office Savings Bank to have invested in securities issued in Guyana, mostly government securities, no more than one half of its assets. What the Amendment before us now seeks to do is to remove that limitation to enable 100 percent of the assets of the Post Office Savings Bank to be invested in Guyana. In fact it is removing that limitation so the Post Office Savings Bank authorities may, if they so wish and if it is considered desirable as all of us know it is desirable, invest all of its funds in Guyana.

The second amendment which relates to my portfolio seeks to make an amendment by virtue of which the defence levy, which used to be collected on goods imported into Guyana would cease to be law.

Under the CARICOM Agreement the customs duties were fixed for the whole region under common external tariff. By virtue of that same Agreement the defence levy, which was in fact collectable like customs duties, was required to be removed as part of the general agreement of bringing into effect the Caribbean and Common Market.

In fact the new calculations which we have done and in fact the c.e.t. rates which are now applicable to imports no longer require the defence levy to be collected. What the amendment is in act doing is confirming an action the Government has already taken, that is, to no longer collect a duty called “a defence levy”.

This particular Act, sir, I think would please many persons because they have been some call that the defence levy should be removed. Fortunately I am sure the circumstances which demanded the imposition of that levy have not materially changed and the Government in fact needs the revenue for the particular purpose. However, as I said, the Agreement requires that particular duty in that particular name to be removed. It has been removed and is no longer part of our fiscal system.

Question proposed.

The Speaker: hon. Minister of Labour.

The Minister of Labour (Mr. Carrington): Mr. Speaker, the Government is at this time happy to introduce this measure which is mainly in the interest of the workers. This Government, being a working class government, has shown over the years its interest in the workers in the fields, in the factories and in the offices. Because of this interest in the workers

the government has been introducing measures to protect all categories of workers in whatever occupation they are engaged.

Today we are about to discuss a measure to protect the workers in the fields, agricultural workers mainly in the sugar industry, where there are at present a number of accidents, where we need to look into the welfare of the workers in the fields.

Guyana, as you know, sir, is an agriculture economy. Rice and sugar represent a large percentage of our economy. Rice and sugar employ a large percentage of the work force. It is therefore in the interest of the workers that the Government should take an interest in them to ensure that they are protected in the fields.

In the past because we copied much of the legislation from Britain who was mainly concerned with the workers in factories. Legislation was transferred to Guyana, being a colony, in the interest of factory workers only.

We are about to introduce legislation where labour assessors whose job is partly to examine piece work in the fields in the sugar industry and in all industries will be given powers now to examine and inspect conditions of work as it will affect agricultural workers.

We have always show interest in the workers in the sugar industry. At this time when we need higher productivity, when we need to earn more dollars by the sale of sugar, it is in the interest of the industry and the nation that we ensure that he workers in this industry are protected because this Government shows an interest in the workers in the sugar industry regardless of the conflicts between the unions operating in the industry; and because of the conflict between the unions operating in the industry, the Government finds it necessary from time to time to introduce measures to protect the workers, to appoint commissions and arbitrations in the interest of workers.

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National Assembly

3.45 – 3.55 p.m.

An example of this Government's interest in the workers is how clearly when the Government appointed the Cummings Commission in 1965 to inquire into the existing disputes between the British Guiana Sugar Producers Association and the Man Power citizens Association on the question of wages and conditions of employment in respect of the years 1964 and 1965.

3.55 p.m.

Again, the Government appointed a Commission in 1968 to inquire into all aspects of the sugar industry in Guyana in the wider sense with special reference to the general economic situation of the industry taking into account all relevant relationships with other industries and undertakings. Then again in 1969 there was the Wills Advisory Committee that looked into conditions that would affect workers represented by the National Association of Agricultural, Commercial and Industrial Employees (NAACIE) and the Sugar Producers' Association.

In 1970 for the first time in the history of the sugar industry, an arbitration there was that because of the weakness of the unions the employer was in a position to resist arbitration which has to be by mutual consent. But the government in 1970 saw to it that the sugar producers accept arbitration and so we went to arbitration and the Low-A-Chee Arbitration gave its award.

In 1970, again, very speedily after the Rose Hall tragedy the Government appointed a commission to enquire into the death of seven workers who died by accident in the No. 3 Clarifier on Tuesday 13th January, 1970, this was the Sir Kenneth Stoby Commission.

In 1971 a large advisory committee was appointed headed by Mr. Zaman Ali. And again in the interest of the clerks NAACIE accepted the Advisory committee Report of the Bernard Advisory Committee. In 1972 the one-man Arbitration Tribunal headed by Mr. Clifton Low-A-Chee and in 1973 the Moore Advisory Committee were set up. These are the facts.

[Mr. Carrington continued]

It is the right of a trade union to either accept or reject the report of a committee when it is advisory. What we have done since then was to get parties to agree whether they would settle these outstanding matters by arbitration. During this week I have had discussions and most likely they will agree to take the matter to arbitration.

I have been speaking at length in this House on many matters affecting the sugar industry. But now, more than ever, we need stability and high productivity. We must ensure that here are good relations by means of these discussions, through collective bargaining or whatever machinery we decide to introduce. We must do this now more than ever when we need more sugar to sell to our foreign markets. At the same time this Government will spare no pains if any group takes advantage of the situation to disrupt the sugar industry unnecessarily. We know the difference between political and industrial action. I want to assure you that when it can identify a tendency to disrupt, Government will take the necessary action.

But in the meantime we would want to see that the parties concerned sit around the table, discuss their various problems resolve them amicably in the interest of the nation and the industry. For this reason, the Government may find it necessary to introduce measures to ensure that this is done. If we have to do it in the interest of the workers and in the interest of the nation and industry we will do it.

This is just to give you an idea of our interest in all industries in Guyana whether it be rice, bauxite or sugar. Today we are fortunate to say that Guyana is in a most healthy position as a sugar producer in the Caribbean. When other countries decided to phase out and contract the industry, in the interest of the workers the Guyana Government has decided to expand the industry.

Because of this we have brought little measures, such as this one we are discussing today, to protect the workers in the industry because of our interest, because of our faith that we can

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National Assembly

3.55 – 4.08 p.m.

overcome many problems. We have overcome in the past and we will continue to overcome such problems once we get the co-operation of the workers and employers.

Mr. Speaker: Hon Members, perhaps this is a convenient time to suspend the Sitting.

Sitting suspended at 4 p.m.

On resumption --

The Speaker: When the suspension was taken, the hon. Minister of Labour had just finished speaking. Hon. Member, Mr. Singh.

Mr. M.F. Singh: Mr. Speaker, the first provision in this Bill is the amendment to the Post Office Savings Bank Act. We do heartily support the proposed change in the legislation to enable 100 percent of the Post Office Savings Bank funds to be invested in Guyana. It is in keeping with our general policy. But at the same time let us remember that, by and large, savings in the Post Office are the savings of the poor people – the poor, humble John Public. The middle class, the rich and the affluent very seldom, if ever, invest in the Post Office Savings Bank. I remember when I was a little boy collecting pennies and putting them in the Post Office Savings Bank.

We must be very careful how these funds are invested. We must be very careful that we do nothing to jeopardize the hard-earned savings of our poor people in this country. Even though at the present moment investment returns are not very good because of the prevailing state of affairs, nevertheless, I would urge that the greatest care be taken in respect of the sums re-invested by these poor people who have put their money so confidently in the Post Office Savings Bank.

The next provision of the Bill is in respect of the defense levy. All I would say is that we are very happy to see the disappearance of this infamous bit of legislation. We are very happy, indeed, even though the circumstances under which it is disappearing seem to be mandatory, as a result of the CARICOM agreement. We are very happy to see it go and we certainly hope that legislation of this nature will not be necessary in the future.

Dealing with the Trade Act, Chapter 91(1), and the substitution of the word “Minister” for the word “President”, we have absolutely no objection to this substitution. It is, in fact, something which should have been done a long time ago.

The last provision of this proposed legislation is in respect of the increase of powers of the Agricultural Assessors in the Ministry of Labour. The hon. Minister quite rightly took the opportunity to put us into the picture in respect of the labour situation at present obtaining in the country. He did give a very glowing background history of the activities of the Government, particularly in the sugar industry, all that it has done to improve the lot of the workers. This is part of the scheme to things.

One thing struck me forcibly. The fact of the matter is that today strikes still continue in the sugar industry and the sugar industry still suffers from disruption. I wholeheartedly agree with him that in this year of crisis every effort should be made to protect this our industry which is so vital, as I understand it, for our survival as a nation. The sugar industry is, indeed, vital an integral part of the scheme for our survival. But, what will the Minister do? He has made some threats. He will deal – he did not say the word “condignly”, but it is a word we are all familiar with – with the situation. In my humble opinion, threats will not help. We have threatened before; threats have got us nowhere. Threats have achieved nothing.

What is the present position now? As I understand it, as a result of the strike by the national Association of Clerical, Commercial and Industrial Employees, Albion Estate is closed, Blairmont Estate is closed, Rosehall is affected and Skeldon is affected. These are four big major sugar producing estates in this country. What is happening? This is indeed the consistent pattern. It has not changed. It is consistent to the extent that there has been a consistency of disruption in the sugar industry.

In spite of all the wonderful things which according to the hon. Minister, have been done to improve the lot of the worker, the strikes still continue. We would like to as the hon. Minister

whether he has really got a formula and if so could he tell us what formula is to deal with the situation because we would like to give him our wholehearted support, since we know that his cannot continue if we are to survive. [Applause] It is not only the survival of the sugar industry in Guyana, it is the survival of Guyana that we are talking about.

I am afraid, Mr. Speaker, that merely threatening and merely antagonizing the sugar workers may only tend to make matters worse because if the worker – I am talking about the sugar worker, I am talking about the political elements – is antagonized and annoyed, if he gets his back up against the Government, if he decides not to co-operate, if he decides not to go into the field, if he decides not to work, what will we do? What can we do? Maybe it has to be a mixture of stern action and conciliatory overtures. I am not the expert but since the hon. Minister seems confident that he can bring the situation under control, I urge him to let us know so that we can give him our wholehearted support in these matters.

Dealing with the specific provisions it is stated in the proposed legislation:

“(2) Every reference to a Labour Officer shall include a reference to a person employed as an Agriculture Assessor in the Ministry.”

I would like to ask the hon. Minister what exactly do these Agricultural Assessors do. I looked up the 1974 Estimates on page 162 and it has been the same as in 1972, Provision is there for three Agricultural Assessors. So we are talking about three people who were there in 1972 and 1973. They are also provided for in 1974. So that we are making provision for three Agricultural Assessors presumably to have the powers of Labour Officers. The Minister did say that they will examine and inspect conditions of work in the fields. What are the qualifications of these three people? Have they got some special qualifications? Maybe the hon. Minister would enlighten us in respect of their qualifications. They have been in the job for some time since 1972 so we should know their qualifications and if they are going to be put in this category of examining and inspecting conditions of work in the field then, maybe, we should give them a

[Mr. Singh contd.]

more precise definition. Maybe we should put them in the category of the Officers in the factory division.

4.40 p.m.

We have Factories Officers who deal with conditions of work in factories. Maybe, they should be field officers instead of Agricultural Assessors. I throw that out for the consideration of the hon. Minister. If they are going to be dealing with the conditions in the field as the Factories Officers deal with condition in the factories, then perhaps we should change their designation, even perhaps, their status, and give them a more important status so that the workers in the field would recognise them as having the status of Labour Officers, and not merely some lesser mortal than a Factory Officer or a Labour Officer. And, please, may we have their qualifications.

We are dealing with the Labour Ordinance, I should like to point out that I was looking through the Labour Ordinance – I have the good fortune of having a copy of the new laws – and I noticed a significant matter. I want to urge the hon. Minister of Labour – and this may come as a surprise to him, but it is borne out by the facts which I will enumerate – to abolish the post of Chief Labour Officer because it has no functions under the new Act. The old law had “the Commissioner who is now the Chief Labour Officer.

Chapter 103 section 4 talks about “powers of Commissioner in case of trade disputes.” In the new law, the word “Commissioner” has been changed to “Minister”. In Section 4 (2), “Commissioner” has been changed to “Minister.” This man must not draw a salary under false pretences. If he has no duties, the post must be abolished. We must not fool the public that he is doing work when in fact he is doing nothing.

We do on to section 11, “Conditions of employment of persons incapable of earning wages at prescribed rates.” “If, on an application in that behalf the Commissioner ...” The word

“Commissioner has been changed, to “Permanent Secretary”. We have taken that duty from the Chief Labour Officer. Section 13, “Civil proceedings by Commissioner for payment of wages at prescribed rate”, Commissioner” there again has been changed to “Permanent Secretary”, so the Commissioner has no powers there. We go on in the Act and see the changes there. It is consistent throughout. Where it has in section 38, “General powers of Commissioner”, in the old law it has “Commissioner, Deputy Commissioner of Labour,” etc., are empowered and authorized. That is changed in the new law. The new law says, “any officer designated by the Minister.”

Section 44, “Institution of prosecutions by Commissioner”, “The Commissioner may institute or cause to be instituted any prosecution for the purpose of enforcing any of the provisions of this Ordinance ...” Commissioner has again been changed to Permanent Secretary.

I cannot ever recollect the Permanent Secretary of the Ministry of Finance instituting proceedings for and on behalf of the Commissioner of Inland Revenue, or anything of that nature. But the Government in its good sense has seen fit to change all the references here from Commissioner to either Minister or Permanent Secretary, and I see no duties for him. He must not be allowed to draw the taxpayers’ money without having duties and, therefore, I recommend to the hon. Minister to put before Cabinet the abolition of this post because he has no duties under this new law. I hope the hon. Minister will enlighten us in respect of these points.

The Speaker: Does the hon. Minister of Labour wish to reply?

Mr. Carrington: Yes, Mr. Speaker. I would wish to draw to the hon. Member’s attention, the question of the Chief Labour Officer. He did make reference to the Commissioner of Labour and the Permanent Secretary. I think he knows that since the change in the political system in the country, we now have a ministerial system and the system of Commissioner, which we had for many years, politically, we no longer have. I do not see him having the power that he

had under the colonial administration. This had to change. Gradually, we have been bringing about such changes either by legislation or by practice.

The fact is, the work of the Chief labour Officer, as we knew him in the past, is a lot more important today. He deals with the setting up of arbitration and conciliation, which are highly technical fields because of the growing knowledge, experience, and training within the trade unions. It is necessary to balance this with people in specialized areas. The employers have been employing specialists in these areas, because in the world today, the techniques of collective bargaining for better conditions and wages for the workers are becoming a specialized area. The Government then must have people in the Ministry with these particular skills. The Chief Labour Officer will have to deal in this area either directly or indirectly, by advising his officers how best to approach matters.

I want to say that knowing the work which is done in the Ministry, instead of having one Chief Labour Officer, perhaps we need to have two. As a matter of fact we have a Chief Labour Officer, we have a Deputy Chief Labour Officer, and we have an Assistant Chief Labour Officer, so it is clear, as industrial relations expand and become more technical, that these officers will have to devote more time but not to policy matters. Policy matters in relation to labour matters are now taken care of by the Minister and the Permanent Secretary.

Whether we call him by another name, he has to perform certain duties which are very extensive and demanding and we can hardly do without such an officer in this area. We have just set out to add considerations to his emoluments. Instead of removing the man, we have considered increasing the salary because of the work load. If we do not have competent men in this field, not only will the Government lose but the nation will lose, so I do not see how the hon. Member could tell us we should do away with such a post.

Since the time when we had the Commissioner of Labour, we found it necessary to have other sections in the Ministry. Formerly, we did not a Factories Division. Now we have a

Factories Division headed by a Chief Factories Officer. We had to introduce the Agricultural Assessors, and this came out of a recommendation of the Persaud Commission that we should have Labour Assessors, Agricultural Assessors. Those persons were employed to assess piece work because in this particular area, as in the area of the scales, we had a lot of problems. How to quantify piece work in the field, if a man should plough a bed or plant a bed, how to measure it as regards paying him a rate for that.

In the past, it was done in assort of arbitrary way by the employer and we found that the unions were ineffective in arriving at solutions with the employers. Here again the Government had to come in and appoint assessors to assist them in arriving at amicable decisions in the field.

Since then, we have complied with the I.L.O. Convention on inspection in agriculture and we decided to increase the work, or to have the Labour Assessors work in a dual capacity to comply with the I.L.O. Convention. The Labour Assessor's work is a assess piece-work in the field and to examine conditions of safety more or less in the field.

Where the question arose in the factories, whether a particular machine must carry a guard around the machine or the belt, but nobody was concerned whether there should be a right type of platform where the sugar workers have to climb up to the punts, or about the use of a cutlass, or the condition of the field, or the drinking water. Nobody was concerned.

Now what we are saying is that the Labour Officer will have the right. He could not have gone in a field belonging to the Sugar Producers' Association, because he had not the right under the law to enter or to examine any books which they had in the field. Now we are giving the Agricultural Assessor the same powers as a labour Officer to enter a factory or an office: he can now enter any concern in agriculture and examine the conditions under which workers work. This is the provision for giving the officers the power to do this.

29.1.74

National Assembly

4.50 – 5 p.m.

[Mr. Carrington contd.]

4.50 p.m.

I am happy to hear that the hon. Member is prepared to support the Government in any measure. As I have said, we have appointed commissions from time to time. They are ad hoc. It is our intention to examine the possibility of having something permanent to look at and decide on conditions and wages in the sugar industry.

We have had wages councils in other industries why should we not appoint, if necessary, a different type of wages council that will look into conditions and wages in the sugar industry?

I should like to mention that we seemed to believe that in the sugar industry it is only the workers who are working with the S.P.A. who have a right to good condition. But there are thousands of peasant cane farmers who need to be protected. They are presently producing about 12 per cent of the sugar produced in Guyana. We cannot alidicate our position and forget them. We will have to do something in their interest. That is why we are seeking legislation to have a permanent machinery to look at the sugar industry.

At the same time we do not want legislation where the T.U.F. objects. If it becomes necessary, Yes. We have good relations with the M.P.C.A. and many of the other unions. Whatever we do would like to do it in agreement with the unions and the employers.

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

RENT CONTROL (SPECIAL PROVISION) BILL

The Speaker: Hon Minister of Housing.

A Bill intituled:

“An Act to impost control on rents.”

[The Minister of Housing]

The Minister of Housing (Mr. Naraine): Mr. Speaker, I beg to move that the Rent Control (Special Provisions) Bill 1974 be read a Second time.

This Bill seeks to make provision implementing the Government’s proposals to impose a freeze on the rental of premises as at the 31st of December, 1973.

The legislation is a simple one in which Clause 2 of the Bill deals with tenancy is to which the Rent Restriction Act applies and created for the first time after the 31st of December, 1973.

Clause 2(2) makes similar provision but in relation to Rice Farmers (Security of Tenure) Act.

Clause 2(3) is intended to cater for all other tenancies whether subsisting at 31st December, 1973 and whether or not the Rent Restriction Act or the Rice Farmers (Security of Tenure) Act applies.

Clause 4 states that the Act will be in force up to the 31st December, 1974.

This measure has been found necessary because, as it has been explained by the hon. Prime Minister of Economic Development, the country is undergoing a grave economic situation and it is necessary for certain sacrifices to be made at all levels if we are to emerge out of the present crisis.

Guyana will be feeling, over the next few months, severe strains in our balance of payments position, increases in prices of essential goods which still have to be imported into the country. The Government is attempting, wherever practicable, to control prices and to keep the cost of living down to a reasonable standard in relating to items of goods and services which are under its own control. However, to overcome this difficult period, it is essential that everyone should be called upon to give a little, to be more thrifty, to be more efficient, to consume more things that are local and to give up some of the luxuries which some might have been accustomed to. All these things are necessary for us to revoke from the present economic crisis.

5 p.m.

We know that in the years gone by, landlords have been having relatively good time in that properties and lands have been purchased at relatively cheap prices and in many cases these properties were disposed of at very high profits.

This is, in many cases, in addition to their getting reasonable returns on their investment in houses building and house buying or land ownership in various forms. The present imposition, if it can be so described, should not therefore create any undue heavy strain on landlords.

The Government, Mr. Speaker, as you are aware is pursuing a policy whereby eventually everyone should have an opportunity to owning a roof over his head and owing the land which

[Mr. Naraine continued]

he farms. Government will continue its programme of constructing houses for hire purchase for building aided self-help housing and for constructing rental houses at subsidized rents. The Government, right now, is making lands available to people throughout this country both for farming and for housing at little or no cost.

In relation to the housing programme, as you know, sir, the Government has set up a Housing Advisory Council comprising people from various quarters – Mortgage Companies, Lending Agencies, Manufacturing Organisation, the Chamber of Commerce, professional bodies and so forth, and this Council will be advising the Minister. Opportunities will be given for the Minister of Housing to direct and monitor and advise on the housing thrust and he, in turn will be advised by these very experienced people and body on what will be the best course to take in executing this programme.

Landlords have played a role, and possibly an important role, in making lands and houses available to tenants. But one must be conscious of the fact that landlords have always got the better of the deal. This is very evident in the big difference in the standards of living of the two groups in our society. As we see it, the degree of sacrifice which is being asked from landlords at this juncture is relatively small. Moreover, opportunities for investment, both in housing and in agriculture, are still available to landlords and to persons who wish to undertake these investments. The returns from these investments can be good.

The Government has set up machinery not only for making credits available both in housing and in agriculture but under certain circumstances, whereby the investment will be directed towards ownership by the occupier of the land or house. Under these circumstances the Government is prepared to give income tax incentives provided the scheme for the development is approved by the appropriate authority. We feel that by investing in new development of land and housing, landlords and investors will be adding to the existing stock of houses, increasing

[Mr. Naraine continued]

the numbers, and also in an expansion of agricultural activities. In this way they can contribute more substantially to the housing and agricultural programme and to the national welfare.

Therefore, landlords in accepting this small reduction in profit can take advantage of the incentives being given in house construction and in farming. However, in keeping with the national objective of feeding and housing the nation we feel that his would be a better approach towards the utilization of their efforts and finances in the national welfare. The future of their involvement in housing and land development, as I have explained, is therefore very good and there should be no fears by anyone in this respect.

Mr. Speaker, we have already heard some rumours that have been circulated and some fears that are being expressed that the measure being taken by Government in freezing rentals may result in landlords – and many of them are described as unscrupulous people – moving to get people off the land and depriving them of an income. But I should like to emphasize here that the Government will not sit by and see such a situation occurring because we know that on many estates those lands would not have been cultivated had they not been tenanted.

5.10 p.m.

Through the tenancy of those lands the tenants have been able to make living and the landlords have been able to make a better living. We have seen also, in many cases, where there are no tenants that the lands are left idle, abandoned and producing nothing for the nation or for the landlord himself. Where lands that are now presently protected legally so that tenants can have some security on such land we would not sit by, and have landlords, not now, because they are not allowed to increase rentals, given notices to their tenants to remove them from the land. If this is ever attempted the Government will take very strong measure to see that this is not implemented.

It is for all these reasons that the Government feels that the present temporary measures stated in the Bill are justified. We do not consider the measures unfair and we hope that landlords will see them necessary and important in the light of the present economic circumstances in this country. [Applause]

The Speaker: Hon. Member, Mr. Singh.

Mr. M.F. Singh: Mr. Speaker, this proposed legislation affects two sections of the community both of whom have strong claims for consideration. Let us first look at the position of the tenant. The tenant has had to face growing unemployment; he has had to face rising cost of living, long before the fuel crisis. As a result of the Government taking such control over the economy of the country we were in a serious economic position long before the fuel crisis. The situation was grave; it is worse now. It is a crisis. The poor man living in rented quarters is really having a difficult time to make two ends meet. I think as the Guyanese would say in common Guyanese parlance, "He is catching hell to make two ends meet." The tenant is entitled to consideration.

And what are the landlords? Is he not also entitled to some consideration? Let us examine it and take, for example, premises in Georgetown. Rates and taxes have gone up by twenty per cent. Let us face it, the majority of tenanted premises are in and around the urban areas more than in the rural areas. Rates and taxes have gone up by twenty per cent, building materials have gone up and believe me, I know within recent times, you cannot even get building materials. Some people have complained that for you to get building materials you have got to bribe your way right down to the line and I have no reason to doubt them. Labour rates have gone up. If you try to get a carpenter to work for you and you tell him you are paying him the same rates you used to pay before he will say, "No thank you." He will refuse your work and he will go somewhere else where somebody will be able to give him something more, not because they want to give him more but because they have to. Mortgage interest has gone up also. What

is the position as regards rents? We are dealing here with controlled rents. The landlords have not been allowed to charge any fancy rents.

We are talking about the rents that are under control, that have been restricted by the Government. These are rents that have been controlled. I think it is unfair to say that landlords have always got the better of the deal, after all, the man who works hard, the man who makes sacrifices, the man who saves and is able to buy a property, is he going to be penalised for that? If we look at it from the point of view of one person apparently living well in the community and apparently living reasonable comfortable, is it fair to say that that person has achieved that as a result of getting the better of any deal? I do not think that is fair? Not because a man may appear to be comfortably off it does not necessarily follow that it is because he has got the better of some deal. These rentals have been controlled and landlords have not had any opportunity to take advantage of tenants by and large.

Let us remember that these landlords are running a business. Their investment in there, it is a fixed investment. Their liabilities are there also. They are not like a trader. A trader may increase his turnover in order to meet increased liabilities but a landlord cannot do that. He has got more liabilities as a result of increased rates and taxes, increased labour costs and increased mortgage rates. How does he offset that?

The hon. Minister says that the landlord has been reaping a harvest before, therefore he must make sacrifices now. It is fair to ask only one set of people to make sacrifices? Is it fair to say that he has really been reaping a harvest? It is fair to insinuate that he has been taking an unfair advantage on the tenant when, in fact, we are talking about the rentals that have been controlled whereby a landlord could not possibly take advantage of a tenant. Indeed, it was the obligation of the landlord to have the premises assessed under the recent legislation the Rent Restriction law that was passed not so long ago. There was a definite obligation on the part of a landlord to have the premises assessed and, also, to put the assessment in a conspicuous place on the building itself. That is the existing law. So how could the landlord have made any unfair

profit at the expense of the tenants? Let us also realize that these landlords have been providing a very useful service. The Government's objective is to house the nation by 1976. These landlords have been helping in this a long time ago.

It is being said that the landlords bought properties and sold them back for huge profits. To whom did they sell these properties? Invariable, to other landlords! So if a landlord sold to a landlord and bought another property it is merely a circulation of the money. Nobody has made some huge profit here. If one made some money here another landlord had to pay for it out of what they may have because, invariably, these rented premises are sold by one landlord to be bought by another landlord for rental purposes. So he did not make a profit because another landlord had to pay for it and he may well have had to buy another property to utilize whatever he may have realized from it.

That is how it revolves but these people have been providing a service. They have been helping to house the nation.

5.20 p.m.

The Government within recent times has not done anything significant to really provide low-cost houses for the people. This is admitted. What low-cost houses have been built within recent times? And we are talking about controlled rentals in respect of those low-cost houses. We are talking about rentals for those properties which are normally rented by the poor man. What kind of houses has the Government provided within recent times?

There are some houses in Festival City which people had to buy at very significant purpose prices. In Linden, houses have been built and people have had to buy them. What has the Government done within recent times in respect of providing low-cost houses for the poor man who cannot afford to buy a house?

[Mr. Singh contd.]

Let us not decry these landlords. A further provision in the legislation is that even new houses being assessed in 1974 will be assessed at the rental which they would have fetched as at 31st December, 1973. In spite of what has been said, my humble submission is that this will provide absolutely no incentive for the landlord to build houses to help the Government in its housing drive. It is admitted that the private sector will have to provide some of these houses. Is the Government giving any particular encouragement to the private sector to build in this New Year? I say, No. If the Government takes such firm control over rentals, even in relation to new premises, landlords will not build.

What is the Government doing? What will be the position of the ever increasing number of unemployed, of expanding families who want houses? What is the position in Government's housing estates? My information is that the Government cannot even collect the rentals in these areas. A huge sum of money is owing in Laing Avenue is rental and it does not appear that this can be collected at the present time. What will be the position if the private landlord stops building? I say that the position will be serious indeed. Landlords have made out to be rogues. They have been made out to be hard-hearted criminals. Is this really so?

This morning, I was in the Deeds Registry. I was speaking to an old gentleman about the housing position generally. He told me that he had been a stevedore, that he had saved his money for seventeen long years and that he had invested in a property. He was living in part of it and he had rented the other part. He had done this in order to provide himself with an income in his old age. What is that landlord faced with now? A stevedore who thought that he could own a property and get some returns from it to keep him in his old age, he has to find the additional cost for maintenance, for mortgage interest because he has a mortgage on the property. What about people living like these? Some regard it as a laughing matter. This gentleman, a stevedore for seventeen years, had tears in his eyes when he was talking this morning and Members of Parliament merely laugh. What about his predicament? Is he not entitled to some consideration? What example is the Government setting?

[Mr. Singh contd.]

The electricity rates have been increased. The Government has passed them on to all and sundry from 1st February. What is the position generally? And yet the hon. Minister says they have got not been passed straight on. Presumably, the criteria may be that the rich are being asked to pay for the poor. Fair enough. They have been passed on to some of the people. What consideration are we giving the landlord, apart from calling him names? We are giving him none whatsoever. The hon. Minister says land is available at little or no cost. I think John Public would like to know where he can get land at no cost. Perhaps the hon. Minister would tell us.

As I said before, we have two categories of people, both of whom are entitled to consideration. I should not like to see the poor man suffer. I should not like to see the landlord suffer, therefore, my suggestion is that the hon. Minister should withdraw this measure and find other ways and means of relieving the suffering of the poor tenant. The Government claims to have the answers. Let the Government realize that it is doing an injustice to the landlords. Let it realize that the tenant needs consideration. Let it withdraw this measure and bring before this House other measures to relieve the suffering of the tenant.

Let me give one example, the trade unions are calling for increases. Some will secure increases. Is it fair that when the worker receives an increase the land lord is still stuck with his frozen rental? That is why we say, withdraw this measure and let us have other ways and means of helping the tenant.

Mr. Naraine (replying): I think some of the comparisons which hon. Member made were rather unfortunate. He made reference to the price of electricity, and let us assume for the moment, incorrect as it may be, that he full increased cost of electricity was being passed to the poor man, the tenant. Certainly, he must realize that in these days of cutting corners and making sacrifices that that tenant can do something about that electricity and, if he normally has a 40-watt bulb, he can reduce it to a 20-watt bulb. He can make an adjustment within his own control.

But what do we find in the case of the house?

He has to pay the required amount, unless he makes a sacrifice. I know in many cases, and these are situations we are trying to change, where he has two rooms and his family has ten or fifteen persons living there. To meet higher rents the tenant is forced to put the ten or fifteen in one room and then sublet the other room. The Government is not proposing this as a solution.

I disagree with the hon. Member that the landlord has not been getting the better of the deal. Let us examine any situation. The hon. Member in his own utterances has come out with the gist of the matter, and that is, that the landlord, over the period of time, expects to recover all his cost including the payment of the property from the tenant by way of rental, but, unlike putting his money in a bank where over a period of ten or fifteen years that money has less value, in terms of a property over a similar period, the valuation of the property increases substantially and his position is a lot better.

The tenant is left with a canister of receipts all valueless because if he is put out of the house he has nothing but in fact he has paid for that property. [**Applause**]

5.30 p.m.

We are not against landlords investing. I believe the courts have been making fair awards of rentals to landlords. Landlords have not been suffering. The tenants have not been getting over them. If the tenants were getting them over and they were running these properties at a loss – and as the hon. Member presumed some of them are making a living out of this and it is their only means of a livelihood – then certainly we would have seen that their situation would have been declining because of all these alleged tremendous hardships and losses which they have been suffering while the tenants, who have been getting the better of the deal with the same income or normal increments in his income, would have been improving. But the situation is not that and we all know what the situation is. The situation is exactly the reverse.

[Mr. Naraine contd.]

The hon. Member alludes to rental. I am not a man who speaks only. I can take him and show him, whatever he wishes to have such a visit, that the Government has thousand or rental apartments throughout this country and the rentals of those apartments have been fixed and have been so far a considerable number of years. Even at the new apartments we are building – those at Tucville which are to be completed in another month or six weeks – the rentals there will be no more than what we have been charging for similar accommodation in the past.

We see the predicament, we see the heavier strain and stress which the poor people have to take. If we are to give out help we must start from them and not from those who already have and who can devise other ways and means of improving their incomes.

I should like to assure the hon. Member – and he can see this if he wishes to visit some of these places – that the accommodation, which the Government gives for \$18 per month, if people had to rent similar premises at controlled rentals from the private landlords, they would find that accommodation would cost them anything like \$45 to \$60 per month.

The hon. Member says that the Government has been selling hire-purchase houses at high prices. For the hire-purchase houses, which have been sold in Festival City and elsewhere, people have been paying at commercial interest rates together with fire insurance about \$70 to \$90 per month. This depends on the duration of the repayment. There may be exceptional cases where, because of age, payments may be higher over a shorter period. But for a similar single house on a similar piece of land, if that had to be rented by a landlord – and there are houses like, that is, three-bedroom houses which are rented – the tenant would have to pay nothing less than \$150 to \$200 per month. We are building houses and making them available to the poor people of this country and over a period of 15 or 20 years they pay a less amount as rental purchase and they become the owners of those properties. For these houses in landlords hands they would have had to pay a substantially higher rent, in some cases double or more, and at the end of the

10 to 15 years they would still be paying a rent and all benefits would accrue to the owners of those properties.

We are therefore saying that if landlords have houses with the bottom not yet enclosed – and it may be more convenient for them to do this – they may find that at a relatively low cost they can enclose that bottom, by investing some more money. If they wish they can make this investment and provide additional housing units for the nation. This Government would not oppose people doing this whereby they can provide additional housing units and at the same time improve their economic situation.

However, would like to see – and this is this Government's policy both in relation to land and houses – the tiller or the occupier become the owner. This is the direction in which we are moving and therefore we are suggesting to investors and landlords, either individually or by pooling their resources, to build houses for sale to people who can buy them. They will benefit from the tax incentives which the Government is prepared to give. In this way, they will be adding to the assets of the nation because the money will be working and creating more houses. They will be creating employment; money will be turning over. There will be greater incentives on the owners of the houses to save and to do things in their houses and we will be creating an environment for improvement.

What do we find in a tenant situation? We find in a tenant situation that there is a single investment. If that money, through rental, is recovered several times over, what is it used for? It is used to provide a living, luxuries and other things, for one single family. Over a period of a large number of years the building stock of the nation remains the same and the premises remain in a deteriorated condition because we do know that there is a lot of neglect in the maintenance of rental premises.

I should like to suggest, sir, that fixing the rental at the 31st of December, 1973, level is not going to create all those undue hardships on landlords that we have heard the other side of

the House mention. If you were to take the increase in the taxes and rates that must be paid you will find that it is a very, very small percentage of the revenue that will be derived from that property in terms of rental. And therefore this will not create a substantial reduction in the profits or income capacity of the property.

How does the landlord benefit? The hon. Member mentions inflation, increasing cost of material, increased cost of labour, increased cost of everything else. Even if he did not spend one half penny on the improvement or maintenance of that property, because of these increasing costs if the landlord wanted to dispose of that property he would benefit from all of these increases. [Applause]

5.40 p.m.

We see these measures therefore, sir, as something that the landlord should appreciate. Landlords should appreciate that these measures, temporary as they are, are essential under the present economic circumstances of this country. They have taken – and I say liberally – in the past from the tenant they should give for a short period of time. It is very little we are asking for in return.

Question put, and agreed to.

Bill read a Second time

Assembly in Committee.

Clause 1 agreed to and ordered to stand part of the Bill.

Clause 2

Mr. M.F. Singh: Mr. Chairman, just a typographical error. In clause 2(1) after the word “Act” in the 7th line there are two “ins”.

The Chairman: Thank you hon. Member, Hon. Members, please note and delete the second “in”.

Clause 2 agreed to and ordered to stand part of the Bill.

Clause 3 and 4 agreed to and ordered to stand part of the Bill.

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

**GUARANTEE OF LOANS (PUBLIC CORPORATIONS AND COMPANIES)
(AMENDMENT) BILL**

Mr. Hope: Mr. Speaker, I beg to move the Second Reading of the following Bill:

“A Bill intituled an Act to amend the Guarantee of Loans (Public Corporations and Companies) Act 1971.”

This is a very simple Bill. Three years ago this House enacted a law giving the Minister of Finance authority to give guarantees when these guarantees were in respect of certain companies and corporations which the Government controlled. In fact, over that time the number of companies in which the Government has majority participation and the number of corporations which the Government has set up have expanded. In other cases the corporations are expanding in terms of investment. In some cases their commercial activities have expanded, and we have found that in order to finance their investment they are able to secure credits and

loans on fairly reasonable terms abroad provided that Government guarantee is available. In other cases the working capital requires to be increased because the scope and activities of the corporations and companies have been expanded.

In the circumstances we have found that the \$25 million limit which was imposed by the Act of 1971 on these guarantees which the Minister can sign and then report them to Parliament is inadequate. And the purpose of this Bill is to seek parliamentary authority to increase that limit from \$25 million to \$50 million.

I hope that it is appreciated that in all cases the guarantee so signed is reported to Parliament periodically once every quarter, and Parliament is therefore, by that way, informed. I also hope that it is understood that as the responsibilities for the expansion in business increases as far a Government is concerned, the need to act with speed is very great. This facility is one of some importance if the business of the corporations and companies is to be conducted with facility and efficiency. I therefore commend the Bill as a very simple and reasonable one for approval by this House.

Question proposed.

The Speaker: Hon. Member Mr. Singh.

Mr. M.F. Singh: Mr. speaker, the hon. Minister has told us of the increase of limit from \$25 million to \$50 million. That, I take it, is Clause 3 of the Bill. I am no financial expert but clause 2 of the Bill interests me very much because it seeks to add a subsection. I read as follows:

“(2) For the purpose of this Act, a borrowing by a Corporation shall be deemed to include the obligation of the Corporation to make payments to any person arising out of any contract lawfully entered into by the Corporation.”

I may be wrong, but I have interpreted that to mean that if a Corporation enters into any contract, the performance of that contract, repayments of monies due under that contract may be guaranteed by the Government.

Now this is what interests me particularly, because I have often heard and I am sure it is the professed intention of the Government – that these corporations should operate on a sound commercial basis. I think there is no doubt about that. I have heard the hon. Minister Dr. King agree with that very readily so I am wondering here whether we are not depriving the

5.50 p.m.

Corporations of a chance to pay their way; we are not putting them to the test. We established corporations, should we not give them a chance, put them to the test and let them operate like any other private enterprise company and pay their way? Fair enough, we are propping them up already by guaranteeing loans. We are giving them Governmental guarantees in respect of their borrowing but we seem to be going even further now. Now only are we guaranteeing loans but we are guaranteeing the performance of contracts to the extent that we are guaranteeing the repayment of money to any person under any contract.

Let us compare the situation with private enterprise. A company in the private sector could not enter into a contract unless both parties are absolutely satisfied as to the ability of the other to perform the contract and to perform all the obligations to make repayment under that contract. That is the way the private enterprise firm will have to operate. It may be able to persuade a Bank to guarantee and that sort of thing, but the general trend is that when they enter into a contract the parties will never sign the contract unless they are both satisfied that they can perform the contract.

What are we doing here? We are giving the corporation and the Government companies an unfair advantage over the private enterprise firms in that, if the Government guarantees, then

[Mr. Singh continued]

the other party to the contract has not got to worry and to bother about the corporation's ability or the Government company ability to perform the contract because the Government is underwriting it and that Government is guaranteeing performance.

I am wondering whether this is not unfair to the corporation and the companies themselves because you are denying them of an opportunity to really operate as private enterprise firms would operate and you are preventing them from standing on their own feet. We seem to be putting at their disposal the whole machinery of the Government. Perhaps, this should lead us to ask: What is really the Government's intention in respect of private enterprises. Obviously, this is an unfair advantage that as corporation will have over a company in the private sector.

Is it the intention of the Government to push the private sector out of existence? Does it really want the private sector to stand side by side with, let us say, Guyana Gajraj, or Wrefords, or Guyana Timbers or all these other companies? Or is it really the intention, slowly, to push the private sector out of existence as a result of all this help that we are giving to the Government corporations and Government-sponsored companies? Perhaps the Minister would enlighten us.

It would be a good opportunity for the hon. Minister to tell us the Government's declared intention in respect of private enterprise. My interpretation of (20 in this Clause 2(0), as I see it here, is that the legislation will be guaranteeing payment of any obligation of money in respect of any contract entered into by a corporation or a company. So I would be very glad for elucidation on these points.

The Speaker: Hon. Minister of Finance.

Mr. Hope (replying): Mr. Speaker, the hon. Member, I think, is seeking to give too wide a connotation to the paragraph to which he has referred. I mentioned earlier that the number of

corporations for which the Government is responsible has increased over the last three years. In the same way, the commercial transactions have become a little more complicated.

When this Act was first passed, the intention there was clearly to guarantee borrowing where, in fact, money did pass to the corporation in a normal way and the Government was guaranteeing the repayment of that money which had originally passed to the corporation. What we had found, however, is that apart from such direct loans it is possible for, say, a commercial bank to agree to establish a letter of credit for one of the corporations without the necessity of that corporation depositing any money as collateral. The letter of credit will normally say that the Bank will pay the supplier when the supplier presents certain documents but the Bank will want to ensure that where the Bank has made such a payment, the corporation will pay the Bank in return.

That undertaking to pay the Bank where the bank has paid a third party is an obligation when the corporation has taken on or did take on. In fact, it is different from the original concept in that no money had passed from the lender to the corporation. In order to make the situation explicit so that there would be no doubt as to whether the corporation was competent to take on such an obligation, in order to make it quite certain to the Bank, or instance, in this particular cause, that the Bank would be adequately protected, this paragraph was inserted in the Act.

As I said, sir, it is a response to the growing complexity of commercial and financial transactions of the corporations for which the Government is responsible. It is not by any means, and cannot be so interpreted, an instrument for giving unfair advantage to the Public Corporation, vis-à-vis a private company, because in a similar situation the Bank would have accepted the signature of the private company in establishing the letter of credit even without collateral because it is quite possible that the Bank would have interpreted that it had more facilities for ensuring it gets its payment after due demand from a private company than a Government corporation by the very nature of the ownership of a Government Corporation.

Therefore, what we have found is that the Banks would not have given that facility to the public corporation whereas it would have given the accommodation to a private company.

All that this paragraph has done is to put the corporation on similar or equal footing with a private company in a similar circumstance. Therefore, it cannot be interpreted as giving an advantage to the public corporation. As I said, all that it has done is to put the two parties on a similar footing in corresponding circumstances.

6 p.m.

The hon. Member also wanted to see in this Amendment an indication of the Government's policy towards the private sector. I suggest that he probably looked at it in that way because he misinterpreted the real rationale of the Amendment. Let me say that the Government's policy towards the private sector has been very clearly enunciated in the Development Programme, a copy of which I know the Member has, the contents of which I hope the Member has read, but it is quite clear that Government's policy to the private sector has been laid down there.

It is said clearly that the Government wants to see the private sector in those areas, it will encourage the private sector in those areas. In fact, the hon. Minister of Economic Development has spoken on several occasions to the Organisations which represent the private sector. The Hon. Member would observe that only today the Press carried an announcement that the Government has gone to the trouble of setting up a corporation not only to provide money but also to provide advice technical, managerial and so on, to assist small companies. Still, all of these are in the private sector.

I think it should be clearly understood. The hon. Member should not be carried away by the rhetoric in which he sometimes indulges and tries to suggest that Government's policy towards the private sector is obscure or it is not clear. It is quite clear, that the Government

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[Mr. Hope contd.]

wants to encourage, and it does encourage, private enterprise in given areas. Those areas are stipulated they are set out clearly, in the Development Programme and I cannot explain in more detailed and more graphic language the policy of the Government vis-à-vis the private sector than what is in that book, to which I will ask the hon. Member to refer again to refresh his memory. Thank you, sir.

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Bill considered and approved

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

MOTIONS

CONFIRMATION OF THE CUSTOMS (EXEMPTION FROM DUTIES) (NO. 3)

ORDER 1973 (NO. 165)

“Be it resolved that this National Assembly, in terms of section 9 of the Customs Ordinance, Chapter 309, (now Customs Act, Chapter 82:01), confirm the Customs (Exemption from Duties) (No. 3) Order 1973 (No. 165), which was made on the 13th December, 1973, and published in the Gazette on the 31st December, 1973.

[The Minister of Finance]

Mr. Hope: I beg to move the Motion standing in my name seeking confirmation of the customs (Exemption from Duties) (No. 3) Order 1973 (No. 165).

This Order refers to the manufacture of cider in this country. When cider was to be manufactured in Guyana, and a proposal was made by a Member of the private sector, we readily agreed that the Government would do everything in its power to encourage the manufacture of cider locally, recognizing as we did that the economy needs to be expanded and the private sector needed to be encouraged, and that imports should be replaced wherever possible by local production. Consequently, we agreed to enable the materials, which go into the manufacture of cider and which had to be imported, to enter the country duty free.

This Motion seeks to confirm that Order and I commend it to the House for approval.

Question proposed.

Mr. M.F. Singh: I think perhaps what I am about to say is very predicatable. We are always very happy to support such measure as these, measures which are aimed at promoting a local industry and helping our Guyanese people to help themselves to the set up a local industry to substitute for the imported stuff. Certainly, this measure, which seeks to provide duty-free raw material for the manufacture of cider, is to be supported.

The manufacturing of cider in this country, apart from stimulating private enterprises, generating capital, also provides sorely-needed employment in the country at the present time. We have very great pleasure in supporting this Motion.

I should like to deal with the succeeding that also. I should not like to get one my feet a second time because it is merely adjusting the duty on imported cider, I think it is the CARIFTA cider, so that the price would be up to the level of the price at which local cider would be sold. We are happy to support this Motion and the one that will be dealt with after this.

Question put, and agree to.

Motion carried.

CONFIRMATION OF THE CUSTOMS DUTIES (IMPOSITION)

ORDER 1973 (NO. 166)

“Be it resolved that this National Assembly, terms of section 9 of the Customs Ordinance, Chapter 309 (now Customs Act, Chapter 82:01), confirm the Customs Duties (Imposition) Order 1973 (No. 166) which was made on the 13th December, 1973, and published in the Gazette on the 31st December, 1973.

[The Minister of Finance]

Mr. Hope: I wish to move the Motion standing in my name, seeking confirmation of Duty (Imposition) Order 1973 (No. 166)

As the hon. Member projected, the purpose of this Order is imply to bring the duty on imported cider from CARICOM countries in line with the excise duty which has been imposed on the locally-produced cider. It is as simple as that, and I commend this Motion to the House.

Question proposed, put and agreed to.

Motion carried.

ADJOURNMENT

Resolved, “That this Assembly do now adjourn until a date to be fixed.”

[The Minister of Parliamentary Affairs and Leader of the House]

Adjourned accordingly at 6.10 p.m.
