

**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**

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**58<sup>th</sup> Sitting**

**2.00 p.m.**

**Wednesday, 26<sup>th</sup> February, 1975**

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**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

**(Absent)**

**Deputy Prime Minister (1)**

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

**(Absent)**

**Senior Minister (8)**

The Hon. H.D. Hoyte, S.C.,  
Minister of Economic Development

**(Absent – on leave)**

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

**(Absent)**

**\*Non-elected Ministers**

\*The Hon. Green,  
Minister of Co-operatives and  
National Mobilizations (Absent)

\*The Hon. H.O. Jack,  
Minister of Energy and Natural Resources

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

\*The Hon. S.S. Naraine, A.A.,  
Minister of Work and Housing (Absent)

\*The Hon. G.A. King,  
Minister of Trade and Consumer Protection

\*The Hon. G.B. Kennard, C.C.H.,  
Minister of Agriculture (Absent)

#### **Minister (6)**

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 and Social Development (Absent)

\*Dr. the Hon. O.M.R. Harper,  
Minister of Health (Absent)

\*The Hon. C. V. Mingo  
Minster of Home Affairs (Absent)

#### **Ministers of state (9)**

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

#### **\*Non-elected Ministers**

The Hon. O.E Clarke, Minister of State – Regional (East Berbice/Corentyne)	<b>(Absent)</b>
The Hon. P. Duncan, J.P., Minister of State – Regional (Rupununi)	<b>(Absent - on leave)</b>
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)	<b>(Absent)</b>
The Hon. K.B. Bancroft, Minister of State - Regional (Mazaruni/Potaro)	
*The Hon. W. Haynes, Minister of State for Consumer Protection	<b>(Absent)</b>
*The Hon. A. Salim, Minister of State - Regional (East Demerara/West Coast Berbice)	<b>(Absent)</b>
*The Hon. F.U.A . Carmichael, Minister of State - Regional (North West)	<b>(Absent)</b>

**Parliamentary Secretaries (7)**

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

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

Miss M.M. Ackman,  
Parliamentary Secretary, Office of the  
Prime Minister and Government Chief Whip

**\*Non-elected Ministers**

Mr. E. L. Ambrose,  
Parliamentary Secretary,  
Ministry of Agriculture

Mr. S. Prashad,  
Parliamentary Secretary, Ministry of  
Co – operative and National Mobilisation

Mr. J.P. Chowritmootoo  
Parliamentary Secretary, Ministry of Education  
and Social Development

Mr. R.H.O. Corbin,  
Parliamentary Secretary,  
Office of the Prime Minister

### **Deputy Speaker (1)**

Mr. R. C. Van Sluytman, Deputy Speaker

### **Other Members (17)**

Mr. J. N. Aaron  
Mrs. L. M. Brano  
Mr. M. Corrica  
Mr. E.H.A. Fowler  
Miss J. Gill  
Mr. W. Hussain  
Miss S. Jaiserrisingh (Absent)  
Mr. K.M.E. Jonas  
Mr. M. Nissar  
Dr. L. E. Ramsahoye  
Mr. J.G. Ramson  
Mrs. P. A. Rayman  
Mr. E.M. Stoby, J.P.  
Mr. S. H. Sukhu, M.S., J. P.  
Mr. C. Sukul, J.P.  
Mr. H.A. Taylor  
Mrs. L. E. Willems

**Members of the Opposition - Liberator Party (2)**

Mr. M. F. Singh, Leader of the Opposition

Mrs. E. DaSilva

**OFFICERS**

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

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

26.2.75

National Assembly

2.05- 2.10 p.m.

2. 05 p.m.

## **PRAYERS**

### **ANNOUNCEMENT BY THE SPEAKER**

#### **Leave to Members**

**Mr. Speaker:** Leave has been granted to the hon. Member Mr .Hoyte, and to the hon. Member Mr. Duncan for today's sitting.

### **CONGRATULATIONS TO RECIPIENTS OF NATIONAL AWARDS**

Hon. Members, I am sure you will wish me to place on record and offer our congratulations to four former parliamentarians and to our Hansard Editor on the awards made to them on the occasion of the Fifth Anniversary of Guyana becoming a Republic.

The awards are, to Jane Phillips-Gay, for services of an exceptionally high quality beyond the normal call of duty in the trade union and political fields, to Rahman B.Gajraj, for services of an exceptionally high quality beyond the normal call of duty in the public, legislative, and diplomatic areas and Claude A. Merriman for services of an exceptionally high quality beyond the normal call of duty in the field of local government, and for political services. They were awarded the Cacique Crown of Honour.

The arrow of Achievement was awarded to Dr. H.A. Fraser, for long and dedicated service of a consistently high standard in the field of agriculture, and the Medal of Service was awarded to Eileen Cox, for services with exceptional dedication as a voluntary and social worker.

### **PRESENTATION OF PAPERS AND REPOTS**

The following Papers were laid:

26.2.75

National Assembly

2.10 – 2.20 p.m.

2.10 p.m.

- 1) Purchase Tax (Motor Vehicles) (Exemption) Order 1975 (No.16), made under section 5A of the Motor Vehicles and Road Traffic Act, Chapter 51:02, on the 6<sup>th</sup> of February, 1975, and published in the Gazette on the 15<sup>th</sup> of February, 1975. [**The Minister of Finance**]
  
- 2) Sessional Paper No. 1 of 1975 on International Labour Conventions on Basic Human Rights (February, 1975). [**The Minister of Labour**]

### **INTRODUCTION OF BILLS-FIRST READING**

The following Bill was introduced and read the First time:

General Local Loan (Amendment) Bill 1975- Bill No. 9/1975 [**The Minister of Finance**]

### **PUBLIC BUSINESS**

### **BILLS- SECOND READING**

### **PEOPLE TEMPLE OF THE DISCIPLES OF CHRIST CHURCH (INCORPORATION) BILL 1975**

A Bill intituled:

“An Act to incorporate the People Temple of the Disciples of Christ church in Guyana and for purposes connected therewith. [**Mr. Fowler**]

26.2.75

National Assembly

2.10 – 2.20 p.m.

2.10 p.m.

**Mr. Fowler:** Mr. Speaker, I rise to move the Second Reading of a Bill intituled an Act to incorporate the Peoples Temple of the Disciple of Christ Church in Guyana and for purposes connected therewith. The Peoples Temple of the Disciple of Christ is incorporated in the state of California United States of America, and is a non-profit corporation. Its total member ship is in the capacity of ten thousand and, as expressed in the Petition which I presented not long ago, the member believe in accepting the authority of the New Testament.

This Church, having established a branch in our country, is desirous of having it incorporated here by means of this Bill in order to acquire and dispose of property and to provide for other matters relevant to its administration. I now formally move that this Bill be read a Second time.

**Mrs. Willems seconded.**

*Question proposed, put, and agreed to.*

*Bill read a Second time.*

*Assembly is Committee.*

*Bill considered and approved.*

*Assembly resumed.*

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



2.20 p.m.

**MINERS ASSISTANCE BILL 1975**

A Bill intituled:

“An Act to provide for the establishment of a Miners Assistance Fund to aid Miners in the orderly and effective extraction of valuable Minerals.” [**Minister of Energy and National Resources**]

**Mr. Speaker:** Hon. Minister of Energy and National Resources.

**The Minister of Energy and Natural Resources** (Mr. Jack): I rise to move the Second Reading of the Miners Assistance Bill 1975. It is well known that over the years our miners have played a very important part in opening up our hinterland and in developing some of the areas of our interior. I think it is true to say that among the various sectors of our Community who make a valuable contribution to the economy, the miners have had, in the past, about the smallest proportion of assistance from Governments. These have been people who have braved untold hardships, who have taken great risks to win from the earth gold and diamonds which are valuable natural resources in Guyana.

From time to time there have been attempts to give some form of Governmental assistance to Miners But up until recently this assistance was not formalised and was not put on a very sound foundation. As a result of investigations which the Ministry of Energy and Natural Resources carried out a few years ago, we introduced in 1972 a scheme for assistance to miners administered by the Ministry of Energy and Natural Resources whereby assistance was given in the first instances to miners in the form of subsidised passages and subsidised foodstuff, because it is a harsh fact of life that the very people whom we depend upon to open up the interior, so to speak, are the people who are penalised because of the distances they have to travel from the coastland in terms of cost of transportation and in terms of cost for food.

I think we all know what has been the nature of increase for transportation, particularly by air, over the last few years and I think it is also common knowledge that the price that one has to pay for any kind of foodstuff in the interior is, to put it mildly, astronomical in most cases.

There has been a tradition in this country whereby small miners received assistance from shop – keepers and other buyers of gold and diamonds but in recent years this assistance seems to have dried up and the miners, therefore, had to rely upon Government's assistance if they were to survive. So it was that in January, 1972, Government, through the Ministry of Energy and Natural Resources, embarked on a programme, set up a Committee to assist small miners by subsidising, as I said, the cost of these fares. At first we were assisting merely with air fares and we found that this was not having the desired effect. As a result of that we increased the assistance to cover food and also to give assistance by way of machinery and equipment to miners who needed to go into the interior.

The Committee which was set up included Government officials and representatives from the Tributors and Traders Association which is the Organisation representing the interest of tributors and traders in the interior. We were faced with a choice of some form of limitation on the assistance that we could give in terms of quantum and also in terms of persons. And so, while we wanted to assist all bona fide miners, we started with a scheme whereby we would give assistance only to those persons who had held claims and we limited the amount of assistance to \$2,000.

Small as that assistance was, the effects on production were, I think, dramatic. In 1972, for instance, the amount of gold produced was something like 4,026 ounces: by 1973 it had jumped to 7,550 ounces; by 1974 it has jumped to 12,239 ounces and to date, that is up to a few weeks ago, it had already reached 2,000 ounces in 1975. Diamonds, on the other hand, suffered something of a decline, largely due to the fact that with the increased price of gold many tributors turned their attention to mining gold rather than diamonds. Nevertheless, I think it is fair to say that there has been a heartening response to the scheme was started by the Ministry of Energy and Natural Resources. However, we have found that there is a necessity to have a

special fund and to establish a legal entity which could not only lend to miners but which would have the legal capacity to recover money in proper cases.

There have been a few instances in which miners have received Government's assistance and have not made the type of repayments which they should have made. All in all, it has been considered necessary to put assistance to miners on a firm foundation by the introduction of a Bill such as this before the House now.

Let me hasten to say, Mr. Speaker, that this Bill which we put forward is merely a first step in the development of assistance to our miners in the interior. It is not intended as the end of the process. There may be, from some quarters, criticism that we have not gone far enough and it is for this reason that I offer this explanation at this time. It is to be expected that with the further development of gold and diamond production other forms of assistance will be available to the miners and a wider body of people will benefit from the Assistance to Miners scheme.

This House will recall that when this Bill was to have been read the Second time, two weeks ago, it was deferred. This was due largely to representations which has been made by the Opposition who seemed to have given very close scrutiny and consideration to all the provisions of this Bill. I myself have had discussions with the Leader of the Opposition and the other member of the Opposition and as a result of the representations which have been made by the Opposition and as a result of the further scrutiny which the Ministry itself has done following a closer look at this Bill, we are proposing four amendments some of which are not very significant but, nevertheless, worthy of having been passed at this time.

The first amendment which we are proposing is with regard to paragraph 10 where it is said:

“The Committee shall meet at least once in every three months . . . .”

[Mr. Jack continues]

2.30 p.m.

We would seek approval to have “three” deleted and the ‘s’ in the word “months” so that it would read: “once in every month.”

The second amendment which, I believe, is circulated to the House deals with clause 13 which should be re – numbered as clause 13(1) and the following should be inserted as subsection (2)

“The limit on the principal amount specified in subsection (1) does not apply in the case of a co-operative society registered under the Co-operative Societies Act.”

The necessity for this, Mr. Speaker, is that while our Government seeks to promote the whole concept of co-operative, we thought it incongruous that a person, that is, an individual, could get \$5,000 and a Co-operative as such, if it apply as an entity, would be limited to the same amount. In keeping with Government’s philosophy of co-operative socialism, we have decided to take away the limitation and leave it to the discretion of the Ministry, having regard to the size of the co-operative and the amount of work that would be involved.

The other amendment which will be proposed will be after section 14. Section 14, in fact, limits the period of repayment to one year but upon more mature consideration, we have considered that a miner may genuinely be repaying the principal during the year while he is working but that the year may come to an end before he has completed repayments. It is not intended that one should visit the penalties provided for in this Act on a man who is making genuine efforts and paying back regularly and, therefore, it is proposed that after the word “thereof” in section 14, we will insert the words “except that the Minister may, in his discretion, extend this period of repayment.”

The last amendment which was urged most forcibly on us by the Leader of the Opposition is that section 21 should be “subject to a negative resolution” and we have

[Mr. Jack continues]

accepted that representation, so that the section will now read: “Subject to a negative resolution, the Minister . . . “

Those are the amendment which, as a result of discussion with the Leader of Opposition, the Ministry is prepared to offer. With this, Mr. Speaker, I wish to commend this Bill to the House and ask that it be read a second time.

*Question proposed.*

**Mrs. DaSilva:** Mr. Speaker, before going into the matter before the House dealing with assistance to miners, I should like to congratulate the hon. Minister, but this is no new thing, because this particular hon. Minister of Energy and National Resources is always one who particularly pays attention to consultation with the Opposition. So, it is no special surprise that this has taken place again this time. He even postponed the Second Reading of this Bill from last week until today, in order to give enough time to smooth things out and ensure a smooth passage through this House, for that is just what this Bill is going to have.

We, on this side of the House, are always willing to give our support to any type of legislation that will provide work for our fellow Guyanese, that will provide income, revenue, for our country, and therefore, this Bill presents no problem because it basically sets out to do this.

As the hon. Minister told us, it started back in 1972. I will go even further back. I notice here from the Estimates that were passed in the National Assembly in 1969 for the year 1970 that there was on page 74, subhead 34, back in 1967, Assistance to Miners \$1,773.

That was a modest beginning but as the Minister said, they used to help with foodstuffs and supplies for them in those days. Then it progressed through the years until the last Estimates that we passed in December, 1974, the sum voted for Assistance to Miners was \$300,000. As the Minister said, that was not on a firm basis. It was done on a

sort of **ad hoc** basis and now this gives legal entity and ensures regular and proper assistance. The Minister hopes for the future that more assistance will be given as time goes by.

There are just a few observations I should like to make and to draw to the hon. Minister's attention. First of all, on page 4, clause 5(b). Clause 5 states:

“The Fund shall be applied for the purposes specified as follows:”

and (b) states:

“to assist miners in the purchase of equipment for use in mining operations and of food supplies;”

I should like to tie that in with clause 13 on page 6:

“The principal amount granted on any such application together with any amount disclosed therein as required by section 11(2)(c) shall not be more than five thousand dollars.”

Then, clause 11(2) (c) speaks of disclosing “any principal amount that the applicant owes in respect of assistance previously granted to him.” The Minister has also spoken about the amendment that he intends to put in which increases this amount at his discretion from over \$5,000 to whatever amount he thinks fit and suitable in the case of a co-operative society registered under the Co-operative Society Act. This was an amendment I was particularly keen on myself because one has to bear in mind that the cost of mining equipment is very expensive. In my talks with various people engaged in this type of work, I have been told that it takes about \$15,000 minimum to stake a miner for him to a claim. I did feel that \$5,000 was not really lending the man enough but the minister has taken care of that. We are now a Co-operative Republic and this amendment would encourage groups of people to get together to work a claim and we approve of this.

We would like to draw to the Minister's attention the fact – he has mentioned this - that it has been felt by various people, mining firms for example, individuals or

shopkeepers who have loaned miners money to buy foodstuffs or to get a bit of equipment – that miners promise to repay when they strike gold and when they get diamonds. Then they come back to Georgetown with a hard – luck story that they cannot repay because things were bad.

One of the things which we urged was the amendment to clause 10 so that instead of the Committee meeting once every three months, it shall meet at least once in every month on such dates as may be fixed by the Committee. This would give the members of the Committee a good opportunity of checking very carefully the type of person – or in the case of co – operatives, the group of people – to whom they are lending the money. They must be people who know what they are about, and they must be people of integrity.

I make no apologies for saying this, even though in this particular Ministry it may not apply, but do not just give money out to party followers; because they belong to the party they automatically can have a loan. The loan must be available to everyone regardless of which party he belongs to, provided that he has the ability to do the work and is a person of integrity. That is the criteria we urge the hon. Minister and the members of the Committee to use, not political motives.

It might be worthy of mention that the Minister considers that there be representation from our party on his committee, as is the accepted and general thing that ought to be, but which is honoured in the breach more often than in the observance. Maybe the Minister would bear this in mind.

The other Amendment about which the hon. Minister spoke concerns clause 14 on the same page 6. ‘The principal amount of assistance is repayable within a period not exceeding one year after the granting thereof.’ The hon. Minister is putting in this bit, “except that the Minister may in his discretion extend the period of repayment.” We think that is a very commendable Amendment to be put in because there can be hard cases, there can be problems, and it is as well that they are taken care of and spelt out in the law.

[Mrs. DaSilva contd.]

It must be borne in mind that pork – knockers are well known for hard – luck stories, but then, I think the hon. Minister and his Committee are aware of this.

On page 7, clause 16 reads as follows: “A miner shall not receive a grant out of the fund unless he has given security which the Minister in his discretion thinks fit.” I should like to make an observation here for the Minister’s consideration. I wonder what type of security he has in mind. Is it something like the men’s property, or his land? Maybe he might own some Government bonds, debentures, or something like that but I should like to caution against taking the equipment itself as a means of security.

Pork – knockers are well known. I am not talking about the honest ones – the honest ones present no problem. They will come in a straightforward way and the Government will be able to deal with them. But as the Minister himself admitted, as in everything else, there are dishonest people and those who wish to try and borrow the money and not repay it. The Government will have to remember that they exist, and make provision to deal with them. It is not an unknown thing that a man can say: “Come along and seize the dredge’ or ‘Seize the pump”, or Seize any of the equipment. Things are bad, I haven’t any money, take the equipment and pay yourself back.”

Indeed, on page 8, under section 20, the Permanent Secretary has the authority to do this, but mining is carried on not in the city of Georgetown or, indeed, in any city, where it is easy to get hold of a person, but in any city, where it is easy to get hold of a person, but in the far reaches of our interior, and, as the hon. Minister said, these people deserve help and need help. The Permanent Secretary of an officer appointed by him will have great difficulty getting into the far reaches of the interior to seize the equipment. There are ways and means and they probably will be able to get assistance or to make an attempt to go to seize it.

This is the point I wish to make. Word gets around and people can easily either dismantle bits of the equipment or move the whole thing and take it somewhere else – it has been known to happen – so that when the person gets in there to seize the article to sell it by public auction, as



The Financial Regulations make provision for and which the Permanent Secretary has the authority to do, there is no machinery to salvage, or, if there is any, important parts are missing and it is not worth it. That is something that has to be taken into consideration. Again I stress that the ability and the integrity of applicant for the loan whether on individual person or a group in a co-operative, must be the criteria for the allocation of that money.

I think we have the Minister's other Amendment which deals with the Negative Resolution of which we approve. I think that last about covers our contribution to this Miners Assistance Bill. We shall look forward from time to time to see how it is progressing, for, as the hon. Minister said, his hopes are to increase it in the future.

**Mr. Speaker:** Hon. Minister.

**Mr. Jack** [replying]: There are certain observations made by the Opposition which are cogent and which I think require some explanation. First of all, with regard to representation, I shall bear the remarks of the Opposition in mind and consider carefully what the members have said.

I think that the point made with regard to security is a very valid one. Up to now, we have been on the scheme which is in operation at present. We have been insisting on a guarantor where a hardship in some genuine cases. If one is trying to help poor people, especially in an undertaking as uncertain as gold and diamond mining, then one has to be prepared to take certain chances. If the Government were to insist in all cases on that type of security as would be relevant for commercial banks, I think we would defeat the purpose of this Act. However, we would be looking, in cases where people have property for security, by way of a charge on the property. Where they do not have property, we would expect them to be able to provide a guarantor, but we do envisage that there will be genuine cases where a hard worker, a man well known to be competent and honest, cannot find a guarantor. In those circumstances, upon a recommendation by the Committee which will have investigated the man's character in all its aspects, we would be prepared to grant a loan on the man's own personal worth, so to speak, but this will have to be done sparingly and with the caution that is required when dealing with public funds. That is all that I can say with regard to security at this time.

2.50 p.m.

*Question put and agreed to.*

*Bill read a Second time*

*Assembly in committee.*

*Clauses 1 to 6 agreed to and ordered to stand part of the Bill,*

*Clause 7.*

**Mr. Singh:** Sir, Clause 7 reads:

“The Minister shall, within six months of the end of that year, lay before the National Assembly a report on the transactions of the Fund during the proceeding financial year.”

I had initially proposed that we insert the words “ to make sure that the report would be an audited financial report audited by the Director of Audit”. I have however been assured, and I accept the assurance, that under the existing law the report would be a report audited by the Director of Audit. Therefore I merely say here what I have been given an assurance about and look forward to receiving in Parliament here not merely a report but a report audited by the Director of Audit.

**Mr. Jack:** Your Honour, my interpretation is that the report will be on audited report and I am so advised. Should it turn out that this is not the case I can assure this House that the reports will be audited reports and if it becomes necessary for any amendment to be made necessary amendment will be made.

*Clause 7 agreed to and ordered to stand part of the Bill.*

*Clauses 8 and 9 agreed to and ordered to stand part of the Bill.*

*Clause 10.*

**Mr. Jack:** I propose that we delete the words “three months and substitute therefore the word “month”.

*Amendment that -*

The words “three months” be deleted and the word “month” substituted.

*put, and agreed to.*

*Clause 10, as amended, agreed to and ordered to stand part of the Bill.*

*Clause 11.*

**Mr. Singh:** Clause 11 deals with the application and the requirements in respect of the application. Clause 11 (2) (c) reads that the application shall.

“(c) disclose any principal amount that the applicant owes in respect of assistance previously granted to him.”

That clearly means “in respect of assistance from the Government previously granted to him,” assistance as envisaged under the proposed legislation. I had urged that an additional requirement of the application should be to disclose not only assistance from the Government but assistance received from other quarters and, indeed, liabilities to other quarters in respect of the mining operation, in respect of the undertaking or the work of the miner as envisaged in the proposed legislation. However, it was quite rightly, to my mind, pointed out to me that this would cover a very wide area and, indeed, might lead to a lot of controversy.

I had felt that the requirement to put it down and the penalty which is imposed for non-compliance under Clause 22 would cast upon the person in most cases, an obligation to supply this information which he would observe because there are penalties to it and he would put down the information. It may well be that you could never double check the information because of the controversy. For example, he may have taken goods from a shopkeeper who would stake him out and he may have paid him back in gold and diamond. They may have a quarrel as to whether the man was paid off or not, as to what amount may be still owing to the shopkeeper. There could be all sorts of complicated transactions in respect of miners. However, I did feel that if an obligation

was put on him to disclose them, it would be of assistance to the miners, It was, however, felt by the Ministry that we should not attempt to insist on that sort of thing in the legislation but it should be the function of the committee to enquire deeply into these matter when, presumably, the applicants would come before them to be interviewed.

Under the circumstances, I would only urge that the committee would, in fact , make these enquires even though they may not have the power to do anything to the man for giving them false information. They should enquire very searchingly into the man's previous activities in the field of mining so as to be able to form a conclusion. I feel certain that they will do this particularly if the hon. Minister gives favourable consideration to the accepted idea of representation by the Opposition on Boards and committees. I merely say the consideration of the Minister and for the general information of the House.

**Mrs. DaSilva:** I was not quite sure if the hon. Minister was replying to the Leader of the Opposition. The Leader of the Opposition spoke about careful interviewing which was a point I had forgotten to raise, In this Section 11, it talks about the application being in writing and information being given and so on, but I take it that there will be also a personal interview because from an interview you get so much than from a written application.

**3 p.m.**

**The Chairman:** Hon. Minister of Energy and Natural Resources.

**Mr. Jack:** Your Honour, the practice has been, up to now, that after an application is made, the applicant appears before the Committee and, in fact, is personally interviewed during which interview a lot of information is sought from him.

I am in agreement with the hon. Leader of the Opposition that the Committee would have an interest in all financial transaction which the applicant may have been engaged in. This goes towards the totality of his reputation as a fit and proper person to receive assistance but as has been pointed out a little while ago by hon. Member of the Opposition, Mrs DaSilva, Section 11 is tied to Section 13 and we could not have changed the provisions here since what this seeks to do

is to prevent a person from having, at any time, more money from the Government, so to speak, than the allotted \$5,000. For Instance, if a man has already borrowed \$4,000 and he came subsequently to borrow he must disclose that and then he would only be able to borrow \$1,000.

The two are linked as we would see it here. If we were just to have inserted a further provision with regard to persons who had lent money that what is intended is that at the Committee stage this kind of disclosure will be required. I am also thinking of getting advice as to whether under the regulations we should not publish the application when they are made but this is something that we will have to look at later on when the regulations are to be made.

*Clauses 11 and 12 agreed to and ordered to stand part of the Bill.*

*Clauses 13.*

**Mr. Jack:** Your Honour, I move that Clause 13 be renumbered as Clause 13(1) and the insertion of the following as sub – section (2)

“(2) The limit on the principal amount specified in subsection (1) does not apply in the case of a co-operative society registered under the Co- operative societies Act.”

*Amendment proposed, put, and agreed to.*

*Clause 13, as amended, agreed to and ordered to stand part of the Bill*

*Clause 14.*

**Mr. Jack:** I propose an amendment, to wit, the insertion after the word “thereof” “except that the Minister may in his discretion extend the period of repayment.”

*Amendment proposed, put, and agreed to.*

*Clause 14, as amended, agreed to and ordered to stand part of the Bill.*

*Clause 15, agreed to and ordered to stand part of the Bill.*

*Clause 16.*

**Mr. Singh:** Mr. Chairman, while the hon. Minister was replying to my colleague, I did note that he said that some loans would be granted without a guarantor based on the person's character, performance, and so on. The thought struck me that when loans are granted under those circumstances, one should try to make certain that equipment bought with such money is not bought on hire purchase by the miner. This I would expect to be standard practice of any Ministry but I wanted merely to make assurance doubly sure that the Ministry will have to exercise vigilance to make sure that any money given by the Ministry under this fund to buy equipment will not be the subject of any hire purchase agreement with the selling Company.

**The Chairman:** Hon. Minister of Energy and Natural Resources.

**Mr. Jack:** That I believe is an administrative matter. I take the point raised by the hon. Leader of the Opposition but this is a matter that will have to be done administratively and could not be included in this.

*Clauses 16 to 19 agreed to order to stand part of the Bill.*

*Clause 20.*

**Mr. Singh:** In Clause 20 it will be seen that –

“The Permanent Secretary or any other officer of the Ministry authorised in writing by him, may seize and detain any valuable minerals owned by the miner or any equipment or other article relating to the mining operation for which assistance was granted and may dispose of it by sale to recover the assistance.”

I had suggested that the words “sale by auction” be inserted. I have, however, been assured that the Permanent Secretary being a public officer and any other officer so authorised by him in writing will be bound by the financial regulations to dispose of any property such as this by a public auction and I therefore mention it for the records and expect that any property being so disposed of would be disposed of by public auction.

*Clause 20 agreed to and ordered to stand part of the Bill.*

26.2.75

National Assembly

3.00 - 3.10 p.m.

**Mr. Jack:** Your Honour, I propose the amendment, to wit, that for the word “The” the following words be substituted:

“Subject to negative resolution of the National Assembly, the”

*Amendment proposed, put and agreed to.*

*Clause 21, as amended, agreed to and ordered to stand part of the Bill.*

*Clause 22:*

**Mr. Singh:** There is a slight typographical error in clause 22 on the last line of (a). It should be “an” application instead of “a” application.

**The Chairman:** I am very grateful to you for your observation.

*Clause 22 agreed to and ordered stand part of the Bill.*

*Assembly resumed.*

*Bill reported with amendments, as amended, considered, read the Third time and passed.*

3.10 p.m.

### **PROPERTY TAX (AMENDMENT) BILL**

A Bill intituled:

“An Act to amend the Property Tax (Amendment) Act 1974.”

**The Minister of Finance** (Mr. Hope): Your Honour, in accordance with Article 80 (2) of the Constitution, I signify that the Cabinet has recommended the Property Tax (Amendment) Bill, to be debated and proceed with in Parliament today.

In moving the Second Reading of the Property Tax (Amendment) Bill 1975 I merely wish to point out that the real purpose and objective of the Bill is to remove a certain amount of

uncertainty which had crept into the Bill which was passed into an act in December, 1974, amending the Property Tax Act. In December last, the Bill that was passed sought among other things to remove the limitation which was applied to the definition of debts in arriving at net property under the Property Tax Act. It was also the intention of that Act to give effectiveness from the year of assessment commencing on the 1<sup>st</sup> January, 1975.

However, in seeking to honour a commitment which the Government had given to the commercial banks and the insurance companies some years ago, that the amendment when introduced with regard to those two institutions would take effect from year of assessment 1970, a certain amount of uncertainty did creep into the Bill. The purpose of the Bill before us now is to make it very clear that the commencing date of the amendment, 1970, whereas, the commencing date for the amendment with regard to all other companies was year of assessment commencing 1<sup>st</sup> January, 1975.

That, sir, is the simple purpose of this Bill which, as I said, seeks to clarify what certainly was uncertainty in the Bill which was passed in December last year. I therefore move the Second Reading of the Property Tax (Amendment) Bill, 1975.

*Question proposed.*

**Mr. Speaker:** Hon. Leader of the Opposition

**Mr. Singh:** I remember distinctly when, in December last year, we debated the Bill which is now sought to be amended that I had asked and was given the assurance that the limitations in respect of Property Tax in respect of companies- quite distinct and apart from insurance companies –would be effective from 1<sup>st</sup> January, 1975. The interpretation which I have been told has been given to the law was passed was that it would have been effective under the law from 1970. This then, is obviously legislation to set the position quite clear and to carry out the declared statement of the Minister that those provisions in respect of companies, the limitation, would be effective from year of assessment 1975.

I could perhaps talk at length on this but all I would like to do is to make an appeal to the Cabinet to give greater priority to legislation such as this. Mistakes are always likely to happen



**26.2.75**

**National Assembly**

**3.10 - 3.20 p.m.**

when we rush through financial legislation which is usually very involved and which is in fact what we did in December last year. We did rush the Bill through Parliament.

The Bill came before the House and we all fell since it was legislation to benefit taxpayers generally, we should get it passed as early as possible, particularly in view of the fact that the hon. Minister had promised this as far back as the 10<sup>th</sup> December, 1973 in his Budget Speech for 1974, on page 40.

We would urge that, in future when these promises are made, Cabinet would allocate a higher priority to this type of legislation so that from the very beginning the position could be clear. Accountant companies etc. should have an opportunity to study the legislation and make whatever recommendations and observations they have to make in time so that we can have the position straightened out early without having so much water run under the bridge.

*Bill read a Second Time.*

**3.20 p.m.**

*Assembly in Committee.*

*Bill considered and approved.*

*Assembly resumed*

*Bill report without amendment, read the Third time and passed.*

## **ADJOURNMENT**

### **BUSINESS FOR NEXT SITTING**

**The Minister of Parliamentary Affairs and Leader of the House** (Mr. Ramsaroop):  
The Order Paper for tomorrow has been circulated. With the consent of the Opposition, the item listed at No. 2 will not be done tomorrow; it will be deferred to a later date. There will therefore only be the Motion for the Adoption of the ILO Conventions.

**26.2.75**

**National Assembly**

**3.20 p.m.**

I seek the leave of this House to move the Adjournment of this Assembly to Thursday, 27<sup>th</sup> February, 1975, at the hour of 2 p.m.

**Mr. Speaker:** The Sitting is adjourned until Thursday, 27<sup>th</sup> February, 1975, at 2p.m.

**Adjourned accordingly at 3.20 p.m.**

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