

## LEGISLATIVE COUNCIL

THURSDAY, 29TH APRIL, 1948.

The Council met at 2 p.m., His Excellency the Governor, Sir Charles Woolley, K.C.M.G., O.B.E., M.C., President, in the Chair.

### PRESENT.

The President, His Excellency the Governor, Sir Charles Campbell Woolley, K.C.M.G., O.B.E., M.C.

The Hon. the Colonial Secretary, Mr. W. L. Heape, C.M.G.

The Hon. the Attorney-General, Mr. E. M. Duke (acting).

The Hon. the Colonial Treasurer, Mr. E. F. McDavid, C.B.E.

The Hon. F. J. Seaford, C.B.E., (Nominated).

The Hon. Dr. J. B. Singh, O.B.E., (Demerara-Essequibo).

The Hon. Dr. J. A. Nicholson, (Georgetown North).

The Hon. T. Lee (Essequibo River).

The Hon. V. Roth (Nominated).

The Hon. C. P. Ferreira (Berbice River).

The Hon. T. T. Thompson (Nominated).

The Hon. G. A. C. Farnum (Nominated).

The Hon. Capt J. P. Coghlan (Demerara River).

The Hon. D. P. Debidin (Eastern Demerara).

The Hon. J. Fernandes (Georgetown Central).

The Hon. Dr. C. Jagan (Central Demerara).

The Hon. W. O. R. Kendall (New Amsterdam).

The Hon. C. A. McDocm (Nominated).

The Hon. A. T. Peters (Western Berbice).

The Hon. J. Carter (Georgetown South).

The Clerk read prayers.

### OATH OF ALLEGIANCE.

The PRESIDENT administered the Oath of Allegiance to Mr. John Carter (Elected Member for Georgetown South) and extended a welcome to him on behalf of the Council. Mr. Carter then took his seat.

### MINUTES

The minutes of the meeting of the Council held on Friday, the 23rd April, 1948, as printed and circulated, were taken as read and confirmed.

### PAPERS LAID.

The COLONIAL SECRETARY (Mr. Heape) laid on the table the following document:—

Report of the British Guiana Rice Marketing Board for the period, 1st October, 1946, to 30th September, 1947.

### ANNOUNCEMENT.

#### CLOSER ASSOCIATION OF B.W.I. COLONIES.

The PRESIDENT: Hon Members, before we proceed to the Order of the Day I would like to refer to the resolution passed by this Council a few weeks ago on the subject of Federation or Closer Union of the Caribbean territories. You will remember that this Council resolved that while it would not in any way commit itself to Federation it would send two representatives to the Standing Commit-

*(Sir Charles Woolley)*

tee for Closer Association. The time has come, I think, when we must elect our representatives. I am not sure exactly when it is proposed this Standing Committee should meet, but it will be fairly soon and we should, I think, proceed to elect our own representatives.

This matter is one concerning particularly Unofficial Members, and it is for them to say who they wish to represent British Guiana. So the Deputy President will call a meeting of Unofficial Members as soon as possible to consider the matter and to proceed to the selection of two representatives for British Guiana. I thought I would mention the matter today so that hon. Members could think about it between now and when the meeting is convened by the Deputy President. The

1945	1946
Anna Regina Rice Mill.	Anna Regina Rice Mill.
New Mahaicony Rice Mill	New Mahaicony Rice Mill.

Prices paid for milling varied from \$0.85 to \$1.20 per bag of rice produced, depending upon the milling facilities offered, the proportion of the transport charges paid by the miller and other cir-

	1945	1946	1947
Super	220	202	358
Extra No. 1	5,520	955	8,542
No. 1	2,494	6,558	6,777
No. 2	899	2,896	5,931
No. 3	209	287	2,187
Super Broken	582	166	543
Broken	508	1,110	1,349
Unclassified	5	136	118
White "A"	126	238	
White "B"	223	1	
White Broken	55		
	10,841	12,549	25,805

Council will now proceed to the Order of the Day.

## ORDER OF THE DAY.

### RICE DEVELOPMENT SCHEME.

Mr. ROTH on behalf of Mr. LEE asked and the COLONIAL SECRETARY replied to the following questions:—

Q. 1. Will Government state at whose factory or factories padi for the Mahaicony-Abary Rice Development Scheme was milled for the years 1945, 1946 and 1947, and what prices were paid for the milling of the said padi into rice per bag and what grades were obtained for such padi?

A. Padi belonging to the Mahaicony-Abary Rice Development Scheme was milled at the following factories during the years 1945, 1946 and 1947:—

1947

Anna Regina Rice Mill.  
New Mahaicony Rice Mill.  
R. Sharma, Helena, Mahaicony.  
K. Shaw, 11 Woodley Park, Berbice.  
Estate of Bankay, Bush Lot, West Coast, Berbice.  
M. Jameer, Britannia, West Coast, Berbice.  
G. Gobin, Litchfield, West Coast, Berbice.  
P. Gobin, Belladrum, West Coast, Berbice.  
S. Singh, Novar, Mahaicony.  
H. Juman, Huntley, Mahaicony.  
A. Jugdoo, Governor Lite, Mahaicony.  
A. Juman, Wash Clothes, Mahaicony.  
J. P. Kanhai, De Hoop, Mahaica.  
G. R. Kanhai, De Hoop, Mahaica.  
D. J. Emile, Helena, Mahaica.  
M. Ghanie, Unity, East Coast, Demerara.  
R. Singh, Belladrum, West Coast, Berbice.  
Dookeenandon, Bel Air, East Coast, Demerara.  
P. Ramnarine, Hogg Street, Albouystown.

cumstances which were taken into account at the time the prices were fixed.

The grades of rice obtained were as follows:—

Q. 2. Will the Government state what prices were paid by the Rice Marketing Board to the said Rice Development Scheme for the aforesaid years for the grades of rice so obtained?

A. It is impracticable to relate the amounts received by the Mahacony-Abary Rice Development Scheme to the actual grades of rice delivered by the Scheme to the Rice Marketing Board.

At the inception of the Scheme, by agreement between the Government and the Rice Marketing Board, it was arranged that the Scheme should be credited for rice cultivated by the Scheme and delivered to the Board with the **not** assessed export value of such rice determined at the appropriate export prices after deduction of expenses.

By this arrangement, the Scheme has received for rice delivered the following sums in excess of the amounts which would have been received on the basis of the Board's current local prices:—

1945	\$21,193.88
1946	\$19,560.00
1947	\$29,985.28

#### CO-OPERATIVE SOCIETIES BILL.

The Council resolved itself into Committee and resumed consideration of the following Bill:—

A Bill intituled "An Ordinance to provide for the formation and to regulate the operations of Co-operative Societies."

#### COUNCIL IN COMMITTEE.

#### Clause 45 — Limitation of the jurisdiction of the civil court.

The ATTORNEY-GENERAL: Sir, when the Council adjourned on the last occasion it was considering clause 45 of the Bill, and there was one hon. Member who wanted to know whether there was a similar provision in any other Colony. Well, in Trinidad an Ordinance was passed in 1931 called the Agricultural Co-operative Societies Ordinance, and that Ordinance contained a similar provision. Although seventeen years have passed since that Ordinance was enacted, the Ordinance has not been amended in that respect. Section 49 of that Ordinance reads as follows:

"Power of action in winding-up and dissolution matters — Save in so far as is expressly provided in this Ordinance

no Court shall take cognizance of any matter connected with the winding-up or dissolution of a society under this Ordinance, and when a winding-up order has been made no action or proceeding shall lie or be proceeded with against a society except by leave of the Registrar and subject to such terms as he may impose."

In Ceylon there is a Co-operative Societies Ordinance. It is called the Co-operative Societies Ordinance, Chap. 107, and section 43 of that Ordinance is, I believe, in almost identical terms. It reads:

"Save in so far as is hereinbefore expressly provided no civil court shall have any civil jurisdiction in respect of any matter concerned with a dissolution of a registered society under this Ordinance."

That is the law in Ceylon and has always been the law in Ceylon where they have much experience of Co-operative Societies and, Sir, I think that the fact that these provisions were enacted in the laws of Ceylon and Trinidad is an answer to the question or to the doubt which was raised by the hon. Member for Essequibo River.

Clause 45 passed.

Clause 49 — **Settlement of disputes.**

Mr. DEBIDIN: I wish to draw attention to subclause (2) and (4). Subclause (2) reads:

"The Registrar may on receipt of a reference under subsection (1) of this section —

- (a) decide the dispute himself; or
- (b) refer it for disposal to an arbitrator or arbitrators."

Subclause (4) reads:

"A decision of the Registrar under subsection (2), or in appeal under subsection (3) of this section shall be final and shall not be called in question in any civil court and shall be enforced in the same manner as if the decision had been a judgment of a civil court."

There are two things which arise from subclause (4). One of them is in what way will a judgment or a decision of the Registrar be enforced in a Civil Court when the Civil Court is something apart in functions and duties and everything else from the Co-operative Societies department or the Registrar of Co-

operative Societies? It is bothering me up to now to know by what means there can be a connection. How a decision of the Registrar can be enforced by a Civil Court, when it cannot pass through the records of any court and in that respect the powers of the Court cannot begin to operate? It is something I would like some explanation on. Again I would like to draw attention to the very wide powers given to the Registrar and no action can be taken against him in a Civil Court. One sees that subclause (2) deals with his powers to decide disputes as mentioned in subclause (1), and those disputes are all private matters as among members, past and present, persons claiming through members. I venture to think that not only questions arising from the society as a society but private matters between members of a society may arise, and at least I am satisfied with the precedent given by the hon. the Attorney-General with respect to clause 45, but in this case I think there is some difference. The whole of this clause relates a great deal to the private relationship of parties and certainly, I think, they should be free to choose their forum. They should have the opportunity, if they wish, to go to the Court.

The ATTORNEY-GENERAL: To save time I may state that I have no objection to the final words being deleted — “and shall be enforced in the same manner as if the decision had been a judgment of a civil court.”

Mr. DEBIDIN: If that is deleted it emphasizes the fact I was just making. How in a private dispute is the Registrar's decision to be enforced? Those affected by this particular clause should have the freedom of choice of the forum which they would like to decide their claims. I am moving that in so far as subclause (4) is concerned the whole of it be deleted.

The CHAIRMAN: What I would like to point out to the hon. Member is that this deals with society matters and not private matters. I think I said at the last meeting of the Council that what we want to avoid in this Co-operative Movement is litigation. We do not want it. It is against the spirit of co-operation. We want someone to decide these disputes without recourse to the law. Co-operative

Societies will never work once litigation enters into the Movement. That will be the end of it. I can assure the hon. Member that a society might break down in some other way, but litigation would break it down and finish it. I have no doubt in my mind about that, and I put that consideration to the hon. Member.

Dr. JAGAN: I am inclined to agree with the hon. Member for Eastern Demerara. What seems to be the trouble is the question of the right of members to have an appeal from the decision of the Registrar. That seems to be the point at issue. Perhaps the Registrar may be able to settle these disputes possibly to the satisfaction of the members, but I think there should be some right of appeal if the members are not satisfied with the Registrar's decision. They should be allowed to go to the Courts, if necessary.

Clause 49 passed.

Clause 51 — **Regulations.**

Mr. DEBIDIN: I beg to move an amendment to the first line of subclause (1) by the insertion of the words “Governor in Legislative Council” in substitution for the words “Governor in Council.” This is going back, I think, on the debate which we had not very long ago in this Council as to what powers are being taken from this Council and delegated to the Governor in Council, and regardless of what precedents there may be in other parts of the world and in other Colonies I will stand very strongly on this particular question. Knowing British Guiana as I do and the current tendencies, I feel in the interests of the people of the Colony their rights should be safeguarded in this Council and this is going to be one of them. I find that while this Bill is being passed with slight amendments leaving to the Registrar unlimited powers, he may not be a gentleman with legal knowledge. When one considers that aspect of it and also that this Movement may assume tremendous proportions in in years to come—you may have societies involving tremendous sums and large membership — and also very big in its functions, one finds that all the more a certain amount of caution has to be taken so that all rights and powers should not be just given away like that.

I have made certain remarks some of which may be regarded as strictures on the Social Welfare Department. We have been told there is a gentleman who will be here with expert knowledge and he will be leaving this Colony after some person has learnt from him how to carry on. But are we safe in allowing regulations to be passed by the Governor in Council alone when the Members of this Legislature have been asked to sanction this Ordinance? We are now giving sanction to this Ordinance, and similarly I feel we should give sanction to every bit of regulations which are to be passed to implement the provisions of this Ordinance. I have already made my points about this in another debate on the Standing Committee and the Executive Council. We may not have all the legal talent in this Council and all of us cannot be on the Executive Council, but we have a larger number of men in the Legislative Council and I am happy to see there is an addition only today in this Council of a gentleman with legal knowledge who certainly supplements our forces and who will be able to focus attention on any regulations which may not only infringe the provisions of the Ordinance itself but in the light of our own experience will not serve the purpose of the general inhabitants of the Colony. For all the reasons given before I think these wide powers should not be given the Registrar.

Another point I would like to make. When one sees what wide powers are given the Registrar and that regulations are to be made and what are the conditions, one cannot help feeling that it relates a great deal to the private relationship of the individual. It is true that comment was made by His Excellency that it all arises out of the existence of a co-operative society, but at the same time since it will deal with the private rights of the individual, how he can apply for membership, what fees he is to be paid—sub-clause (2) paragraphs (b) and (c) read:

“(b) prescribe the conditions to be complied with by persons applying for admission or admitted as members, and provide for the election and admission of members from time to time, and the payment to be made and interest to be acquired before exercising rights of membership;

(c) subject to the provisions of section twenty-seven of this Ordinance, prescribe the maximum number of shares or portion of the capital of a registered society which may be held by a member;”

I am respectfully submitting that if this matter is delegated to the Governor in Council, to my mind it would be a violation of the ordinary principles of jurisprudence and the constitutional rights of the inhabitants would be taken away. I know it may be answered that the Governor in Council—the Governor having much of the powers under this particular Ordinance and which are also handed down to the Registrar of Co-operative Societies who will have, as I say, unlimited powers—will be in the best position to know what kind of regulations to make. But I say, even though there may be no objection to the regulations being framed by the Registrar, or the Governor in Council, or His Excellency himself, yet we should have the right of giving those regulations the “once over” and to be satisfied that whatever regulations are passed are approved by the people themselves, since the whole Co-operative Movement is intended to affect the people of the Colony as a whole. One has to realize that Co-operative Societies may take the places of big business shops, and the whole commercial community may be somewhat involved by the operation of the Co-operative Societies. Many things may be affected by the full operation of Co-operative Societies in this Colony, so much the more we who represent the people should have the right in this Legislature to go through the regulations and be able to pass them. I respectfully move that amendment of that clause.

Dr. JAGAN: I beg to support the amendment moved by the hon. Member who has just taken his seat. There is no doubt about it that this Bill certainly is going to make a little dictator out of the Registrar, and I would be happy if this dictator would not be eventually one, but we cannot be too sure about that. So I would like to reserve powers to this Council so that Members would be able to have a say on these regulations. For instance I cannot see why paragraph (d) of this clause has been inserted in this Bill at all. The co-operative movement is a peo-

ple's movement, and I think co-operative societies should be allowed to expand as much as possible. I personally would like to have a say in the matter of framing Regulations under this Bill, because I am opposed to several clauses in this Bill. There is no doubt that co-operative societies will have to face several obstacles, probably put up by big business in this Colony. I personally have not much confidence in the Members of the Executive Council, and I would prefer to see the people's representatives in the Legislative Council have a voice in many of the things which are now being done by the Executive Council. I therefore heartily support the amendment proposed by the hon. Member, and I trust that other Members will give it their support.

Mr. ROTH: I see a certain amount of virtue in the argument of the two last speakers. I think a simpler amendment would be the addition of a third sub-clause (3) to provide that "such Regulations shall be approved by the Legislative Council."

The ATTORNEY-GENERAL: The hon. Member for Eastern Demerara (Mr. Debidin), has moved that for the words "Governor in Council," which have a legal meaning, there should be substituted the words "Governor in Legislative Council" which have no known legal meaning. I am afraid that that amendment would not be in order.

Mr. DEBIDIN: To a point of correction. I particularly said that I did not want to go over the whole ground that I covered when I moved a similar amendment on a previous occasion, as the amending Ordinance of 1943 made it quite clear.

The ATTORNEY-GENERAL: I repeat that the words "Governor in Legislative Council" have no meaning whatever. With regard to the spirit of the amendment which has been moved by the hon. Member, I beg to move that certain sub-clauses be added to clause 51. They are identical with the provisions of section 36 of the Immigration Ordinance of 1947 which was passed by this Council on the 22nd of December last. The object of this amendment is to provide that Regulations

which are made by the Governor in Council shall be laid before the Legislative Council which would have the opportunity to annul those Regulations or any part of them. The amendment I now move is that the following sub-clauses be added to clause 51:—

(3) All Regulations made by the Governor in Council under this Ordinance shall be laid before the Legislative Council within fourteen days next after they are made if the Council is sitting on the last day as aforesaid, and if the Council is not then sitting, within fourteen days after the commencement of the next ensuing sitting.

(4) If, within twenty-one days after the Regulations are laid before the Council, a resolution is passed by the Legislative Council that the Regulations or any part of them be annulled, they shall thereby be annulled to the extent set forth in the resolution, and the Regulations, or part thereof, so annulled shall thenceforth become void and of no effect but without prejudice to the validity of any action in the meantime taken under the Regulations or part thereof, as the case may be; and a certificate of the Clerk of the Legislative Council as to any of the matters or things specified in this subsection shall be sufficient evidence, thereof.

(5) Any Regulations, or any part thereof which have not, within the period of twenty-one days after they are laid before the Council, been annulled by resolution of the Legislative Council shall have effect as if enacted in this Ordinance.

The CHAIRMAN: I think that meets the hon. Member's point.

Mr. DEBIDIN: I appreciate one fact, and that is that the hon. the Attorney-General has anticipated a possible amendment. I say too that this may be an attempt to answer what has been discussed in this Council, and I believe that the majority of Members felt very strongly in the matter too, but there is a snag in this amendment. For instance, in the case of co-operative societies, which we are discussing at the moment, if Regulations are made by the Executive Council under the Ordinance action may be taken under those Regulations which might make it embarrassing or almost impossible to retract any action taken by a co-operative society or any person under the Ordinance. In such a case there might not be a session of the Legislative Coun-

cil within 14 days. Many things might take place which might have very far-reaching effect, and this Council might be extremely embarrassed to pass a resolution to annul the Regulations in question. I do not feel that the procedure suggested in this amendment is the right way to go about the matter. It is only begging the question in my opinion. I feel that the time has come when we should stop playing with the situation. We are just like a shuttlecock. The procedure suggested creates suspicion. I think a clear-cut decision should be made. Either this Council or the Executive Council should make Regulations. There should be no middle course. As there are five Members of the Executive Council in this Council I do not think any Regulations made by the Governor in Council would ever be annulled by resolution of this Council.

Mr. SEAFORD: I do not think the final remarks of the hon. Member carry very much weight, because even if Regulations are to be approved by the Legislative Council they will first have to be considered by the Executive Council.

There is a general remark I would like to make, and it is that throughout this debate the hon. Member for Central Demerara (Dr. Jagan) seemed to have only one thing in view, and that was a consumer co-operative. What we are aiming at is a producer co-operative which we need in this Colony, and I think we should pay very much attention to that phase of the movement. I think it is a pity that the hon. Member's arguments were directed towards the consumer side.

Dr. JAGAN: Because I feel that the co-operative movement in this Colony should start with a consumer store, and the other aspects of the movement would follow naturally. I do not think there is any doubt about it that the people would be attracted by the movement if they could see gain in it, and they would readily see gain through a consumer store. It would be a practical lesson in co-operation, and if it is given an opportunity the producer co-operatives would follow naturally.

The COLONIAL SECRETARY: To return to the question immediately at

issue I think the Council should bear in mind that whereas this Council reasonably wants control over Regulations which may be made under this Ordinance, no one in this Council wants to hold up the executive action of Government, and I think the proposal the hon. the Attorney-General has put forward is one which the Legislative Council has agreed to in the past as a fair compromise between putting all the power in the hands of the Governor in Council and stopping executive action by Government in order that a meeting of the Legislative Council might be held. It is quite possible that if Regulations have to be passed by the Legislative Council there will be delay in the implementation of the law by Government. The Attorney-General's proposal seems to me to be a good compromise. It gives this Council the final power and allows the Executive to get on with the work.

The Committee divided on the amendment and voted:—

For—Messrs. Carter, Peters, McDoom, Kendall, Farnum, Thompson, Ferreira, Roth, Seaford, Dr. Singh, the Colonial Treasurer, the Attorney-General and the Colonial Secretary—13.

Against—Dr. Jagan, Messrs. Fernandes, Debidin and Coghlan—4.

Clause 51., as amended, carried.

**Clause 57.—Exemption from payment of income Tax**

The ATTORNEY-GENERAL: I move the substitution of the following new clause 57:—

“57. The Governor in Council may, from time to time and for such period as he thinks fit, by Order exempt any registered society or class of societies from payment of Income Tax under any Income Tax Ordinance for the time being in force in the Colony.”

Dr. JAGAN: I would like to get some information as to the method by which taxation is levied on co-operatives. I find that in certain countries no taxation is levied at all on certain forms of co-operatives, but in England I think there is a tax on the reserves of a co-operative

society, although the dividends and bonuses are usually tax free. I would like to get from the hon. the Attorney-General or Mr. Bayley what will be the position of co-operatives in this Colony as regards Income Tax.

THE ATTORNEY-GENERAL: The hon. Member has asked me a question as regards income tax law, and has suggested as an alternative that Mr. Bayley, who is the Assistant Social Welfare Officer, might answer the question. I do not think Mr. Bayley can answer the question, and I certainly cannot do so, because there are no co-operative societies in the Colony, and I have never had any occasion to look up the point. I do not know whether the hon. the Colonial Treasurer would hazard an opinion.

The COLONIAL TREASURER: All I can say is that under the existing Income Tax law a body of persons trading together as a unit would be ordinarily taxable, and there is a provision, which we have never invoked, whereby profit which is taxed against an organisation can be recovered when that taxed profit is distributed to its members. I am not speaking about a company but an organisation outside of a limited company. As the hon. the Attorney-General has said, we have not had any illustration of that here, so that we must take it that but for a provision such as this a co-operative society would normally fall within the scope of our Income Tax law as a unit. Consequently it is necessary to provide in this Bill some means of escape, but according to the amendment which the Attorney-General has moved, it is provided that that escape or exemption would not be complete, but shall be within a discretionary power to be exercised by the Governor in Council. I think that is quite fair and reasonable. As the hon. Member has himself indicated, this question of exemption of co-operatives from income tax is quite a burning one in other countries, but here I take it that for quite a long time the Governor in Council will exempt co-operative societies from taxation under the Income Tax law.

New clause 57 agreed to.

Clause 61.—*Non-registration under the Industrial and Provident Societies Ordinance, 1921*

The ATTORNEY-GENERAL: I move the insertion of the following new clause 61:—

“61. After the commencement of this Ordinance, no society shall be registered under the Industrial and Provident Societies’ Ordinance, 1931.”

Agreed to.

Clause 61 re-numbered as clause 62.

The Council resumed.

The ATTORNEY-GENERAL: I now move that the Bill be read a third time and passed.

The COLONIAL TREASURER seconded.

Question put, and agreed to.

Bill read a third time and passed.

INCREASED SALARY FOR TOWN PLANNER.

The COLONIAL TREASURER: I beg to move:

That, with reference to His Excellency the Governor’s Message No. 8 of the 16th of April, 1948, this Council approves of the salary of the post of Town Planner being increased from \$5,760 (£1,200) to \$7,680 (£1,600) per annum.

The proposal before the Council is that it approves of the salary provided for the Town Planner being increased from the amount of \$7,560 included in the estimates for this year, to \$7,680; that is to say, from £1,200 to £1,600 per annum. Members will recall that this matter was considered in Finance Committee on the 18th of April, and in accordance with the Standing Rules and Orders Your Excellency’s Message notifies the Council of that fact. In initiating the discussion of this matter I would like, with your permission, Sir, to convey to the Council the terms of a telegram which has just been received from the Secretary of State. Members will remember that in Finance Committee I informed them that the Secretary of State had interviewed a suitable candidate, and Your Excellency’s Message reiterates that fact. The Secretary of State’s Message is this:

“I very much regret to inform you that despite efforts to retain him for British Guiana Coates has accepted an attractive appointment with a Local Authority in this

country. I should be grateful nevertheless to learn earliest possible opportunity whether the Legislative Council will approve of the salary being increased to £1,600 as it is not anticipated that re-advertisement of the vacancy on the existing scale would attract a suitably qualified candidate."

That is the position, Sir, and I again emphasise that this post was created last year and Government has been trying for some time now to get a suitable candidate to fill it. We had actually been trying to get a candidate even before that—I think for about two years—but we got no further. During the discussion in Finance Committee one or two Members questioned the reasons for the creation of the post, but that is not the matter before the Council, because it has been created and provided for in the estimates. Nevertheless I think it just as well to recall to the Council a few facts about this matter. The question of town planning is rather a new one in so far as this Colony and the West Indian Colonies are concerned. I remember, Sir, that it was in 1944, as a member of the West Indian Conference in Barbados, I heard for the first time what is involved in these development and planning schemes. It was then for the first time that the experts who were present at that Conference told us what was essential in regard to the proper carrying out of schemes—slum clearance, re-housing, zoning areas and so on—and we realised the absolute necessity for getting to work in these important matters in a scientific way. It was as a result of the recommendations of that Conference that a housing survey in this City of Georgetown was carried out, and it was also following upon what happened at that Conference that these model Ordinances were drawn up, two of which were passed by this Council in 1946. I refer to the Town and Country Planning Ordinance and the Housing Ordinance, and it is because of the necessity to get to work under these Ordinances that we are pressing for this appointment.

I do not want to say anything more about the necessity for this Officer as I am sure hon. Members would realise that in a country like this we need expert advice on this matter of Town Planning. Some hon. Members are suggesting that

because of lack of materials no progress would be made and there is no necessity to have such an Officer but, of course, there is an enormous amount of planning to be done before hand. There are enormous problems and many disputes because of the principles involved. I need only refer to Georgetown itself and its environs in a case like this where we have to spend hundreds of thousands of dollars—I wish I could have said millions of dollars—and it is only right that we should go about it in a proper way. Coming back to the appointment itself, it is not possible to obtain a suitable Officer at £1,200 and therefore it is desirable if we are to inform the Secretary of State that one should be appointed at £1,600 that this Council should approve of this motion. I can say that the post would be held on contract for three years if this motion is approved and it would mean an increase of £400 a year over a period of three years. An additional £400 a year is required in the hope that we would get a suitable Officer. I do hope hon. Members would accept this motion and allow Government to proceed and secure a suitable Officer.

Mr. SEAFORD: I beg to second the motion moved by the Colonial Treasurer and in doing so I should like to say that when this question came up in Finance Committee it was considered more from the point of view of salary than anything else. I think the Finance Committee would have agreed to the appointment otherwise. The actual expenditure was agreed to during consideration of the Estimates in this Council, and I think it was agreed to by every Member. I am satisfied that everybody here thinks such an adviser is necessary; now we come to the point of an increase in salary. I have talked here year after year about our slums, not only in the City but in our rural areas, and I am satisfied that there is no Member of this Council who would like to see a continuation of the conditions that are prevailing today. There is no one, I am sure, who is not anxious that we should put our house in order. Are we going to lose an opportunity of doing away with these slums both in the City and the rural areas for the sake of £400 spread over a period of three years? We should be realistic; we

know that the job is necessary so let us carry it out. It has been disclosed that we have been waiting for two years now to get a Town Planner and that none can be secured for the salary originally suggested. I do ask hon. Members of this Council to consider what further delay is going to mean. We have read many references to the situation in the Press and we have also seen conditions for ourselves, and I think there is no more urgent problem in the Colony today than getting rid of our slums and getting things planned correctly. I have said more than once that your social welfare work, your health services and such like are a waste of time unless you get better housing, and I do ask hon. Members not to oppose this appointment as it is very essential for the progress of the Colony. I do feel we would be taking a retrograde step if we do not try to get someone appointed now.

The COLONIAL SECRETARY : Just in case some country Members feel that this Town Planner would serve little purpose in New Amsterdam and the rural areas, I think I should make it quite clear at the very beginning that the Town Planner would be required to supervise all planning and housing schemes initiated by the Central Housing and Planning Authority and that his advice would be sought in the planning of rural areas throughout the Colony. I think that is important. The absence of a Town Planner—and I am only telling you what the Commissioner of Local Government told me—has been a great drawback in the carrying out of plans under the District Lands Partition and Re-allotment Ordinance, Chapter 169. That is an Ordinance that is being administered by the Commissioner of Local Government and he has asked me to tell this Council that the Town Planner's duties and responsibilities would not be confined to Georgetown. I do think that some Members who voted in Finance Committee against this increase of salary felt that they we are requesting the appointment of an officer who would confine all his energies and duties to Georgetown. It is not our intention that the Town Planner should do so.

Mr. FERREIRA: I was most interested to hear the remarks of the Colonial Secre-

tary but I am afraid that while what he has told us is correct, we all know that if the appointment is made 90 per cent. of the services of the Officer would be devoted to the City of Georgetown. We have past experience to go on and I would say that if the City of Georgetown needs improving—and it does need improving—I see no reason why the Municipality of Georgetown should not come forward and put up a substantial amount of the sum involved in the appointment of this Officer. We know that there are slums in Georgetown—there are slums all over the Colony—but I do not conscientiously believe that the Town Planner would rid Georgetown of all its slums. The sugar estates are doing it for themselves and it is a question whether Government can find the money to do this work. If the Municipality of Georgetown wants to clear slums and the rural areas are to be improved also, I think it is for the Municipality and private enterprise to do so. The Town Planner cannot put these schemes into effect because it would take much money to do so. I do not object to the money being voted for the appointment of a Town Planner for the benefit of the Colony as a whole, but I do think that these schemes would only be promised and that we would never see them through in another 25 years from now. In the circumstances, I cannot vote for the motion.

Dr. JAGAN : I am inclined to agree with the hon. Member who has just taken his seat. He expressed the view that these schemes would not materialise for a number of years and I would like to refer to one particular example. Some time ago Government invited people to settle at Hague backdam, West Coast, Demerara. The people started to build houses and so on, but after a couple of years passed Government decided that the place was unhealthy and the people were told they were not to build any more houses or to make any additions to the existing ones. Now we are to have a Town Planner and since there are a lot of grandiose schemes to be carried out I hope rural areas would benefit also. Perhaps within the next five years we would have a new drug or a new insecticide which would help to improve conditions greatly in the rural areas. At

one time we might regard a particular area as unhealthy, but in another few years conditions might be so improved that the area might be suitable for housing purposes. My argument as regards the appointment of a Town Planner, is that if we cannot implement the schemes drawn up by him right away—and we have not got the money to do so—I do not see the necessity for having him now. The hon. Nominated Member has referred to slums and I would like to say that it is not for want of a Town Planner that we have the slums. Slums have been found everywhere to be the result of certain problems. For one thing, the people are too poor and cannot get materials or land to build houses and I think it is time for Government to do something to encourage the people by land tenure or otherwise—giving them lands and making lots available to them and stopping the exportation of local timber so as to give them an opportunity to build. That is the only way we can tackle this slum clearance problem.

I would be the last person to say that we do not need scientific planning, but when I notice that the salary of the Town Planer is to be increased by £1,200 over a period of three years that is, to my mind, a very large sum indeed. Only a few days ago the Colonial Treasurer referred in this Council to the very low wages which labourers were receiving, female workers earning 9 cents per hour and male workers earning 12 cents per hour. These people are not satisfied but now it is proposed to vote £1,200 in order that the Town Planner's salary should be increased and we are speaking about the amount as if it is nothing at all. I can assure you, Sir, that this £1,200 would be better spent if used for the purpose of a scholarship. If we need a Town Planner let us take one of our bright young men and send him away for training and give him the opportunity to come back here and serve the Colony when our financial position has improved. I opposed this increase in Finance Committee and I am still opposed to it because I cannot see any valid reason for the appointment at the present time.

Capt. COGHLAN: The hon. Nominated Member, Mr. Seaford, has said that this motion deals with a question of

salary, but it is only a question of the difference between £1,200 and £1,600 for a period of three years. I think that is quite small for the type of professional man we want to come here. We have quite a few Government Officers who are drawing £1,600 per annum in addition to pension rights. The Town Planner would not have pension rights and instead of looking at the question from the narrow aspect of £1,200 we should take the broad view and consider what we are going to get for the money that is going to be spent. Furthermore, as the money is going to be spent largely on the City of Georgetown I think this matter should be referred to the Mayor and Town Council of Georgetown before it is finally deliberated in this Council. I would therefore suggest that this motion be deferred for six months and that in the meantime the matter be referred to the Mayor and Town Council of Georgetown for their consideration. After six months it should be brought back here and we would have their advice to go on.

Mr. FARNUM: It seems to me that the first question we have to ask ourselves is whether there is need for housing in Georgetown and in the rural districts, and I say emphatically that there is that need. We hear stories every day about the hardships people are experiencing in order to get houses and it seems to me that we cannot get our housing situation on a proper footing until we get a Town Planner. We have heard questions ourselves in this Council about the letting out of certain lands in the environs of the City and the hardship which the people in those areas are suffering. If there was a Town Planner he would have advised those people and they would not have had to suffer. As the hon. Nominated Member, Mr. Seaford, has stated, to my mind the improvement of social welfare services would mean money wasted unless we look after housing in the City. It is impossible to bring up children properly when they spend only a small portion of their time in school and they have to go back home and live under all sorts of sordid conditions. We cannot hope to improve them until we get rid of those conditions and give them better houses to live in. We cannot do that unless we get a Town Planner. We all know that

Europe has been devastated as a result of war and that Town Planners are in great demand so we must pay the amount requested in the motion if we want one. A point that has apparently escaped hon. Members is that this Officer would be on contract for three years. I have heard it mentioned in Finance Committee that it is a way with Government to appoint an Officer under contract but after a time he becomes a permanent Officer of Government. I think that is in the minds of some hon. Members, but the fact remains that we want a Town Planner to relieve our housing situation.

Mr. KENDALL : In Finance Committee I voted against this item and I intend to vote against it again. There is much talk about slums but I know that there are people who are willing to build houses but cannot get materials. I do not think this Town Planner would be able to get any. I do not know if it is the intention of Government to take over the Officer whom we have in mind before giving him an opportunity of showing what he can do. I am against the motion.

Mr. DEBIDIN : I would like to know whether any plan has been drawn up and accepted by Government for the rehabilitation of the burnt-out area.

The COLONIAL TREASURER : As far as I can recollect such a plan has been submitted by the Authority which controls the development area. In other words, the Commissioners of that Authority are following a plan which was agreed on by all the parties concerned. I think the Attorney-General was the Chairman of that body.

Mr. DEBIDIN : I was not present in Finance Committee when the discussion took place on this question of the appointment of a Town Planner but I have given it serious thought and, as a matter of fact, I am still perplexed as to what should be my correct attitude. In the first place I do not think it is a question of money at all because the need for such an Officer is there. To lay all the stress on the question of salary is, I think, really begging the point. The fact that we are now being asked to vote £400 per annum more for the Officer is nothing much,

since the entire question is what we should consider. We should ask ourselves what benefit the Colony would derive from this Officer for whom we are being asked to vote a salary of £1,600 per annum. What seems to be worrying me is the fact that we have not got the necessary funds to embark on housing schemes. I know that efforts have been made to extend the boundaries of this City but they met with tremendous opposition and there seems to be little hope of their succeeding within the next few years. I know also that people have been suggesting that the lands at Pln. Thomas should be used for housing purposes, but it seems that the Town Council is not willing to do that as yet. As far as I can see the Town Planner's primary duty would be to lay out new areas for the extension of towns and villages, and particularly for the extension of the City limits. That is surely something which would give him scope for his work. and are we going to wait until he comes out here to decide whether we are going to extend the limits of the City.

I have been very closely concerned and interested in the question of housing on sugar estates, as the hon. the First Nominated Member knows, and for years I have been complaining about conditions in that respect but nothing very much has been done. I should be pardoned if I am considered harsh in my criticism but I am sure I am substantially correct. Many years ago I visited Port Mourant and other estates with a gentleman from India and I know that the housing improvements which have since been made were due to the fact that the estates concerned wanted to extend their cultivation. I know that efforts have been made in so far as other places are concerned, but I think their success depends very largely upon the advice of not only the Town Planner but of the Public Health Department as to whether the particular areas are suitable. The whole question also depends on the question of proper drainage and proper site, and from my knowledge of a particular estate, Pln. Lusignan, anyone passing there will see a gradual extension of better housing on that estate. I know that if the people are given some means of acquiring their own property on a rental-purchase basis, that would solve the ques-

tion a great deal. I feel that if this money can be spent—\$6,000 per annum—in that direction for a few years the people would be able to get land from Government and build a small home, and they would eventually be the owners of their own buildings. That is so far as the rural areas are concerned. It is not so much a question of laying-out or of architecture. The people are not fastidious. A little house with amenities, I think, would meet the case of the workingman in the country areas. There is no need for town planning.

One thing has caused me to reflect a great deal, and that is the personnel of that Committee which has been formed in connection with the Housing Ordinance. I am not satisfied with it, and that alone leaves me with a great deal of suspicion. If it is true that there is some consideration for the rural areas, if it is true there is consideration for proper and improved housing on estates, I say the personnel of that Committee is not sufficiently tolerant. When we are considering this question of Town Planning we have to see that general goodwill accrue. If it is for the City of Georgetown then it must be made a municipal undertaking, but if it is to be for other parts of the Colony as well I feel sure the Legislature would grant a certain amount as part payment of this man's salary. It is a matter which has points on both sides. From a recent visit to Bartica I am satisfied there is need for expert advice there. There is no question about it that, if Bartica is going to play a very great part in the economy of the Colony as the main outpost and gateway to the hinterland from the point of view of attraction to tourists, you need a proper laying-out of that town to make it attractive for people to go there and spend a week or two. Much as that may be so, much as we may need a Town Planner to give us advice on a small area in Georgetown, we are faced with this: The Town Planner comes on contract for three years, and it pre-supposes he will have a sufficient amount of work to do. Can we safely bring him here to plan and go away in three years? Would it be profitable to allow him to leave without seeing how his plans are being carried out? That is why the point is made by Members that we must know we are able to undertake

the work first and then after that whether we should have a Town Planner. Materials are scarce. I think it is the same reason that we cannot have constructional works that we should get a Town Planner at a reasonable salary. If we are faced with the same difficulty, let both go hand in hand. I think the time would not be quite opportune. I feel some plans should be made by Government itself to prepare the way for a Town Planner to come within some time in the future. Knowing that there is need for a Town Planner at some time or other but not immediately, it would be contracting someone to come out here when his usefulness could not be taken full advantage of.

The COLONIAL TREASURER: To a point of explanation! Notwithstanding the fact that the Council has already committed itself to this post and has provided for it in the Estimates, there appears to be a good deal of doubt.—I don't want to say confusion of thought—in the minds of Members as to what are the functions of the Town Planner and what is expected of him when we get one. As the Commissioner is present we may ask him to make a statement to the Council on that aspect of the matter, I think the Council should have a formal statement on that

Mr. SEAFORD: I rise to a point of explanation! That is, the hon. Member for Eastern Demerara stated that in my opening remarks I said it is only a matter of money or salary. My reason for saying that is because, as the hon. the Colonial Treasurer has said, this appointment has been already agreed to by this Council. I believe, it was agreed to unanimously. Therefore, the only question that arises is that of an increased salary. The appointment has been already agreed to, and for that reason I did not address myself to the advisability of getting a Town Planner because it was unanimously agreed to. I do not know if Members want to go back on what has been already agreed to.

Mr. THOMPSON: It is not often I go back on my word. I had voted against the salary, but now I think if we had been given that much information that his services would be extended throughout the

rural areas Members might have thrown more weight the other way. As I said, I do not often go back on my word, but after hearing that I am prepared to support the motion before the Council. When it comes to the rural areas, we have a lot of slums that cannot be cleared by the Town Planner's coming. We must have the necessary machinery if we are going to clear those slums in the rural areas. We have the position before us. If demands are made much work is done by the Local Authorities, but just adjoining is another district that is ruining all that work that has been done. There are no means of dealing with those people to make them put their house in order, so all that we have done is entirely lost. The question of partitioning is shelved or avoided and they just squat down there and nothing is done to improve conditions. If, therefore, we are going to clear those slums, provision must be made whereby those villages can be compelled to be brought under proper drainage so as to save their neighbours. Presently on the West Coast, Berbice, it is a shame and a pity to see what is going on there. As late as Tuesday afternoon I went through the District with the Road Overseer and found that from No. 12 to No. 20 there is just one sheet of water all along the public road; the people are living an aquatic life and some of them have to vacate their homes because the water is up to the floor. How that came about? They have been offered time and again the means of improving the district but they have refused because if that was done they would be brought under local government. So the Government is facing a big bill because the roads are ruined through frequent inundation. We find that condition existing at Golden Grove and other parts. Are we going to bring a Town Planner here to give the benefit of his experience to places where it is just thrown aside?

I think our first duty is to amend these regulations whereby control can be extended and those people made to put themselves in order. The Town Planner will tell you so and so must be done, but can he go into those places and have those conditions adjusted? No sooner the Central Board of Health becomes serious over the situation, there is an

undermining influence exerted and so nothing can be done because the people will not do certain things. Consequently, I think, before the Town Planner can successfully carry through his work we have to see that the regulations are so amended that greater control can be exercised. This is not unknown to the Local Government Board. These conditions have been discussed time and again, but how are they going to be improved unless the machinery is put into action? With that I promise to support the Town Planner coming out since we are to have his services outside of Georgetown, and I am prepared to support the motion.

Mr. PETERS: We certainly have to congratulate ourselves here in British Guiana in that we are still growing up. We cannot be said to be suffering from arrested development. Those of us, who have been born and bred here and have probably spent a few years out of the Colony, are bound to confess that in the past few years two new subjects have loomed up within the ken of our educational interest. Those subjects are Civics and Sociology. If we reach back a matter of 25 years in the past we would certainly hardly hear anyone speaking about Civics or Sociology as matters touching upon one's intellectual interest in this Colony. When we are talking about Town Planning it certainly shows that we are growing up, but as the hon. the Colonial Treasurer has said, there is a likelihood that there may be a confusion of ideas when it comes to the question of the services of a Town Planner in this Colony. Again and again as I listen to one Member after another it seems to me that there has been a confusion between the idea of Town Planning and the idea of a Building Code, and often as not it seems there is a tendency to whittle down the idea of Town Planning to fit in with the other Building Code, which after all will bring the two ideas as though they are synonymous terms. In our Colony we certainly do have what one may call a system of Building Codes in a measure, because so far as the civic idea of our Municipality in Georgetown goes we find that you dare not take upon yourself to do anything about building your house or making structural improvement without first sub-

mitting a plan to the Municipality and getting that plan approved. The same thing is true in the rural areas of our Colony, but that is an end part when it comes to the question of Town Planning, because the building idea may be part of a larger whole. When it comes to the question of Town Planning it is certainly not a new idea, when one comes to think of mankind living in a consolidated community one with another. The ancient Hebrews had a system of Town Planning among themselves. There was a time when the wall of Jericho had to be rebuilt and the various representatives of industries had to gather the folk of their particular industry who lived in the area to repair the wall just where they lived, each one looking after his portion of the wall. In that way the wall of that city was rebuilt. When we are talking about Town Planning that is really the idea we should have in mind. We have to pause in considering this question and ask ourselves first of all if we want a Town Planner. We say we do want one. Why do we want a Town Planner? Have we something for him to do? If we have something for him to do, then the question is where is this something to be done. Do we want him to do what he can to improve the topographical aspects of the City of Georgetown as we know it to be today, or as we have it in mind to extend the area of our city across the Demerara River so as to include Vreed-en-Hoop within the municipal or civic confines of Georgetown, or is it we desire to have D'Urban Park taken away from the racing gentry and transformed into a place for the building of houses to house our folk who have no home? Is it that we have in mind the question of eventually having Pln. Ruimveldt and Pln. Houston brought into the municipal area of Georgetown?

Those are questions we have to make up our minds on as to what we want to do. So first of all we must say what we want and where we are going to do it. Perhaps we may ask ourselves, is it that we are going to knock down the trees in any portion of our virgin forest to set up municipal homesteads for our folk? Are we going to bring down a Town Planner to do what he can in Georgetown and New Amsterdam and what he can in the rural areas? We must have all those things

decided. When it comes to the question of the buildings, I think we are handling that fairly well. At least we are in a sort of toddling stage moving up to something. Do we want the Town Planner to take what is done in so far as the Building Code of the Colony is concerned and enlarge upon that or make it more elaborate for the good of the community? Those things we must consider. It seems to me that we really have not made up our minds as to what we desire to have done. If we do, it is certainly not clear to me. Is it that we want him to work in Georgetown and Georgetown alone? Is it that we are going to give him the whole populated area of our Colony to see what can be done? We must make up our minds as to what we want the Town Planner to do. I have a feeling that we are going to take the risk of bringing down a Town Planner to do the work of town planning in the Colony before we know definitely what we want to have done. I think we should keep our figures just where they were when first we voted. We are somewhat dubious as to the utility of enlarging upon the figures. Before knowing exactly what we want to do, we are getting off in a terrific hurry to enlarge upon the figures for the salary that we have already voted so far as the Town Planner is concerned. Why do we not take some time and make up our minds as to just what we want done and where we want it done? So far as I am concerned until these matters are made clear to me I shall vote against the increase as suggested here today.

Mr. FERNANDES: I was one of those who voted against this measure in Finance Committee. I am not quite sure that it is the hon. the First Nominated Member who said that we are getting down the Town Planner for the clearance of the slums, but in Your Excellency's Message, No. 8, paragraph 3, you said:

"I am strongly of opinion however, that the early appointment of a Town Planner is vitally important in the public interest."

If you feel that way, Sir, I am not going to stand in the way of anything that is vitally important to public interest. I would, however, just like to make a few observations. The first is, should you be able to obtain the services of a Town

Planner in the very near future first things must be taken first. I have served on the Housing Sub-Committee of the Ten-Year Development Plan, and I have had the good fortune to obtain a slight idea of what is contemplated in the line of slum clearance. I have no hesitation in saying that we will never be able to find the money. I have heard a lot of talk about the slums. It is a disgrace, and if anyone in this Council knows how much the people are hit by the present situation it is I. I have gone into them. I know what the slums are like, and no one would like to see them cleared earlier than I. I wish the Town Planner will clear them in the three years he will be here. Nevertheless, if Your Excellency is convinced it is an inadequate amount and should be increased I would not oppose it, but I am going to ask Your Excellency to see that first things are done first, that the Town Planner on his arrival starts to work on the possibility of making additional lands available. Materials for additional buildings are not available at present and are not likely to be available in the near future. I will not bother to go into details as to reasons as those reasons are very well known to Government. I daresay that by the time we get through, the situation in respect of materials will be easier and we can then have a few more buildings, we can then attack the slums. Someone said something about going back on one's word. I did not give anybody my word to vote in favour or against it. I accept Your Excellency's statement.

Mr. THOMPSON: I have gone back on my word.

Mr. LAING (Commissioner of Local Government): Your Excellency and gentlemen, Town Planning is a method of controlling the use of lands, and any Town Planning system to be successful must provide for continual improvement in living conditions. It must also provide adequate facilities for our ever-extending population, and it must prevent the exploitation of lands. With this view in front of us we have up to the present time prepared very carefully very full social surveys of the Georgetown area. Those surveys include the present use of

lands, the density of housing, the extent of overcrowding, communal facilities such as churches, schools and clubs, also communication—roads, bus service and other means of transport. An immense survey too has been made of the present structural conditions of our houses and of ownership. Now those surveys have all been based on properly prepared plans, and from those plans the Town Planner attached to the Comptroller of Development and Welfare in the West Indies has been able to draw an outline plan for the zoning of Georgetown. In that zoning plan provision is made for light industry, shopping areas and residential areas. The plan also provides for the extension of the City boundaries to provide accommodation for our expanding population.

That is as far as we have been able to go. Within that framework of zoning have to be carried out further social surveys to enable us to decide what things shall come first—what areas should be regarded as slum and overcrowded areas, whether those areas should be completely redeveloped, or whether they should be regarded as slum clearance areas. The difficulties of clearing slums and redeveloping areas are very great, and if we are not to build the slums of the future it is essential that we should have professional and skilled advice as to how we shall proceed to clear those slums and redevelop those areas, having in view that our aim is the continual improvement of living conditions and the provision of facilities for our growing population. All these are matters which, as I have said, require the skilled attention of a Town Planner

One hon. Member has referred to additional lands. Of course, additional lands will have to be provided, and it is of great importance that we should be advised on the lands that we should take into any town planning scheme. We are fortunate in the lay-out of Georgetown to have a beautiful City and to have the means of extending it in several directions. How those extensions can take place is a matter for the Town Planner, who must also consider and decide important points such as the housing of our working people. It is undesirable that they should be segregated or housed at any great distance

from their workplaces, and so have to incur additional expense in transport.

A further and very important matter which the Town Planner must consider is the extent to which Government would be justified in spending the funds on un-economic housing propositions. I expect that Members will have read the report on the Housing Surveys of Georgetown, and therefore will know that most of the buildings in which our dwellers in the least prosperous parts of Georgetown live do not belong to them. They are rented, and it is to be assumed that private enterprise will be prepared to take a large share in the rebuilding and development of our City. It is important, because we will have seen the means with which to provide additional lands, and perhaps to provide subsidised housing for a small minority who are unable, perhaps not due to their own fault, to pay an economic rent. All these and many other matters must be left to the expert and professional guidance of a Town Planner of experience, otherwise we should not be proud of Georgetown in the future or, as I have already said, we may only succeed in providing the City with the slums of the future.

Members have referred to the rural areas. This has been a matter of very great concern to me. Members will know that it is Government's policy, as far as we are able, to repartition our villages which have grown up more or less in a haphazard way. There is overcrowding there too, and one Member has referred to the condition of our villages and the lack of proper planning. That Government is endeavouring to overcome by Orders made by the Governor in Council under the Lands Partition and Re-allotment Ordinance. All these plans have been drawn to the best of our ability. They are not, in my opinion, entirely satisfactory, because we have had no guidance. Those plans must provide for recreational facilities, shopping centres, burial grounds, and for churches. All those things have to be planned and put into these repartitioning reports. We have done our best.

One Member has referred to Bartica. We have a redevelopment plan and a re-

lay-out for Bartica, but when I showed it to the Planning Officer from Barbados, Mr. Gardner-Medwin, he immediately pointed out the very grave errors that we would make if we adopted that plan. It has been prepared by an enthusiastic officer, but an officer without training, and Mr. Gardner-Medwin pointed out where great waste of money would be occasioned by doing many unnecessary things. That refers to the rural areas, and with greater emphasis to Georgetown. In Georgetown, as I see it, we must plan with the object of a continual improvement in our living conditions. We must plan for the amenities for our expanding population; we must extend the boundaries of our City to accommodate our people if we are to have better living conditions. We have gone as far as we can. We have made our social surveys which have been praised by Mr. Gardner-Medwin as being very well done, but we can go no further than that. We are now awaiting professional assistance and guidance from an experienced officer as to how we are to plan the development of areas within the skeleton plan which has been provided for us by the Comptroller for Development and Welfare in the West Indies. I can assure hon. Members that without this expert guidance we should be running a grave risk of developing a Georgetown which in the future we could never congratulate ourselves upon.

Mr. DEBIDIN: With your permission, Sir, I should like to elicit an explanation from the Commissioner of Local Government who has placed great weight upon the need for development of our rural areas and taking care of the future of Georgetown as regards proper planning. What I would like to know from him is what means will be adopted to overcome the question of private ownership. The whole of Georgetown, except certain lands reserved by Government or the Municipality, is under private ownership. If there is no plan I can conceive that the Town Planner will be marking time while that difficulty is being overcome. Another point I would like to have explained is whether the Town Planner will be required to remain to see his plan carried out.

Mr. LAING: Government fully realises that the lands to be redeveloped

are under private ownership, and the hon. Member will find in the Ordinance which has already been enacted by this Council, that provision is made for the payment of compensation to owners of land.

The PRESIDENT: I would like to say a few words to the Council on this matter. I did not want to intervene in the debate; it is not my duty to do so, but I do feel somewhat strongly on this matter. What I said in the paragraph of my Message quoted by the hon. Member who spoke last is what I mean. This question of housing has been of greater concern to me than anything else since I have been in this Colony. I do not know if hon. Members reflect how long this problem has been under discussion by this and the previous Council. I am beginning to wonder if they have forgotten all about the Main Development Committee's report, and the report of the Subcommittee of the Development Committee which spent the best part of a year in reporting on the vital conditions and what is to be done. I am wondering too if the Council has forgotten that we have passed up-to-date housing legislation in 1946 which is now on our Statute Book, and if the Council has forgotten that in the Estimates for this year it passed a vote for the engagement of a Town Planner. Now, when we find that we cannot get an expert Town Planner for the salary voted we want to go back on the whole thing and let things stand still. I hope Members will realise that this question of town planning is a question of millions of dollars—not Government dollars necessarily. The land we are dealing with is worth millions of dollars, and the houses that will eventually be built will be worth billions of dollars. The future of Georgetown and other towns which are rapidly growing, will in some way involve hundreds of thousands of dollars, and we are arguing whether we can afford £1,600 a year for a man of experience and knowledge who will save us and save this country, and probably the Municipal Council, hundreds of thousands of dollars if the City is laid out properly.

This business of town planning is new and has only just come to British

Guiana. It is not very many years since it came to England, and the town and country authorities there are now having to bear the cost of lack of organisation and lack of proper planning of their cities, and it is costing those authorities hundreds of thousands of pounds to put right what was wrong—to widen roadways and demolish buildings, etc., which should never have been allowed to be put up at all. That is where your Town Planner comes in, and that is where he is going to save this country hundreds of thousands of dollars if he does his job properly.

One hon. Member mentioned that it was largely a case of land in Georgetown. It is largely a case of land. We have lots of open spaces in Georgetown, but we should know exactly where we are and what we are going to do. We should take expert advice as to what should be done with all those empty spaces and private lands—whether they should be acquired, and so on. Those are very important and difficult questions, and I want to have a man here with thorough knowledge and experience, who will devote his whole time to all those questions. In the Housing Report referred to by the Main Development Committee, it is stated:—

“In the City of Georgetown a survey showed that of 7,994 houses surveyed 2,309 were unfit for human habitation. 5,303 were in need of repair, and only 382 were structurally sound.”

That is just one sentence from the Development Committee's report, but it does, I suggest, illustrate the need for something to be done and done as soon as we can possibly do it. We have to clear these slums so as to give the people decent housing. Just having the wish to do so is not enough. It is a difficult process, as we have to find alternative land to put them. It is a very difficult and complicated process, and we can never do it unless we have somebody with expert knowledge and practical experience to show us how to do it. It is a fact that over a quarter of the population of this Colony lives in Georgetown. It is the largest town, and the only large town we have in British Guiana. It is therefore natural that the problem of housing should be most difficult and most urgent in George-

town, and that it is indeed very much greater than it is anywhere else.

Only a short time ago I appointed a Town Planning Authority which has already got down to work and is doing as much work as it possibly can pending the arrival of the Town Planner, but here we are still in the position of not knowing whether we are going to have a Town Planner or not. I regard this as a really serious matter, unless we are going to let these impossible conditions in Georgetown and other places continue. We cannot do it in our stride. The Public Works Department cannot do it; the Local Government Board cannot do it; they have not the staff, the material and the knowledge to do it. Every other country in the world attaches great importance to town planning, and every Colony in the Empire is struggling to get a Town Planner. Surely we are not going to say we do not want one. Bitter experience has shown the necessity for a Town Planner. I had hoped, as you know, that we would have obtained the services of a very experienced Town Planner in India—a man who was getting £2,800 a year—who said he would consider an appointment here at £1,600 on agreement, but he could not possibly accept less. We lost our chance of getting him, unfortunately. Maybe we should have got him if we had agreed to the £1,600 at the time. We have lost him, and it indicates the difficulty in getting these men. We cannot get them today at what I may call pre-war salaries. I suggest that if we want the best man we can get we must be prepared to pay for him, otherwise we should never be able to get on with the work.

I am asking hon. Members to reflect on this matter for I see no alternative suggestion or constructive suggestion for meeting the situation without a Town Planner. I do not say that the materials are available to go on building tomorrow. Of course they are not available, but we are hoping to make them available. Everyone knows the trouble we have had about the shortage of nails, and the efforts Government has made to get them, and we have at last got them in very large quantities, so that they are being distributed now throughout the Colony. That is one step forward. We know there is still a

shortage of timber, but we are looking forward at no great distant date to a great development of our timber industry, and I hope timbers will be available in abundance to enable us to get on with this work. After the planning the principal things are the materials. The materials will come along all right, but I suggest that because they are not immediately available is no reason why we should sit back. There is a lot to be done. It is a matter not only for Government. Government cannot provide the money. We know that housing on the estates is going forward despite the difficulties. The estate authorities are doing their part, and I want Government and private enterprise to do their part, and as far as we can help private enterprise to get land and to have a properly planned scheme we should try to help them. I am asking that we do get down to it in an endeavour to solve the very difficult housing problem that confronts us. It does not only affect those at the bottom but people in every class of society.

One of Government's troubles at present is the lack of housing accommodation for officers coming to this Colony. We have to tell them there is none, and that they have to fend for themselves. They come here and look around to find houses but they are compelled to live in hotels and remain there for the whole of their time. It is a problem we must tackle, and I am sure that £1,600 a year for three years for a Town Planner would be money well spent. It would be well worth our while and it would in the future save us hundreds of thousands of dollars. I do not think I can say any more. I have told hon. Members what I think on the matter and what I feel about it. It is for you to decide.

Mr. LEE: I am glad that certain points have been explained by you, Sir, with respect to materials. I do not think hon. Members are very much concerned about the salary of the Town Planner, because we agreed that the appointment was a necessity, and it was said that one could be got for £1,200. We agreed to that figure, but now it has gone up to £1,600. The point is that a housing scheme requires money. After the Town Planner has prepared his plan will Government have the necessary funds to start opera-

tions? As the Commissioner of Local Government will tell this Council, the condition of certain houses in my constituency is deplorable. We do require a Town Planner, but what I am concerned about is whether Government is prepared to spend three million dollars on town planning within the next three years.

The PRESIDENT: I may remind the hon. Member that there is provision for that. There is a Development Plan, but as I have said, we will not be dependent upon Government money solely. I have been told time and again that people are only too anxious to build and have the money to build if they can get land and materials to build. I have been told that on every side, and I have been told by Members of this Council that if Government could only make land available and be sure of getting materials people have the money to build houses. Is it so or not so? We can get land on which people can build, and we can help them as far as possible to get materials for building. That is what I understand the position to be.

Mr. LEE: As far as I know, in my constituency the people avail themselves of the facilities of the Co-operative Credit Banks. If they can buy land and put up a certain amount of money the Co-operative Credit Banks assist them.

Mr. SEAFORD: I would remind the hon. Member that the New Building Society (Amendment) Bill permits the Building Society to raise money for a housing scheme.

Mr. FERNANDES: As far as I understand, the New Building Society will not lend money for any building except the borrower owns the land. That is something which should be gone into because it is creating a good deal of hardship. I think they should lend money on buildings as long as the land lease is one which would secure them.

Mr. FARNUM: I think the point that should be considered is that there are people who have started to build but cannot find the money to complete their buildings. If Government can see its way to

reduce the charges in connection with mortgages I think some assistance would be given to these people. They have to pay very large sums to get mortgages through and they cannot afford to do that.

Capt. COGHLAN: I would like to point out that the Town Planner is to be employed for a period of three years and if he does not complete his job within three years I would like to know whether his services would be extended.

The COLONIAL SECRETARY: The answer is that there is the usual renewal clause in the contract.

Capt. COGHLAN: I know there would be the usual renewal clause in a contract like that, but for how long would the contract be renewed? That is what some people want to know

The PRESIDENT: It would be renewed with the approval of the Council.

Capt. COGHLAN: That is patent. I also want to know whether the Town Planner will be empowered to tell the people who own slums that they must be pulled down. Is he going to have power to pull down existing buildings?

The COLONIAL TREASURER: The Town Planner would himself have no statutory power as such. He is going to be an Officer empowered or given power under the law to do the things which the hon. Member referred to, but I should remind the hon. Member that there are two Ordinances on the Statute Book which are extremely comprehensive and they give the Authority the necessary power. The Town Planner would be an adviser but he would not have any executive power under the statute. The Authority would have all the power.

The PRESIDENT: I can only repeat what I said in my previous remarks on this legislation we are making. Let me just refer hon. Members to the Section of the Housing Ordinance, 1946, which deals with the duty of the Central Authority to secure redevelopment. You will see the power is there to make practical plans and get on with the work, and that is what I want.

Mr. DEBIDIN: Is it not possible for the Town Planner to make a complete survey in three years and leave his blue print for the Central Authority to work on?

The PRESIDENT: I do not know if he would be able to do that in three years. If he cannot we would have to come back to this Council and ask for a renewal of his contract. No one can say what will happen; he might get through a tremendous amount of work in three years but if the work has not been completed we can ask him to renew his contract, but let us make a start.

Mr. LEE: Can I find out whether Government has the necessary technical assistance to give to the Town Planner if he comes here.

The PRESIDENT: I think the necessary information is somewhere in the Development Committee's report.

The COLONIAL TREASURER: The hon. Member has overlooked the fact that he took part in the consideration of estimates for the establishment of a complete Central Housing and Planning Authority, and in those estimates there is provision for an Executive Officer and Secretary, a Surveyor, a Draughtsman, 2 Housing Supervisors and 3 Drawing Office Assistants, so that the nucleus of the staff is already there to get on with this work as soon as the Town Planner arrives.

The PRESIDENT: That is also in accordance with the recommendations of the Development Committee on the 10-year plan.

Mr. DEBIDIN: May I suggest that further consideration of this motion be adjourned? I do believe in the efficacy of leadership and I think we should have some of that now. I have seen it work with good effect in another country and there are a good many things which could be discussed in this matter if we are given opportunity by way of an adjournment.

The PRESIDENT: I must confess that I myself assumed that the Council was aware of all these things—that hon.

Members were aware of the Development Committee's report and of the estimates for the establishment of the Central Housing and Planning Authority and the legislation relating thereto. If I knew that some hon. Members were not aware of them we should have taken pains to explain them. I am not blaming hon. Members, however, because it is difficult to carry all these things in one's head. They were arrived at during the last three years—since 1945—and I know that some hon. Members were not here then. They are nothing new and I am sorry that all the efforts made in this respect in the past were not appreciated.

Dr. SINGH: I think hon. Members are aware of everything you have done, Sir, but they are definitely against voting this additional £400 per annum for the salary of the Town Planner and they feel that the Municipality of Georgetown should take a share in the expenditure. That is the feeling of the Council.

The PRESIDENT: I will proceed to put the question now.

Motion put, the Council dividing and voting as follows:—

For: Messrs Mc Doom, Fernandes, Coghlan, Farnum, Thompson, Roth, Dr. Singh, Seaford, Dr. Nicholson, the Colonial Treasurer, the Attorney General and the Colonial Secretary—12.

Against: Messrs Peters, Kendall, Dr. Jagan, Debidin and Ferreira—5

Did not Vote: Mr. Lee—1.

Motion carried.

#### SUMMARY JURISDICTION (OFFENCES) (AMENDMENT) BILL.

The ATTORNEY-GENERAL: The next item on the Order Paper is the second reading of the Summary Jurisdiction (Offences) (Amendment) Bill and I would ask that it be deferred as I am not ready to proceed with it today.

Agreed to.

## EXPLOSIVES REGULATIONS.

The ATTORNEY-GENERAL: I beg to move:

“That, this Council approves of the Explosives (Amendment No. 2) Regulations, 1948.”

These Regulations are intended to amend certain Regulations made by this Council on August 14, 1947. It was provided by those Regulations that no vessel carrying explosives shall come alongside any wharf or stelling. At the time those Regulations were made it was not clearly appreciated that ships carrying explosives had always gone alongside the wharf owned by the Demerara Bauxite Company up the Demerara River, and the main object of these Regulations is to provide for that because that was the practice going on for a good many years and even during the War. I beg to move that the Regulations be approved and that the words “No. 2” be struck out of the motion because this is the first amendment.

Dr. SINGH: seconded.

Motion put and agreed to.

## PENSIONS (TEACHERS) AMENDMENT BILL, 1948.

The ATTORNEY GENERAL: I beg to move that this Council resolves itself into Committee to consider the following Bill clause by clause :—

A Bill intituled “An Ordinance further to amend the Pensions Ordinance, Chapter 204, with respect to the pensions of Public Officers who have served as teachers in England and Wales”.

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

## COUNCIL IN COMMITTEE.

The ATTORNEY-GENERAL: I beg to move that the following new clause 2 be inserted :—

“2. (1) Section nineteen of the Principal Ordinance is hereby amended—

(a) by the re-numbering the section as subsection (1);

(b) by the addition of the following subsections.

“(2) Where the ~~service~~ of a public officer has been preceded by service as a teacher in a school within the meaning of the Teachers Pensions Ordinance, two-thirds of such service may be taken into account in computing pension or lump-sum under this Ordinance;

Provided that—

(a) the name of the officer was in the Teachers Pension Register when he joined the service of the Colony; and

(b) such service as a teacher is not reckoned in the computation of pension payable to the officer under the Teachers Pensions Ordinance.

“(3) The provisions of subsection (2) of this section shall apply to every person who was a public officer on the first day of January, nineteen hundred and forty-seven.”

The object of this new clause is to provide that where a teacher joins the Public Service and where the pension of that teacher is computed under the old Pensions Ordinance, Chapter 204, two-thirds of his service as a teacher may be taken into account in computing his pension or lump-sum under the Ordinance.

Motion put and agreed to.

New clause 2 inserted.

The ATTORNEY-GENERAL: I would ask that clause 2 in the printed Bill be amended by the insertion of the following sub-clause :—

“(5) The provisions of subsection (4) of this section shall be deemed to have come into operation on the first day of January, nineteen hundred and thirty-three.”

I would also ask that the word “subsections” be substituted for the word “subsection” in the second line of the clause and that this original clause 2 be renumbered clause 3.

Amendments put and agreed to.

Clause 3—Date of commencement.

The ATTORNEY-GENERAL: I beg to move that clause 3 as printed be deleted.

Motion put and agreed to.

The ATTORNEY-GENERAL: I move that the words "served as teachers in England and Wales" be substituted by the words "service as teachers."

Amendment put and agreed to.

Council resumed.

The ATTORNEY-GENERAL: I beg to move that this Bill be read a third time and passed.

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

Bill read a third time and passed.

#### SEA DEFENCES (AMENDMENT) BILL.

The ATTORNEY-GENERAL: I beg to move that the following Bill be read the first time:—

"A Bill intituled "An Ordinance to amend the Sea Defence Ordinance, 1935, with respect to the definition of Sea Defences, and to provide for the conservation of lands along the foreshore."

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

Bill read the first time.

The ATTORNEY GENERAL: With the consent of hon. Members I would like to move the suspension of the relevant Standing Rules and Orders in order to permit this Bill to be taken through all its stages today.

Capt. COGHLAN: I would like to ask the Attorney General to explain what is meant by clause 2 (c). In other words, that would seem to apply to a person who has a transport and I would like to know exactly what it means.

The PRESIDENT: The motion before

the Council is for the suspension of the relevant Standing Rules and Orders to permit the Bill to be taken through all its stages today. We have not done that yet. If the motion is carried then the hon. Member can make his point.

Question put and agreed to.

The ATTORNEY GENERAL: The object of this Bill is, frankly, to prevent people who have what might be called internal defences against the sea, from making use of those internal defences by selling the sand of which the sand reef is constructed and then later on having the general taxpayers of the Colony as a whole paying the cost of keeping out the sea from that plantation. At the present time, internal sea defences do not come within the definition of "sea defences" under the Sea Defence Ordinance, 1933. The Sea Defence Board has come across many cases in which what I have described does actually occur, and it does seem a shame that a person who has a sand reef which protects his internal sea defence should take the sand or shell from that reef and sell it for his own personal use and benefit, and then later on the general taxpayer would have to foot the Bill for keeping out the sea from that plantation. That, really, is the object of this Bill. I beg to move that it be read a second time.

The COLONIAL SECRETARY seconded.

Motion put and agreed to.

Bill read a second time.

#### COUNCIL IN COMMITTEE.

Council resolved itself into Committee to consider the Bill clause by clause.

#### Clause 2 — *Amendment of section 2 of the Principal Ordinance.*

Capt. COGHLAN: Clause 2 (c) discloses that "sea defence" includes "all land fifty feet landwards from the centre of any sea or river dam..." It does not confine itself to sea dam but goes on to river dam, whereas the Attorney General

was dealing with sea defences. Further, the sub-clause says :—

“...and all land on the other side of such sea or river dam or sea or river wall in the direction of the sea or river to the toe of such sea or river dam or sea or river wall;”

That means that the sub-clause is interfering with a person's transport. If a transport goes to low water mark of the Demerara River, for instance, this fifty feet would interfere with that transport and it would no longer be operative as it is intended. The clause speaks of high water mark and, in other words, a proprietor would lose everything between high water mark and low water mark in his transport. High water mark sometimes goes to the public road and, according to this sub-clause, all land on the other side would be lost to the proprietor. I do not think that is intended, or that a person's transport should be interfered with.

Mr. SEAFORD : I may point out, firstly, that this is only intended to apply to those places included in the Sea Defence districts mentioned in the Schedule to the Ordinance, and the hon. Member would find that sea defences stop on the eastern side of the mouth of the Demerara River so he cannot refer to anywhere up the Demerara River. Further, the hon. Member would see that par. (b) includes “the bed of the sea, river, creek or canal...” and that is already in existence today. It would be difficult to define where the fifty feet begins or ends and therefore it must be defined by a wall but that would not change the position as it exists today.

Capt. COGHLAN : I will accept that.

The Council resumed.

The PRESIDENT : Council will now adjourn until 5 o'clock tomorrow.