

LEGISLATIVE COUNCIL.*Wednesday, 11th June, 1941.*

The Council met at 11 a.m., His Excellency the Governor, SIR WILFRID JACKSON, K.C.M.G., President, in the Chair.

PRESENT.

The Hon. the Attorney-General, Mr. E. O. Pretheroe, K.C., M.C.

The Hon. F. Dias, O.B.E., (Nominated Unofficial Member).

The Hon. J. S. Dash, Director of Agriculture.

The Hon. F. G. Woolford, K.C., (New Amsterdam).

The Hon. F. J. Seaford, O.B.E., (Georgetown North).

The Hon. M. B. G. Austin, O.B.E., (Nominated Unofficial Member).

The Hon. W. A. D'Andrade, O.B.E., Comptroller of Customs.

The Hon. N. M. MacLennan, Director of Medical Services.

The Hon. M. B. Laing, O.B.E., Commissioner of Labour and Local Government.

The Hon. L. G. Crease, Director of Education.

The Hon. B. R. Wood, Conservator of Forests.

The Hon. Percy C. Wight, O.B.E., (Georgetown Central).

The Hon. J. Eleazar (Berbice River).

The Hon. J. I. De Aguiar (Central Demerara).

The Hon. Peer Bacchus (Western Berbice).

The Hon. H. C. Humphrys (Eastern Demerara).

The Hon. C. R. Jacob (North Western District).

The Hon. J. W. Jackson (Nominated Unofficial Member).

The Hon. F. A. Mackey (Nominated Unofficial Member).

The Hon. A. G. King (Demerara River).

The Hon. Jung Bahadur Singh (Demerara-Essequibo).

The Hon. T. Lee (Essequibo River).

The Hon. C. V. Wight (Western Essequibo).

OATH OF ALLEGIANCE.

The President administered the Oath of Allegiance to Mr. G. C. Green, M.B.E., Colonial Secretary (Acting) and Mr. E. S. O'Connor, Colonial Treasurer (Acting) who then took their seats.

MINUTES.

The minutes of the meeting of the Council held on the 20th February, 1941, as printed and circulated, were confirmed.

ANNOUNCEMENT.**PROPOSED CONSTITUTIONAL CHANGES.**

THE COLONIAL SECRETARY (Mr. G. C. Green) communicated the following Message which was read by the Clerk of the Council:—

MESSAGE No. 9.

Honourable Members of the Legislative Council:

Honourable Members are aware that in connection with the recommendations of the Royal Commission which were published last year, the question of constitutional changes has been under consideration in consultation with the Secretary of State for the Colonies.

2. The Legislature of British Guiana is established under an Act of the Imperial Parliament and by Royal Order in Council under the provisions of the Act. Any alterations in the composition of the Council must therefore be carried out by amending or revoking provisions of that Order. Before any proposals involving the amendment of the Order in Council could be made public it was of course necessary that His Majesty's Government should be consulted, and this has been done. The proposals now put forward are a result of these consultations.

3. Perhaps, however, the most important of the constitutional recommendations made by the Royal Commission was that relating to the adoption of a wider electoral franchise. As Honourable Members are aware, a representa-

tive Franchise Commission has been set up, as recommended by the Royal Commission, to review the position in this Colony and to make recommendations. The Commission is also empowered to advise on the qualifications which should be required for election to membership of the Legislative Council and as to any alterations which may be desirable in the boundaries of the existing electoral districts.

4. It is hoped that the Commission will proceed with its enquiries with all possible despatch, but as some time must necessarily elapse before its report can be presented and new electoral rolls can be compiled, it has also been proposed that in the meantime the composition of the Legislative Council should be modified on the lines recommended by the Royal Commission.

5. The Secretary of State for the Colonies has accordingly agreed that the following proposals may be placed before you for consideration:

- (1) That all official members of the Legislative Council should be withdrawn with the exception of the Colonial Secretary, Attorney General and Treasurer. Article 17 of the present Order in Council provides that the Governor may summon any public officer to the Council, and it is proposed that the Article should be retained and reworded to make it clear that any officer so summoned may take part in the proceedings as if he were a member, except, of course, that he would not be permitted to vote.
- (2) That the number of nominated unofficial members should be increased from five to seven in order to permit of nominations covering a wider field than at present.

6. The present constitution of the Council provides for an unofficial majority of nine (exclusive of the President) but under the new proposals the Council will consist of twenty-one unofficial members with three *ex officio* representatives of the Government, and the elective bench in itself will hold a decisive majority of the votes. In accordance with the now accepted practice under such circumstances it is proposed that the reserve powers vested in the Governor under Article 62 of the Order in Council should be retained and the Article reworded to provide that, if it is considered necessary, immediate effect can be given to any measure enacted under the provisions of the Article, provided of course that any objection lodged on the part of a member or members shall be at once communicated to the Secretary of State for the Colonies. It would also be made clear that the principles of public order, public faith, and good Government, in the interests of which the Governor is empowered to act, may include the preservation of the rights of public officers and the maintenance of essential staff.

7. The Order in Council would also be amended to provide that the qualifications of voters, the compilation of electoral rolls and the general regulation of elections shall be prescribed by local legislation.

8. Under the present constitutional arrangements these changes would also involve the withdrawal from the Executive Council of all

the Heads of Departments withdrawn from the Legislature. This would result in serious inconvenience, and it is accordingly proposed that if the suggested changes in the membership of the Legislative Council are adopted, the terms of the Royal Instructions under which the composition of the Executive Council is laid down should be modified to provide for the more usual practice under which the membership of Executive Council is not necessarily restricted to members of the Legislature.

9. These are important changes, and in order that adequate time may be allowed for consideration it is proposed that an interval of some weeks should be allowed before the motion relating to them is laid before the Council for discussion. It will then be moved on behalf of the Government that it be recommended to the Secretary of State for the Colonies that the composition of the Legislative Council be modified on the lines proposed in this statement. Official members whose seats in Council would be affected by the proposed changes will, of course, take no part in the debate or in the vote.

W. E. JACKSON,
Governor.

9th June, 1941.

THE PRESIDENT'S SPEECH.

The President addressed the Council as follows:—

Hon. Members of the Legislative Council,

This is a special meeting which has been summoned for one purpose only, namely, in order to lay before you for your consideration the proposals which have been formulated in consultation with the Secretary of State for the Colonies as to the alteration of the composition of the Legislative Council on the general lines recommended by the West India Royal Commission.

In order that these proposals may be recorded in precise and documentary form in the proceedings of the Council they have been embodied in the Message which has just been read to you, but with the leave of the Council I should like to take the opportunity of adding a few words before the Council adjourns on certain general considerations affecting the present situation which, I hope, may be borne in mind in considering this very important question.

In the first place it may be pointed out that a constitutional development of perhaps even greater importance than the

changes in the Legislative Council which are suggested in the Message may in due time result from the recommendations for a wider extension of the franchise which have been referred for examination to the Franchise Commission recently set up. From this point of view the recommendations in the Message may in a sense be regarded as having something of an interim character; for although I trust that whatever changes may be approved will be found to have in themselves a sufficient element of permanence not to call for alteration in the immediate future, their full effect on the political and economic development of the Colony can hardly become apparent until the influence of any changes in the franchise that may be adopted has had time to make itself felt.

For this reason the view has been expressed in some quarters that it might have been better to postpone the adoption of changes in the composition of the Legislature until the new franchise had been brought into operation, and there is no doubt some force in this view; but as changes on the lines of the recommendations of the Royal Commission were being adopted in other Colonies it was felt that the Legislature of this Colony should also be given an opportunity of expressing its views as to the desirability of the adoption of similar changes in British Guiana.

For the reasons I have outlined above the changes proposed will, when in full effect, place in the hands of the electorate a large measure of responsibility, greater perhaps than is generally realised, and I would like to draw your attention in this connection to the importance of the provisions under which it is proposed that in future the question of the franchise, the compilation of electoral rolls and the general regulation of elections should be governed by legislation enacted by the local Legislature and not, as at present by the terms of a Royal Order in Council. This is a very important change and implies in itself a very significant advance in political development.

In laying these proposals before you I think it is right to draw attention to the fact that the effect on the future of the Colony of any constitutional changes which may be adopted may depend as much on the spirit in which the question is approached and decided as on the actual

form of the changes themselves. Political changes do not in themselves solve economic difficulties, though they may make the road to a solution easier. Whatever political developments may take place in the future the welfare of the Colony must depend primarily on the success attained in finding an answer to economic problems of a fundamental character and of considerable complexity.

The solution of our major economic problems such as the fundamental question of irrigation and drainage, and the development of the internal resources of the Colony, will be unattainable without large capital outlay from external sources both on the part of the Government and of private enterprise. Present day developments including those arising directly out of war conditions are, undoubtedly, serving to direct increased attention and interest to the Colony, and it is therefore highly important that these political developments should be approached and handled in a manner which will help to maintain and, if possible, strengthen external confidence in the stability and credit of the Colony as a possible field of enterprise, and at the same time serve to increase the spirit of self-reliance among the people of the Colony themselves.

It is perhaps a matter for regret that consideration of these proposals should have coincided with the development of a highly critical war situation which must make it difficult to bring to these serious questions the calm and detached deliberation which their importance demands. But it was impossible to forestall the march of events, and from another standpoint I think we may take it as a supreme mark of confidence in the future, and of trust in the loyalties of the people of these Colonies, that even in the midst of this grave crisis His Majesty's Government elected to proceed with these proposals for political development which were formulated under conditions of peace.

I commend these proposed measures to your most earnest and careful consideration. I sincerely trust that they will prove to be the gateway to a fuller development of the political and social life of the Colony, and will contribute also to the strengthening of the foundations of its economic welfare.

THE PRESIDENT then adjourned the Council *sine die*.