

SECOND LEGISLATIVE COUNCIL

(Constituted under the British Guiana (Constitution) (Temporary Provisions) Orders in Council, 1953 and 1956).

Thursday, 11th June, 1959

The Council met at 2 p.m.

PRESENT :

Speaker, His Honour Sir Donald Jackson

Chief Secretary, Hon. D. M. Hedges

Attorney-General, Hon. G. M. Farnum, acting.

Financial Secretary, Hon. F. W. Essex.

} *ex officio*

The Honourable Dr. C. B. Jagan—	<i>Member for Eastern Berbice</i> (Minister of Trade and Industry)
„ „ B. H. Benn	<i>Member for Essequibo River</i> (Minister of Natural Resources)
„ Janet Jagan	<i>Member for Western Essequibo</i> (Minister of Labour, Health and Housing)
Ram Karran	<i>Member for Demerara-Essequibo</i> (Minister of Communications and Works)
„ „ B. S. Rai	<i>Member for Central Demerara</i> (Minister of Community Development and Education).
Mr. R. B. Gajraj	<i>Nominated Member</i>
„ W. O. R. Kendall	<i>Member for New Amsterdam</i>
„ R. C. Tello	<i>Nominated Member</i>
„ F. Bowman	<i>Member for Demerara River</i>
„ L. F. S. Burnham	<i>Member for Georgetown Central</i>
„ A. L. Jackson	<i>Member for Georgetown North</i>
„ E. B. Bcharry	<i>Member for Eastern Demerara</i>
„ S. M. Saffee	<i>Member for Western Berbice</i>
R. E. Davis	<i>Nominated Member</i>
A. M. Fredericks	<i>Nominated Member</i>
„ H. J. M. Hubbard	<i>Nominated Member</i>
„ A. G. Tasker, O.B.E.	<i>Nominated Member.</i>
Mr. F. A. Narain —	Assistant Clerk of the Legislature (acting).

ABSENT :

Mr. Ajodha Singh — indisposed

Mr. S. Campbell

Mr. Jai Narine Singh — on leave.

The Assistant Clerk (acting) read prayers.



Mr. Speaker: I shall ask the Chief Secretary, Mr. D. M. Hedges, to come forward and take the Oath of Allegiance.

OATH OF ALLEGIANCE

Mr. Dennis Mitchell Hedges, Chief Secretary, took and subscribed the Oath of Allegiance.

Mr. Speaker: We welcome you to this Council and we sincerely hope that our relations will be as good as your predecessors had kept them.

WELCOME TO MR. RAI AS MINISTER

Mr. Speaker: I take this opportunity to welcome Mr. Balram Singh Rai who is called to higher service in this Council as Minister of Community Development and Education.

MINUTES

The Minutes of the Meeting of the Council held on Thursday, 14th May, 1959, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

LEAVE TO MEMBERS

Mr. Speaker: I have to announce that Mr. Jai Narine Singh, Member for Georgetown South, has applied for, and has been granted leave of absence, one month from 22nd May, this year.

I have also to report that Mr. Ajodha Singh, Member for Berbice River, is unable to attend today because he is indisposed.

PAPERS LAID

The Financial Secretary (Mr. Essex): I beg to lay on the Table

The Financial Statements of the Trotman Trust Fund for the years 1954 to 1956, together with the Director of Audit's report thereon;

the

Annual Report of the Licence Revenue Officer for the year 1958;

and the

Statement of Loans from voted expenditure written-off during the year ended 31st December, 1958.

The Attorney-General (Mr. Far-num, acting): I beg to lay on the Table the

Report of the Official Receiver, Public Trustee and Crown Solicitor for the year 1958.

The Minister of Natural Resources (Mr. Benn): I beg to lay on the Table the

Annual Report of the Director of Agriculture for the year 1958.

The Minister of Communications and Works (Mr. Ram Karran): I wish to lay on the Table the

Annual Report of the Demerara Electric Company, Limited, for the year ended 31st December, 1958.

The Minister of Community Development and Education (Mr. Rai): I wish to lay on the Table the

Annual Report of the Commissioner of Local Government for the year 1958.

ORAL ASKING AND ANSWERING OF QUESTIONS

AERODROME FIRE SERVICE PERSONNEL —EXTRA DUTIES

Mr. Burnham: Sir, I beg to ask Question No. 7 standing in my name on the Order Paper of the Chief Secretary. Will the Honourable the Chief Secretary state why firemen at Atkinson, who operated the telephone switchboard from the 1st of August, 1949 to the 15th March, 1959, have not been paid for these extra services for which they were promised payment at the inception?

The Chief Secretary (Mr. Hedges): Sir, the answer to the hon. Member's question is: The Aerodrome Fire Service personnel were operating the Telephone Switchboard at Atkinson as part of their duties when Government took over con-

trol of the service in 1949. According to the records, Government never gave an undertaking to pay the firemen extra for performing these duties and it is therefore incorrect to say that the men were promised any such payment. The firemen ceased to perform these duties when an automatic exchange came into operation on the 15th of March, 1959. Since that date the present Government has been considering whether some special payment should be made to the men and has decided that, notwithstanding the absence of any undertaking by previous Governments, it would be appropriate to pay them an *ex gratia* honorarium in recognition of the good work they have done in operating the Telephone Switchboard during the last 10 years. The approval of Finance Committee for the provision of the necessary funds will be sought shortly.

BRITISH GUIANA-VENEZUELA RELATIONS

Mr. Burnham: Sir, I beg to ask Question No. 8 standing in my name on the Order Paper of the Chief Secretary. Will the Honourable the Chief Secretary say whether in view of the good relations between Venezuela and British Guiana, the traditional claims of the former of certain portions of territory have been abandoned or settled?

The Chief Secretary: Sir, the answer to the hon. Member's question is: As far as this Government is aware, there is no outstanding dispute about the boundary between British Guiana and Venezuela which Her Majesty's Government and the Government of British Guiana regard as a *chose jugée*.

Mr. Burnham: Mr. Speaker, may I ask the hon. the Chief Secretary whether the hon. Minister for Trade and Industry, (Dr. Jagan), held discussions with the President or the Senate of Venezuela?

The Chief Secretary: The hon. Member knows that I have just arrived in this Colony and am not aware of these things, but if he will be good enough to come over to my office at any time I

shall be happy to discuss the matter with him.

Mr. Burnham: I would like to ask another supplementary question. Will the hon. the Chief Secretary say whether the power was given to the delegation to discuss the matter with the Venezuelan Senate?

The Chief Secretary: The answer is, no.

Mr. Burnham: That's right.

APPOINTMENT OF POSTMASTER-GENERAL

Mr. Burnham: I beg to ask Question No. 9 standing in my name on the Order Paper of the Chief Secretary. Will the Honourable the Chief Secretary state why Government considered it necessary to appoint a Postmaster-General from abroad when there were Guianese eligible for the post?

The Chief Secretary: Sir, as the Honourable Member is no doubt aware, under the provisions of the present Constitution, Heads of Departments such as the Postmaster-General are selected for appointment by the Secretary of State. The question of filling the vacancy for Postmaster-General was not considered by the Government, that is to say, by the Executive Council before the Secretary of State made his selection. I should mention, however, that in accordance with the accepted policy of Guianization of the Civil Service, the claims of Guianese and West Indian Officers who might be eligible for appointment as Postmaster-General were forwarded to the Secretary of State by the Governor and were fully considered before a decision was taken to appoint an overseas officer to the post on contract for three years.

Mr. Burnham: May I ask the hon. the Chief Secretary whether this Government is satisfied that the recommendations and comments were taken into account?

The Chief Secretary: I do not know if they were.

Mr. Burnham: As a further supplementary question, may I ask the hon. the Chief Secretary whether, in the opinion of this Government, they were not Guianese competent enough to fill the office despite what the Secretary of State for the Colonies may think of it?

The Chief Secretary: Sir, I do not know.

Mr. Burnham: May I ask the question again if it was not clear enough, so that I will get a more definite answer. I would like to know whether the hon. the Chief Secretary will answer the question or whether he will not, and stop telling us about Guianization and Guiana for the Guianese.

SHEAT REPORT ON ATKINSON FIRE SERVICES

Mr. Burnham: I beg to ask Question No. 10 standing in my name on the Order Paper. Will the Honourable the Minister of Communications and Works say whether the Sheat Report on the Atkinson Fire Services has been published, and if so, what Government proposes to do with respect to the recommendations of the said Report?

Mr. Ram Karran: The Report has not been published. The recommendations of the Report are under consideration.

Mr. Burnham: May I find out whether it is the intention of the Ministry to have this Report available to the public?

Mr. Ram Karran: That is also being studied.

Mr. Burnham: May I find out whether this period of consideration, for which this Government is so well noted, will come to an end?

Mr. Ram Karran: Very early.

Mr. Burnham: May I ask whether it will come to an end before 12th of August, 1961?

Mr. Ram Karran: Yes.

Mr. Burnham: I am very grateful.

INTRODUCTION OF BILLS

The Financial Secretary: I beg to give notice of the introduction and First Reading of the

Customs (Amendment No. 2) Bill, 1959.

Mr. Benn: I beg to give notice of the introduction and First Reading of the

Drainage and Irrigation (Declaration of Area) Bill, 1959.

Mr. Ram Karran: I beg to give notice of the introduction and First Reading of the

Georgetown Electric Supply (Control) Bill 1959.

I propose to ask for the suspension of the relevant Standing Orders in order to take this Bill through all its stages today. I have a certificate of urgency from His Excellency the Governor which I will now hand over to the Clerk.

ORDER OF THE DAY

BILLS — FIRST READING

The following Bills were read the First time —

A Bill intituled "An Ordinance to amend the Customs Ordinance."

A Bill intituled "An Ordinance to provide for the declaration of the Manarabisi Cattle Pasture Drainage and Irrigation Area, the validation of the construction of certain works, vesting of certain lands in the Drainage and Irrigation Board, and for purposes connected with the matters aforesaid."

A Bill intituled "An Ordinance to provide for the control and equitable distribution of supply of electricity in the City of Georgetown and its environs."

GEORGETOWN ELECTRIC SUPPLY (CONTROL) BILL

Mr. Ram Karran: I beg to move the suspension of the relevant Standing

Orders in order to discuss the Georgetown Electric Supply (Control) Bill, 1959.

SUPERANNUATION BENEFITS TO MR. VINCENT PARRIS

Mr. Speaker: The hon. Member for Georgetown North. There is a motion standing in your name which is next on the Order Paper. I do not believe you would mind deferring it as this Bill is urgent.

Mr. Jackson: No, Mr. Speaker, even though I had the assurance that it would be dealt with at this meeting. The assurance was given to me that it would be the first thing taken.

Mr. Speaker: I am asking you now to defer it as this Electric Supply Bill is of great urgency. It is because of that promise that I ask you now to defer it.

Mr. Jackson: Thank you. I have no objection.

Motion deferred.

GEORGETOWN ELECTRIC SUPPLY (CONTROL) BILL

Mr. Speaker: We will now proceed with the Georgetown Electric Supply (Control) Bill. The hon. Minister of Communications and Works has moved the suspension of the relevant Standing Orders to proceed with the Bill.

Mr. Benn: I beg to second the motion.

Question put, and agreed to.

Relevant Standing Orders suspended.

Mr. Ram Karran: I beg to move the Second Reading of a Bill intituled —

“An Ordinance to provide for the control and equitable distribution of supply of electricity in the City of Georgetown and its environs.”

This Bill is very simple and non-controversial [*laughter*], even though the subject of Electric Supply may be controversial. As has been intimated, there is some urgency about it, and it is my belief that since there is a substantive motion on that subject, hon. Members will take advantage of that in discussing the general policy and other matters related to the subject. As I said just now, this Bill is urgent. It seeks to empower the Government to appoint a suitable person as Controller of Electricity. Government is very fortunate in this respect, and has a person, Mr. H. G. Frampton, who has agreed to serve in this capacity during this time that we are faced with this difficulty of electricity supply. The Controller will in turn be empowered to make Regulations for the control and restriction of supply of electricity, for requiring the Demerara Electric Company to supply and generally to see that whatever quantity of electricity is available is spread as far as possible so as to ensure the greatest possible good use to the community.

I think that hon. Members ought to know that the situation we are passing through, while it is likely to become acute, is for the moment temporary. The plant of the Demerara Electric Company has a total generating capacity of 12,250 kilowatts and has to cope with a daily requirement of 8,000 to 9,000 kilowatts during the peak hours. During the time when units are to be taken out for maintenance or repairs there is a fair quantity of electricity to go around. However, what has happened recently is, that one of the large generators, a 1500 unit, has had to be taken out for routine maintenance and repairs, as the result of which, this difficulty of load-shedding has had to be introduced during the peak hours of 6 p.m. to 9 p.m.

We have been informed that load-shedding is not likely to last very long. Nevertheless, in view of the fact that the demands for electricity have increased, as there are more industries and more houses now in the franchise area of the Demerara Electric Company, there is

[**MR. RAM KARRAN**]

need for the services of this Controller of Electricity to see that there is an adequate and equitable distribution of electric supply. I take this opportunity to state that, having given the assurance to the Demerara Electric Company that this step will be taken, we have brought this Bill at this stage, and I hope that it will receive the full support of hon. Members of this Council.

Concurrent with the appointment of the Controller is the appointment of Inspectors. They will be appointed by the Controller and will have the power to enter the premises, examine the installation and see that the best possible use is made of the supply of electricity available. Under this Bill, Regulations will be made which will be laid before this Legislative Council for hon. Members to see from time to time as they become necessary. At a later stage I propose to move an Amendment to this Bill as published, when we are in the Committee stage. There is very little more I wish to say at this stage on the Bill, lest it may take too long and we may lose our objective in not having the Bill passed today. I, therefore, now move that this Bill be read a second time.

Mr. Benn : I beg to second the Motion.

Mr. Tasker : The hon. Minister suggests that we should not comment on the general aspects of the problem at this stage, but reserve them for the debate on the Motion standing in the name of the hon. Member for Georgetown Central. I accept that, and shall therefore confine my comments at this stage to the relations between Government and the Company. But I do feel that the hon. Minister, even though there is great urgency for the Bill, should give us some clear assurance regarding this Bill as it stands. He has

referred to it as a temporary measure. If it is a temporary measure, I think we are entitled to have the assurance of the hon. Minister that the very sweeping powers of this Bill will not be used unless they become necessary. I make the point because these powers are very sweeping indeed: the Controller will have power to do anything he likes under this Bill, not only with respect to the supply of electricity to household premises, but to anyone using electricity. Emergencies require emergency measures. I grant that, but I want a clear assurance from the Government that there will be no wider use of these powers than is considered necessary, as the hon. Minister has said, to allocate the supply of electricity fairly.

Secondly, arising out of that, I would be happier if there were a time-limit to this Bill. I have criticised in this Chamber, on previous occasions, the principle of bringing forward continuing legislation every year for measures that should be either temporary or permanent. That argument still holds good; but in this instance, where the hon. Minister has made it clear that this is a temporary measure, I think we shall only be doing justice to the public and to the consumers of electricity in the Greater Georgetown area, if we ask that a time-limit be put on this Bill. If this temporary measure turns out to be necessary for a longer period of operation, then the Legislative Council should be asked to extend it.

I fully share the views of the hon. Minister on the need for a Controller, but I feel that the role of Controller is more that of Co-ordinator. I hope it does not mean setting up another Government Department with a growing staff and diminishing responsibility. It seems to me that if this is a temporary situation, it should be made quite clear at the outset that the real role of the Controller, or Co-ordinator is liaison between Government, as representing the consumers of electricity as a whole, and the Demerara

Electric Company, and that this is a necessary arrangement in order to ensure equitable distribution of the supply of electricity available.

I would like also to make a plea for a constructive move by Government over this emergency period. Although I shall support this Bill, there is no doubt that it is a negative Bill. Now, if there is an emergency of electric power, surely it requires not merely a new post of Controller of Electricity, but also the necessary steps for the generating of electric power by every means possible.

Under our present legislation, anyone can generate electricity for himself, provided that he does not sell it or supply it to others. Under our present tax arrangements, he gets an annual depreciation allowance of 10 per cent. on the capital value. I suggest that an emergency situation calls for emergency action, and that at the present moment there is every reason to encourage people to purchase and operate generating equipment for themselves. I am not talking of the private householder, whose daily needs of electric current are insufficient to justify such equipment; but I am referring to business concerns and factories, and I know it will be argued that such plants would be operating against the best interests of the Demerara Electric Company, or any other organization generating an electricity supply for the public. However, I do not think we need worry too much about that, because obviously the whole point of a utility generating electricity for public supply is not only to provide power cheaply, but also to make it unnecessary for the industrialist to tie-up unproductive capital in generating plant and equipment of his own. And it has been found that it generally costs the industrial user more to generate electricity for himself than to buy power from a public utility.

If that is agreed, I would suggest two actions which would help in the situation. (1) Government should accelerate the rate of depreciation allowed for tax purposes on the purchase of generating equipment. I suggest that, instead of an annual allowance of 10 per cent. of the capital value, facilities should be offered whereby generating equipment which is purchased during a specified period would be subject to, say, a 20 per cent. tax allowance, giving the purchaser a write-off over five years. I believe a lot of people would take advantage of an incentive of this kind to encourage people to provide their own electric power. (2) Steps should be taken to amend restriction in the present Ordinance on the supply or sale of privately generated electricity. Georgetown's industries are being developed in certain well-defined areas, and if we are to get the benefits from this opportunity to obtain additional generating facilities, we must have provision in the law whereby separate companies, or a group of neighbouring companies, can be allowed to co-operate in the joint provision of electric power for their several industries.

Finally, I would add that, although I am not aware of the kilowatts that can be generated in this way, I am quite clear that if you start with the secondary industries in the area of Georgetown, you must release sufficient power to make a substantial contribution to the domestic needs of Georgetown as a whole. My point is that the domestic consumer can do nothing except try to grin and bear with the black-outs. Yet here is an opportunity whereby our industries can make a contribution—or at least are given an opportunity to do so—by exercising the option of operating their own generating plants for their own use, so making it possible for the Demerara Electric Company to provide additional power to those domestic consumers who cannot provide it for themselves.

Mr. Hubbard: This is the second time in 13 years that this Legislative Council has been asked to appoint a Controller of Electricity because the Demerara Electric Company, Limited, has failed to meet its obligation under its franchise. On the 25th May, 1946, there was published in the Official Gazette, a Bill, the title of which was "The Georgetown Electric Supply (Restriction) Ordinance, 1946." The objects and reasons of that Bill were—

"The Demerara Electric Company, Limited, is bound under the Georgetown Electric Supply Order, 1927, Article 20 to provide the owner or occupier of premises situate within fifty yards from their distributing mains with a supply of energy in accordance with the provisions of that Order. The Company also has contractual obligations to supply electric energy for industrial purposes. It has been ascertained that the Company's electrical system might at any time become unable to carry the full load of electrical energy demanded by consumers of both classes which would endanger the general supply of the City or prejudice the safety of their plant. There has been a long waiting list of persons requesting to be supplied with electricity. The Company will be unable to install new machinery to deal with the situation until, probably the middle of the year 1947. To provide against any possibility of an over-load being imposed on the Company's machinery and plant, it is expedient that the Company be prohibited from supplying electric energy to residential premises which were not being supplied with such energy prior to the commencement of the Ordinance. The Government Inspector is authorised, however, to require the Company to supply energy whenever he (the Inspector) considers that the Company's plant will not hereby be endangered or the general supply system prejudiced.

Such legislation now exists in the form of Defence Regulations namely, the Defence (Georgetown Electricity (Restrictions) Regulations 1944, and the Defence (Georgetown Electricity (Regulations) (Amendment) Regulations, 1944, the operation of which has been preserved by the Defence Regulations (Supplies and Services) (Continuance) Order, 1946. The intention is to revoke those Defence Regulations as soon as the Ordinance has been passed."

I have cited that because it is evidence that this Company, operated as a

public utility service under the franchise written into our law, has either by bad management or wilful neglect failed to fulfil its obligations to the community of Georgetown. I have examined all the relevant facts carefully, and I have come to the conclusion that the Company has in effect abdicated its franchise, and Mr. Tasker's suggestion that industrial enterprises should get together to supply themselves with electrical energy is something that they might well do with perfect freedom. I am not at this stage going into all the *pros* and *cons* of the matter.

Mr. Speaker: There is a substantive Motion on the subject to come up later.

Mr. Hubbard: That substantive Motion will give me an opportunity, but I thought it was important to bring to the memory of our citizens that this is a situation which we have faced once before. We must also let the Company know that if some of us are asleep, other are wide awake.

Mr. Fredericks: This Bill, I submit, is a negative approach to the problem of meeting the electricity crisis now facing this country. Instead of striving to increase the amount of electricity for general utilization this Bill seeks to ration the available supply. The implementation of this legislation will inflict on an already over-burdened Administration additional charges for the remuneration of the Controller and his staff. Instead of allocating all surplus funds towards relieving the grievous unemployment situation, a portion of that money will now be diverted to this end. In the circumstances existing today, no one can deny the absolute necessity for a Controller of Electricity, as it has been forcibly brought home to all of us that there is just not enough electricity for everyone, and there does not appear to be any concrete proposal for an immediate solution to this most unsatisfactory state of affairs.

This Bill has one important effect. For the first time Members of this Council are afforded an opportunity to debate this most controversial electricity issue, and most of us, including myself, have had to rely on the newspapers for information on the subject. I feel that Government should take advantage of this occasion to inform us fully of the situation, especially in view of the fact that electricity is one of the subjects to be discussed by the financial delegation which will be going to London shortly. Apart from personal discomfort and inconvenience many of us have suffered material hardship arising from the curtailed distribution of electrical power. I am not concerned about who is to be blamed—whether the Government or the Demerara Electric Co. One would have expected that reason and commonsense would have prevailed, and that regard and respect for the common good would have gained ascendancy. The present situation did not develop overnight. Over the years we have noted the signs, and ample time had been afforded to work out an equitable compromise to avoid the present situation. From the various newspaper reports and releases by both the Government and the Demerara Electric Co. four facts appear to emerge.

Mr. Speaker: I do not wish to interrupt you unduly but I think you yourself remarked that there will be an opportunity on a substantive Motion to discuss all those issues fully. It is not that you will be denied an opportunity. Perhaps you have not seen the Order Paper. There is a substantive Motion which I believe will be dealt with very shortly.

Mr. Fredericks: There is no indication as to when that Motion will come before the Council.

Mr. Speaker: It is on the Order Paper for today. If there is time it will be moved today.

Mr. Fredericks: If you wish I will stop and await that time, but I feel that

what I am saying is relevant and would help Government in its dealing with the electricity problem right now.

Mr. Speaker: What I wish to point out is this: that the question here is not a debate on a Motion as to where blame is to be apportioned in the present situation. This is a Bill for the purpose of the appointment of a Controller of Electricity and the powers he will have in the circumstances. I can understand that Members need to refer generally to the situation, but this Bill does not afford an opportunity for a full-dress debate on the whole subject. There is a substantive Motion on the Order Paper, but if Members think that it does not enable them to debate the whole subject they can table one which would give them an opportunity to say all they wish to do. I think the point you are endeavouring to make has been made by the two Members who preceded you. I hope you understand.

Mr. Fredericks: I quite understand, and I accept your suggestion, but the point I intended to make—

Mr. Speaker: I do not know what you propose to say, but I only mention it at this moment so that you will bear it in mind and not trench on the issues which will be debated later on, because there is that salutary rule that a Member must not anticipate the debate on any Motion which is standing in the name of a Member of the Council.

Mr. Fredericks: May I have Your Honour's permission to proceed, and you can stop me if you think I am not in order? I do not wish to speak on the Motion suggesting that Government should take over the Demerara Electric Company.

Mr. Speaker: You can table a Motion yourself which would enable you to say all you wish to say, but what you wish to say must be relevant to the issue before us. I do not know what is in your mind. I am only letting you know

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beforehand, and I think you should take the responsibility irrespective of the prompting that is going on all around you.

Mr. Fredericks: I do not think I should proceed further.

Mr. Davis: It is said that "fools rush in where angels fear to tread." I feel like a fool today, perhaps, but I am still going to rush in. I am not like my colleague, Mr. Hubbard. I am not yet able to apportion the blame in this matter to the Demerara Electric Company. My mind is quite open in the matter. There is a Motion on the Supplementary Order Paper in the name of the hon. Member for Georgetown Central, but being an expert politician he may find it convenient at any moment to withdraw his Motion, in which case I will find myself without an opportunity to express certain views on the subject.

Mr. Burnham: Are you psychic?

Mr. Davis: It is a reasonable anticipation.

Mr. Speaker: Be that as it may, it would not give you any right to debate something which is not particularly relevant to the subject under discussion.

Mr. Davis: I accept that ruling without question. However, what strikes me is the fact that the Government has sat by and allowed this situation to develop around it without taking a sufficiently positive approach in the matter. It is only a year ago that the same Company undertook to give Georgetown and its environs electricity at the time of the visit of H.R.H. the Princess Margaret, and we were all pleased and proud that the Company undertook that job and did it so well. I suppose it called for very substantial effort on their part.

Nevertheless, the objective was attained and very well attained. But just a mere year after, the Company says

it finds itself in a position where it has to do a certain amount of load-shedding — to use a popular and recent term. Three weeks ago the Company said it will have load-shedding here one night, there another night, and another place another night and so on. Now, two weeks later, the Company says it will have to do more than that. It will have to do yet more load-shedding. To me, it seems that the Company is trying to stage what can be properly called "a war of nerves" so as to coerce the Government into making a hasty decision. That is what frightens me and bothers me in this matter. The suggestion I want to make is this: that this Council sees its way, say at the appropriate time, to give the benefit of its wide experience and tell me when I can state it in the form of a motion.

Mr. Speaker: The hon. Member can always table a motion. The hon. Member can hand it into the Clerk this afternoon.

Mr. Davis: Some of the motions I have tabled grow grey with age before they are placed before the Council. That is my impression. I can refer to some of the instances, and one has not reached the Council as yet. The point I am making is this — I want to feel that the Government should appoint a Committee, with the person Government has in mind as Controller as one of its members and other competent people who know, and have to do with electricity, to go in and study and assess immediately what is the true situation, and to say whether the Company's plant can really carry more load at the moment or if it is necessary for the Company to shed more than it is doing. I feel that some competent authority, some competent body, should be brought in to advise — and quickly too—at this stage on that aspect and on what is to be done.

We know that the hon. Minister of Trade and Industry (Dr. Jagan) will shortly be going northwards, and that one of his undertakings there will be see-

ing what can be done as regards raising money for this particular project. I know that many of us have very great ideas as to the question of nuclear power which is being thought of at the moment.

Mr. Speaker: What has that to do with the appointment of a Controller for the supply of electricity at this moment?

Mr. Davis: I say this humbly, it has a great deal, if not we may well be appointing a Controller to find that he has nothing to control. If this nuclear threat is not a complete flop, I think the point is well made.

Mr. Speaker: I do not think the hon. Member is in order!

Mr. Davis: May I touch then on another small phase—

Mr. Speaker: One of the things that do not form the basis of discussion is a newspaper report.

Mr. Davis: My hon. Colleague on my left has just intimated to this Council that the only reliable information this Council has been able to get before it, is the newspaper report.

Mr. Speaker: If the hon. Member does not know, I may let him know that it is established that you cannot make the basis of your discussion, newspaper reports.

Mr. Davis: That is why I am not using the newspaper report as the basis, but as a supplementary—

Mr. Speaker: The hon. Member is out of order!

Mr. Davis: Very well, Sir. As I was saying, the only information I got from the Government on nuclear power was just through certain pressure which I tried to pursue—

Mr. Speaker: Was it a notion?

Mr. Davis: Yes, and it was laid on the Table of this Council. A copy was sent to my address.

Mr. Ram Karran: I deny all knowledge of that document.

Mr. Davis: What a Government! Some person sent it to me, and I thought, in my ignorance, that it came from the Government. However, even this they disown. What I want to say is this. I would like the Government to keep in mind the question of rural electrification. It was the Government, or its mouthpiece, the Development Secretary, Mr. Fletcher, who intimated to this Council and up and down the country, that they were going to give the country rural electrification by the end of 1958. We know that the hon. Minister of Communications and Works, has made the only positive approach to the subject. I want to urge that when consideration is being given to this Bill — I hope I am relevant — the subject of rural electrification will not be left out of the mind of the Government, and that it may take some small part, well in the forefront, in its consideration whenever possible. To me, both subjects are very closely associated.

Here we are approaching the end of 1959 and, as one hon. Member, speaking about electricity said, there has been no positive approach to the subject. I want to request the Government and particularly the hon. Minister of Trade and Industry, who is the Leader of the Majority Party, that when he is going into the *pros* and *cons* of electricity generally for this country, he will keep this matter in his mind, so that it can form part of his negotiations. I have a few more remarks to make, but I want to keep strictly to Your Honour's ruling in this matter.

Mr. Speaker: I wish you would.

Mr. Davis: So, for the moment, I leave that matter here as I have Your Honour's undertaking that it will come

[MR. DAVIS]

back for discussion under another motion.

Mr. Kendall: Mr. Speaker, I have taken note of your ruling, and I would like to make this observation. It is very unfortunate when a Member of this Council tables a motion, the Government, if that motion is objectionable to someone, does not place it on the Order Paper of this Council for months, but when it has something of a similar nature to bring forward, it places that motion on the Order Paper. It places hon. Members of this Council in a difficult position.

If that motion which has been placed on the Order Paper of today was not there, hon. Members would have been able to discuss fully all aspects of electricity under this Bill. I must make that observation, and hope Your Honour will not rule me out of order. I trust that in future, we will not have a similar situation arising, where hon. Members are gagged in such a manner, and unable to express their views and have to wait to do so on a motion tabled since the 6th February of last year.

This Bill, as presented by the hon. Minister of Communications and Works, calling for a war-time measure in peace time, is unfortunate. I must say it is due to the inability of the Government to approach this matter of electricity seriously. If the Government had approached this matter within the eighteen months it has been in office, this situation would not have been reached. We are now forced to accept the appointment of not only a Controller of Electricity, but with Inspectors, to go into anybody's home and say whether the electrical equipment persons had for years should be taken down and not used any more because there is not sufficient electricity available. That is a situation which should not exist at all.

Although it may be said that the Demerara Electric Company has used blackmailing tactics on the Government, this is due to inefficient administration on the part of the Government. We cannot get any information of Government's policy save from the newspapers, although Your Honour has ruled that the newspaper is no guide for this august body. We were told that a decision was arrived at whereby a company would instal a nuclear plant and not involve this Government in much initial outlay of capital.

Mr. Speaker: Was that statement made in this Council?

Mr. Kendall: I have a suspicion it was made here. A financial expert to this country to negotiate towards that end —

Mr. Speaker: I want to remind the hon. Member that the subject under discussion is the appointment of a Controller of Electricity.

Mr. Kendall: I accept that this Bill is for the appointment of a Controller of Electricity, and I feel Your Honour should allow us the opportunity to make our observations on this Bill. I do not know whether Your Honour precludes one from making observations, incidentally—

Mr. Speaker: Members have remarked incidentally on certain matters and they were not prevented. Remark-ing incidentally is entirely different from debating a subject. Sometimes there are recitals before a certain proposal, but it does not mean those recitals are the subject of a debate.

Mr. Kendall: Your Honour, I accept your observations, and I will—

Mr. Speaker: All this can properly be debated, but under a specific head, otherwise, you will be saying things in the wrong place.

Mr. Kendall: That is all I have to say now. Maybe I will be able to get more latitude under the Motion. *

Mr. Burnham: As the person who tabled the Motion which has been put on today's Supplementary Order Paper, I observe that that was a motion I tabled some time last year, before the end of the last session, and I had to have it renewed for this ensuing session. I begin my remarks by offering unlimited congratulations to this Government for this late-found energy and late-found interest in putting my motion on the Order Paper of this Council for debate. It seems as if this Government does not do anything until it is in a most embarrassing position. That motion was tabled by me in 1958 and never came up here on the Order Paper until today. For what reason, we know not. The minds of the Government are inscrutable. Only at 12.30 p.m. today, I was accorded the courtesy of being informed that it was the intention of Government to have this motion debated this afternoon. I want to say that I am not in a position to debate this motion, as I have not had sufficient warning and time to get the relevant information and data. I suspect it is nothing but slick—*

Mr. Speaker: What does that mean?

Mr. Burnham: It is nothing but a sharp practice on the part of the Government in bringing forward this Bill for the appointment of a Controller of Electricity suddenly, when there is a motion tabled by the Member for Georgetown Central over a year ago with respect to the purchase of the assets, machinery and equipment of the Demerara Electric Company, Limited. Then later on, the hon. Minister of Communications and Works—I must express my disappointment—in introducing this Bill seeks to persuade this Council to withhold relevant remarks with respect to electricity until when the motion tabled by me comes up for debate.

I shall begin my remarks on the Bill by referring to the Objects and Reasons:

"The capacity of the generating equipment of the Demerara Electric Company, Limited, may, until the necessary plant can be put into operation, be insufficient to meet the demand for electricity within the area of the Company's franchise, particularly in the event of a breakdown of one of the main generators. It is therefore advisable, for the maintenance of the supply of electricity as efficiently as existing circumstances permit and for the equitable distribution of such supply in view of the increasing demand therefor, that a Controller be appointed to regulate and, in effect, to ration the distribution of the available supply of electricity for as long as the insufficiency of electric generating capacity may continue".

It may be true, but since the Bill is based upon that, we have to find out how it came to be true. If it came to be true on account of any fault on the part of the Company then the blame must be theirs, but if that is not so, then it is the fault of the Government. It must be noted who is to be blamed or is responsible because, Mr. Speaker, it is distressing to find that 15 years after the last World War we have to introduce in British Guiana what is normally a war measure; so, before this Council is asked to pass such a measure, we must be satisfied about certain things.

The Demerara Electric Company, Limited, was given a franchise for fifty years to supply electricity to Georgetown, or what may, from time to time, be Georgetown and up to five miles outside. Are we to be told here that this Company, which has a paid up capital of \$425,000 and with a revenue of over \$620,000 per year, which has enjoyed this franchise for 30 years, cannot honour its obligations 20 years before the expiration of its franchise? Is it incapable of providing the needs of the area after it has enjoyed this franchise? Mr. Speaker, if it were an ordinary shopkeeper running a salt-goods shop, he would be able to anticipate the needs of his customers?

Mr. Speaker: The Bill is intended to give you an idea as to what are the reasons and why it was brought. There it is, either it is a question of fact, or it is not a question of fact that the situation specially cannot be met. If there is to be an investigation as to whether that is a fact or not, I am afraid that the investigation cannot be conducted here. A Committee may have to be appointed specially to go into that business. I am afraid, I cannot allow you to conduct that investigation here. You will have to get technical men, and it might take quite a long time.

Mr. Burnham: Your Honour rules. Mr. Speaker, you will pardon me if at any time again during the course of my remarks I trespass. I can promise you that my automatic obeisance to your ruling is assured.

As I was saying, Mr. Speaker, I am not quite sure that I should support this Bill if it is based merely on the allegation that the capacity of the equipment is not sufficient to satisfy the needs of the franchise area, for the company should have spares for its generating plant for shedding. I feel that the Government should deal sternly with this monopoly. We have Regulation 23 of the Georgetown Electric Supply Ordinance. What is the Government doing about it? Don't plan merely to appoint a Controller. See that more regular prosecutions are made and penalties served upon these people.

Government is not without its share of blame. For 18 months Government has been idling. Government has got to make up its mind. But how much good is going to be done to remedy this situation before you can appoint a Controller? We want to see the Government take very drastic action against such an undertaking. We want to see Government use the powers given under Chapters 237 to 239. This is a matter above party politics; this is a case where the country is growing, where the people have become accustomed to certain amenities of

civilization. This is a country where we are seeking to attract industrialists, where we are seeking to persuade those who are here to expand their industry; and for those there must be at all times the sufficient supply of electricity for domestic and industrial purposes. Do not merely appoint a Controller. I can see that a person being a Controller is a man of great ability. I agree. But we want more than a Controller.

Section 6 of the Bill seeks to give the Government the power to establish its own source of electricity supply. I feel that that power could also be given to various local authorities who, in the meantime, are as much inconvenienced as the Government. I feel further, that the penalties with respect to the Company, are not high enough, they are not great enough, they are not sufficiently punitive. If this Government wants to do something let it do so now. I must say that these would-be blackmailers have got to be put in their places once and for all. That is as far as I am concerned.

Mr. Beharry: Mr. Speaker, I see the need for the rationing of electricity, and I see that this Bill gives the Government the right to appoint a Controller to dictate how the load-shedding of the available electrical supply, or energy, that we have in this country, should be controlled.

It is very difficult to deal with just the appointment of a Controller in isolation from the situation that compels us to agree with the appointment of a Controller with respect to apportioning how our electricity should be used in this country. The Government, in order to remedy the situation which has been created partly by them, is seeking by this Bill to control load-shedding. To my mind, Sir, I think that the remedy of the situation is a complete load-shedding of the Government itself.

After 18 months, by the indecision of this Government, we find that today a situation has been created whereby the country finds itself facing load-shedding,

and at a time in the history of this country when unemployment stalks the country; when the purchasing power of our people is so greatly reduced. This load-shedding is due to indecision on the part of the Government generally which stagnates the industrial development of the country.

Mr. Speaker: Having regard to all that has passed, you may hold your fire until an appropriate Motion is under debate.

Mr. Beharry: Mr. Speaker, the regrettable situation of the Bill is—

Mr. Speaker: On the contrary, the difficulty. But there is this: you must always face difficulties, try to overcome them but wait for a seasonable opportunity.

Mr. Beharry: I may put it another way. We are supposed to ration available electrical energy in this country. This Bill, typical of the Government, gives dictatorial powers to one man — a Controller — when unemployment stalks the country.

I think, Mr. Speaker, that this Council should not give such sweeping powers to a Controller, though he should at all times have some sort of power. I see the need and the necessity for industrial development, and for the improvement of the unemployment situation. Because of this, I am asking Members of this Council that there should be an Amendment to this Bill not to place such sweeping powers in the hands of one man. There should be a Committee to deal with the question of apportioning the use of electricity in our country, in order to make sure that industrial enterprises, as well as the people, should be safe-guarded in their need for electricity, so that the load-shedding will not affect the productive capacity of the country, thereby affecting the economy as a whole. That is why I strongly advocate that there should be a Committee or a Board to decide, rather than one

man placed in the position to dictate how and when we should receive electricity.

I can see the need for load-shedding because the Government says that there is not an adequate supply available for everyone; but I think if load-shedding is to be done, it should be done to protect the economy of the country and the unemployment situation which is facing us.

I am not prepared to support this Bill with respect to the appointment of a Controller. We do not know, but it is possible that the Government may give sweeping powers to the Controller to the detriment of the economy of the country. That is why I am suggesting that the Government should reconsider its decision and place the distribution of available electricity in the hands of a Committee or a Board rather than in the hands of a single individual. I shall reserve my fire until the Motion by the hon. Member for Georgetown North is debated. I commend my suggestion to the Government.

Mr. Tello: Mr. Speaker, at first blush one would not want to oppose this Bill, but as I see it, it was not properly drafted. We have noticed that there is an emergency and I suppose that the Government would try to amend this Bill so as to end any further embarrassment on their part. I think the points for supporting the Amendment were made, and I want to support them and to place strong emphasis on them. Two of them, I think, were suggestions by the hon. Nominated Member, Mr. Tasker.

There is need for an Amendment, if necessary, of the Ordinance in order to protect those who can afford to generate current. The second point is time limit. I am asking that the Government should use some very strong measures to solve this problem, and that they should give this Council some assurance that the Amendments principally necessary in the Bill, or through the regulations, are enough to implement the suggestions made.

[MR. TELLO]

The first, as I said, is a matter of limiting load-shedding; the second is a matter of generating electricity in bulk, if necessary, to relieve this unfortunate situation; and the third which is extremely important — no matter how brilliant, or however feeble-minded a Controller may be, I feel that such powers in one man's hands is a very dangerous thing in principle.

I agree with the hon. Nominated Member, Mr. Davis, that the powers intended to be afforded the Controller go far too much into the intimacy of people's dwellings. It is almost a matter of personal interest. Provisions should be made for some committee or, if necessary, an advisory committee should be appointed to work together with that Controller. In almost every case, it has been found necessary for the Controller to be associated with an Advisory Committee.

Sir, I am sorry, I will not allow this one to go unchallenged. Mr. Hubbard pointed out that this company had previously subjected this Colony to load-shedding and to control. I think that this Company, however bad it is, or however non-public spirited it is, was just one of the companies of the many in the world which found control necessary in that period as part of our war effort. It is not fair to mislead this Council and the public by referring to that particular period of 1945 to 1946. I had hoped to be able to support this Bill, but I cannot on account of the case presented by the hon. Minister.

I am asking him for an assurance so that at the correct time he would offer us an Amendment to this Bill, or give an assurance that it would be embodied in the Regulations that this control would not go on for only a limited time. Secondly, that consideration should be given to making it simple and easy for those who desire to generate their own electricity. The hon. Nominated Member, Mr. Tasker, has gone into it in great detail so I do

not want to go any further with the explanation. And thirdly, I suggest that the hon. Member should give the Council the assurance that the Advisory Committee would be specially appointed.

Mr. Bowman: I have not heard from the Government whether it has received complaints from anyone that the Demerara Electric Company is discriminating in the distribution of electrical energy. I heard the Minister say earlier that this measure is a temporary one, but I have also read a statement on behalf of the Company that this load-shedding is going to last for about three years.

There is a very great difference between what the Minister told us and what the Company has said. What I think Government should have done first of all was to appoint a technical Committee to ascertain whether there is any need for the control of electricity, and if the Committee's finding was in the affirmative then by all means Government should take steps to introduce some form of control. But up to the present we do not know whether it is absolutely necessary that there should be a Controller of Electricity. Mr. Tasker has rightly said that the power which the Bill seeks to confer on the Controller is too wide, therefore at a later stage I shall move an Amendment suggesting the appointment of an Electricity Control Board instead of a Controller of Electricity.

Mr. Jackson: Every Member of this Council today is burdened with the thought that it has become necessary for the Government to introduce this Bill, and that the consuming public has to be subjected to the type of control which this Bill envisages. Every member of the public has the right to object to such a measure being introduced at this time in the history of this country, and to the incursion upon his freedom which is now being sought by the introduction of this Bill.

One must compliment the Government of the day for being so manipulative in putting on the Order Paper a Motion which cannot

be moved today, but which prevents Members of this Council from voicing opinions which ought to be voiced against both the Government and the Company for creating a situation which has brought about the need for the presentation of this Bill today.

It is a very serious thing that from now on every consumer of current has to make up his or her mind to have foisted upon him or her the presence of an Inspector acting on behalf of the Controller of Electricity who is to be appointed under the provisions of this Bill. One is inclined to the view that had all aspects of the electricity situation been considered in proper time there would not have been need for this pressure which is being felt by the people of Georgetown and its environs. Even though one regards this period as an emergency, and is not disposed to vote against the provision which the Bill seeks to introduce, one must express very strong disappointment and disapproval of the circumstances which have led up to the presentation of this Bill today.

No matter how keen or how efficient the Controller is, and what powers are given to him, this measure is not a solution to the problem which faces us, and one would have expected that complementary to this Bill would have been some statement from the Government as to what it proposes to do to put an end to the present situation.

The Minister himself does not know how long this control is going to last, for he said that load shedding will be for a period of three weeks, after which one of the machines will be put under repair, but the Company says that this load shedding will last for three years. One is inclined to accept the Company's version because they know the state of the machines they have in operation, but of course we shall be happy if it lasts for three weeks only. Perhaps in his reply the hon. Minister will say where he got his information that this inconvenience is going to last for only three weeks.

Mr. Speaker: To a point of correction! The Minister did mention three weeks as the time it will take to carry out certain repairs, but I do not think he said "only".

Mr. Jackson: I understood him to say that load shedding will last three weeks, and after that there will be repairs to one of the machines, giving me the impression that in addition to the three weeks whilst the machine is under repair there will be further load shedding, because the Company says that there will not only be load shedding at night but also during the day. What is going to happen to housewives who have to prepare meals? If the Controller orders that at "X" hours the current must be off in certain districts it may be the time when food is on the boil. It is a very serious situation and I do not think Government has given the matter its fullest consideration. It is all well to say that we are going to appoint a Controller of Electricity, but to control what? It appears to me that there is no current to be controlled. I want to think it would be a waste of time to appoint a Controller.

Some Members have expressed the view that the powers to be given to the Controller are excessively wide, and we have even said that we dislike giving very wide powers to individuals. We believe that power is not always used wisely when given to one person, because a person can become ill with some disease or dyspepsia which may put him off his normal balance. It is to be hoped that whoever is appointed Controller of Electricity will not be a person who suffers from any mental or stomach disorder, and that he will be very thoughtful of people's interests and their feelings, so that no matter how serious the crisis is he will not make his authority something machine-like, but will have the human aspect very much in mind and not put people to unnecessary inconvenience.

I observe that the Controller will have Inspectors who will exercise

[Mr. JACKSON]

similar powers, and I share the wish of persons who have expressed the hope that such powers will not be crudely exercised.

I trust that Government will not rest contented with this negative approach to this problem but will decide upon some positive measure which will prevent the continuation of this control for a long time.

Mr. Gajraj: British Guiana is passing through a very difficult period, and the situation which faces us in so far as electricity is concerned has two phases. We cannot but deplore the causes which have led up to the situation whereby so many citizens are forced, for at least three hours each evening, to move about in the darkness of night. A few nights ago when the Cummingsburg area was blacked out I had to pass through Main Street, and I must confess that I was not only disappointed but to some extent frightened for those who had to walk through the street, because on that occasion not even the street lights were lit, and the whole of Main Street, from Lamaha Street to Church Street, was absolutely pitch dark. I fear for citizens if the Company should find it necessary to widen the areas to be blacked out.

I see that the Police have attempted to meet the possible increase in crime by having a large number of policemen posted to the areas that are blacked out. That may help for a short while, but if the area is to be increased, will the Police Force be able to spare a sufficient number of men to patrol all areas every night? One has to realise that we are in for a serious amount of trouble. As so many Members have said, if the information that has been given us is basically correct, that is to say that the plant we have in Georgetown is unable to produce enough electricity to meet the demand, then it is natural that whatever is available must be properly shared. In this respect I feel that all Members and all

citizens in general must agree with the proposal whereby a civil servant will consult with the Company to find out the amount of energy available and ration it equally.

I have heard Members speaking of the wide powers which this officer will have to wield, and they have expressed fear as to the outcome of the use of such powers on some occasions. There has been a suggestion that perhaps a Committee or a Board might do the job better. Let me point out that when decisions have to be taken not to supply electricity to certain areas because the plant cannot produce enough, those decisions cannot be made a week or two in advance. Such decisions have to be made at short notice, and that is why I think it is reasonable for us, in the emergency that has arisen, to agree to the appointment of a single Controller of Electricity. I realize that there may be complications arising from it, but if we want to have the work done effectively it has to be done quickly, and a single individual is the answer to that.

What worries me more than anything else is the effect that this lack of electrical energy will have upon the development of this country. We have been for a long time expressing the desire to see this country developed, to see light industries established, and I think the Leader of the Majority Party has been making every effort to attract persons, local as well as overseas, to put down light industries in British Guiana so as to create more employment and prevent the sending overseas of considerable sums of money earned by people here.

If we are not going to be able to supply electric energy to those already connected up with the Company's lines, one can easily see that any further development in the areas served under the Company's franchise would be stopped. It has been said in this Council on more than one occasion that there are certain essentials we must have.

Good roads, in order to have proper transportation, water supply, and electricity must be provided. One cannot expect companies coming in to establish undertakings in British Guiana to spend a great deal of capital in providing electrical equipment so as to provide them with electric energy. Electric energy must be provided by a public utility corporation. In this case the Demerara Electric Company, under an Ordinance, is the sole purveyor of electricity in a franchise area. Whatever may be that company's difficulties with the Government, it has got 20 years yet to go, during which, it will have, and will continue to have this monopoly for the supply of electricity in the franchise area. It is the company's responsibility and they cannot escape it, to ensure that its equipment is adequate to generate electricity for the use of the people here. No one can install electric generating equipment to provide electricity within the franchise area, as long as there is this prohibition. Then it becomes a very serious obligation on the Demerara Electric Company to provide electricity within the franchise area.

If we are to accept, as I see the Government is preparing to accept, the Company's excuse for its inability to provide electricity, then that portion of the Ordinance which prevents and prohibits others from putting down an electric generating plant, or from purveying electricity to others, has got to be amended. The Company cannot have complete protection from competition and at the same time say it is unable to give to the people within its franchise area the amount of electric energy they need. I hope this Government will bear that in mind, because I am sure that the interests of the urban community are much greater than the interests of the few who may own the undertaking known as the Demerara Electric Company Ltd. I cannot, as a citizen, sit down and permit the people of Georgetown and a few miles outside Georgetown, which form the franchise area of the Demerara Electric Company, to live in darkness night

after night. That is something we must stop.

However, as this Government wishes to deal with this matter, it is for the Government to decide. We should, in dealing with the proposals before us, express our opinions. I repeat, it is the responsibility of the Demerara Electric Company, during the time it enjoys the franchise, to provide us with the electric energy that is needed. With these words, I say that this Bill is necessary for someone to regulate the distribution of the electric supply available, and I support it.

Mr. Ram Karran: I wish to thank those hon. Members on the other side of the Council who have intimated their willingness to support this Bill. It is true that many comments have been made, some in criticism of what is proposed and some in anticipation of Government's policy, and so forth. While it is not my intention to reply to the criticisms made in respect of Government's Electric policy because it has been intimated before that that is going to be done under a substantive motion before the Council later, I propose to deal strictly with the Bill under consideration, and to say first of all in reply to one hon. Member on the opposite side, or rather, more than one Member, who suggested that Government should set up a Committee. I am very thankful to the hon. Nominated Member, Mr. Gajraj, for explaining that it is quite impossible for a Committee to take a decision which has to be given at short notice. If a situation arises where a decision has to be taken, that decision has to be taken by the best qualified person in a position to make it. That is what has convinced me more than ever that a committee cannot function properly in this matter. The most suitable arrangement is for the appointment of a Controller who should be entrusted with the responsibility to act quickly whenever necessary.

It has been said that this Bill gives sweeping powers to the Controller. The

[MR. RAM KARRAN]

hon. Nominated Member, Mr. Tasker, has expressed the fear that Government was anticipating another Government Department. I wish to assure the hon. Member, that the setting up of another Government Department is not envisaged by Government. This is merely, as I have intimated, a temporary measure. As soon as the situation is improved and there is adequate electric power available, this arrangement should go. It is, however, very necessary for this machinery to be set up at the present moment, even though it is repugnant to the main Ordinance empowering the Demerara Electric Company to operate its franchise.

One very interesting point made is the possibility of allowing industrialists to generate their own electric power. Some time ago, a group of industrialists, operating in the South Georgetown area, discussed the possibility of generating their own power, when every encouragement was given by Government. I think the hon. Member who referred to it is aware that there is nothing to prevent that. The only fear expressed by those gentlemen was that it was likely to be very costly for private companies to generate their own supplies. The gentlemen were nevertheless asked to examine the situation and to make a direct approach to the Government in the matter.

There again, if a Controller is appointed, he would be in the best position to investigate that matter and advise those people as to how they may approach their problem. If a single operator were to generate electricity for himself it might be costly, but if a group of operators get together for such a purpose under some arrangement it may not be so costly. Under the existing franchise they might be able to work out some arrangement to suit their particular problem. I do not

think anyone would object to such an arrangement being made, and while one has to observe the conditions of the franchise granted to the Demerara Electric Company, I gather that there is no strong objection from that quarter for the setting up of a machinery to tide over this period of load shedding.

Mr. Tasker: To a point of correction! May I correct the hon. Minister? I made it clear that the only reason why I raised the question of a group of companies, or neighbouring manufacturing units, getting together on this problem is because the law is quite explicit on the point that any individual person or company can generate electricity for his or their own use; but—and it is a very big “but”—that individual or company cannot under the law supply or sell that electricity to others. I am informed, and legal opinion is quite clear on the point, that subsidiaries of a Company are not allowed under the law to share a generating plant. That is why I ask Government to consider legislation to permit such joint action which, at the moment, is illegal.

Mr. Ram Karran: I thank the hon. Member for his research and I wish to assure him, though I make no promise to determine this aspect of the matter, that the Ministry will endeavour to find out what can be done about it. I was at pains to point out that the existing capacity of the Demerara Electric Company was something like 12,250 kilowatts. The hon. Nominated Member, (Mr. Davis), referred to the visit of H.R.H. Princess Margaret, and to the achievement of the Demerara Electric Company in providing lights all over the place. I did say that the load-shedding period was from 6 p.m. to 9 p.m. when the load is very high. With the existing capacity of 12,250 kilowatts the Company would be able to give much more lights or power and to carry it over a longer period. In other

words, when the Company's units are taken out for inspection, maintenance or repairs, especially the big one, it means the capacity of the power plant is very limited. That is what we are passing through and, as a result, the remaining plant cannot maintain the required power during the peak period.

That brings me to the enquiry of the hon. Member for Georgetown North (Mr. Jackson) as to whether this load-shedding will be limited to three weeks. As far as I gather, the repairs to this unit which is now out of commission, are likely to last three weeks, after which it will go back into use and smaller units of the plant will then be taken out for scheduled maintenance or repairs. I do not know whether the load-shedding will continue at the present scale or whether the large unit will be able to take on all the load required. But there again the functions of the Controller of Electricity will come in.

The hon. Nominated Member, Mr. Fredericks, referred to the newspaper report, and some references were made to the situation as reported in the newspapers. I may be going on the border line, but nevertheless, I will make this point. The "Graphic"—

Mr. Speaker: Are you going into the newspaper reports?

Mr. Ram Karran: I can skip over it. Mention of "sweeping powers of the Controller" has been made. Hon. Members seem to think that the Controller will have to go into each and every house and say if this and that piece of equipment is in order and after examination of the situation and finding out exactly what power is available, make up his mind as to what should be done. I want to assure hon. Members of Council and the people who use electricity from the Demerara Electric Company, that there is no intention to set up what some of my hon. Friends on the other side referred to as a dictatorship.

It is necessary to have someone who will be able to go into these things very carefully and what is more, members of the public — industrialists and housewives—will have every opportunity to contact the Controller who will be stationed in the Ministry of Communications and Works and make representation for more power, or otherwise. There would be no fear in the matter. I am awfully sorry that hon. Members have expressed fear. There is absolutely no intention on the part of Government to give any powers to the Controller which can be considered dictatorial. We have been too steeped in democracy to go out of the way to do so. In addition to that, the Controller's powers will be granted only by the Legislative Council who will be able to pass Regulations which the Controller will act upon. He cannot assume powers of his own under this Bill. I am sure that will give hon. Members the assurance that the Controller will not be given more powers than required under this Bill. I think that all the points raised by hon. Members on the other side have been answered, and I am sure that out of this explanation given hon. Members will have no hesitation in supporting the Bill.

Mr. Speaker: Hon Members, the question is, that the Bill be read a second time.

Question put, and agreed to.

Bill read a Second time.

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

COUNCIL IN COMMITTEE

Clauses 1 and 2 passed as printed.

Clause 3.—*Appointment of Controller.*

Mr. Bowman: I beg to move an Amendment to Clause 3 to read—

“The Governor shall appoint an Electricity Control Board with a fit and proper person as Electricity Controlling Officer responsible to the Board for the purposes of this Ordinance and may from time to time revoke such appointments.”

My reason for entertaining this view in my mind is because I feel that the powers which were referred to before are too wide for any one individual. I feel that to give such powers to one man is to encourage corruption and individualism. I am a Guianese and I know what British Guiana gives. The officer who may be appointed may not, by himself, attempt any form of discrimination, but he will have subordinates who would. That is why I think that there is need for a Board rather than a Controller. When one person is allowed to do as he thinks, anything can happen. It was the hon. Nominated Member, Mr. Gajraj, who said—because he lives in North Georgetown — that there is no need for a Board because there will be cases when decisions will have to be made very expeditiously.

I am not in agreement that the Controller alone should indicate which area is to be shed of load at nights. It is my belief that the Board, if appointed, will meet in conjunction with the Company and decide which area is to be shed of load and so forth. Decisions will have to be taken in advance on which areas are to be blacked out. I therefore commend the Amendment to hon. Members hoping that they will see the need for protection against corruption and discrimination.

Mr. Tasker: I sympathize with the hon. Member for Demerara River. It seems to me that the Controller will obviously want to take advice and guidance from the people best qualified

to give it; which is why, when speaking on the Second Reading, I argued for the better title of “Co-ordinator”, as being more likely to guarantee success in this matter and to make the best use of our limited resources.

Mr. Tello: Mr. Chairman, I am sorry I cannot agree with the last speaker. I felt that a small Committee with persons who are qualified should be appointed to advise the Controller and not necessarily the Board. I feel that when we get to the stage of a Board, we must have already nationalized the Company. I cannot see anyone refusing to work with others who are there purely to advise him. With regard to the taking of very urgent decisions, all Controllers who are now assigned to Advisory Committees do take such decisions and later get such decisions approved by the Committees.

I feel that this matter of controlling electricity is too important a one to be left solely in the hands of a single person. I do not know if I am in a position to accept the Amendment as it stands, but I am very much in sympathy with the principle. I want to suggest to my hon. Friend that he allows Clause 3 to stand as it is, and insert another subsection or something like that so that the Governor can appoint a Controller. If that Amendment is accepted we would not need to go wrong in that way. The only way we would accept a Controller is if a Board is appointed.

The Chairman: As no other person wishes to speak, I shall put the question, that is, the Amendment moved by the hon. Member for Demerara River, as follows :

“The Government shall appoint an Electricity Control Board with a fit and proper person as Electricity Controlling Officer responsible to the Board for the purposes of this Ordinance and may from time to time revoke such appointments”.

Question put, the Committee divided and voted as follows:

<i>For</i>	<i>Against</i>
Mr. Tello	Mr. Tasker
Mr. Bowman	Mr. Hubbard
Mr. Beharry—3.	Mr. Fredericks
	Mr. Davis
	Mr. Gajraj
	Mr. Jackson
	Mr. Burnham
	Mr. Kendall
	Mr. Saffee
	Mr. Rai
	Mr. Ram Karan
	Mrs. Jagan
	Mr. Benn
	Dr. Jagan
	The Financial Secretary
	The Attorney-General
	The Chief Secretary—17.

Motion negatived.

Mr. Tello : I beg to move a further Amendment to Clause 3 by offering a subsection to it to read:

"The Governor shall appoint a Committee of not more than five and not less than three persons to advise the Controller of Electricity. The Committee shall be presided over by the Controller".

I do not propose to waste the Committee's time by reiterating the arguments already made. The hon. Members on this side of the Council have supported such a suggestion. Some thought that it might be a Board with statutory powers, and others thought that it might be an Advisory Committee; but I feel strongly in this matter that we are striking some bit of trouble to entrust all those powers in the hands of one man. I do suggest that the Controller should work with an Advisory Committee.

The Chairman : I believe that the Members might not be aware as to what the Amendment is. It is that Clause 3 be renumbered Clause 3 (a) as follows :

"The Governor shall appoint a Committee of not more than five and not less than three persons to advise the Controller of Electricity. The Committee shall be presided over by the Controller".

That is the question for discussion.

Mr. Bowman : I would say this one thing, that this Government apparently is following in the footsteps of its predecessors. I would say that this Government is like those 24 monsters which, growing very big, will in the end bite off the heads of all its Members.

Mr. Burnham : I have a certain amount of sympathy with those who are not inclined to give too much powers to one individual. This Amendment, like the previous one, does not need my support, and there are two reasons for that. In the first place, if this Committee is going to be merely advisory it is a waste of time. It must have executive powers. Secondly, if it is going to have executive powers I can anticipate circumstances in which it will be necessary to act, and to act swiftly without necessarily having to consult a number of persons. It is an understandable reason that there should be objections to giving dictatorial powers to the Controller, but there are other sanctions that can be applied if we find the Controller aspiring to being a Hitler or a Stalin. I cannot give my support to the present Amendment because I cannot see how it will serve any purpose.

Mr. Rai : I think, Sir, that the Amendment is open. There are two objections to this Amendment. The first is whether the Advisory Committee is going to be comprised of laymen, or whether it is going to be a Committee of technical advisors. If it is going to be a Committee of technical advisors, are they going to be more energetic; are they going to be more experienced? Secondly, it will suffer from the same effects as if you were going to appoint a Committee to exercise those powers.

The Chairman : I shall put the Amendment. The Amendment is that the words

"That the Governor shall appoint a Committee of not more than five and not less than three persons to advise the Controller of Electricity. The Committee shall be presided over by the Controller".

be inserted.

Amendment negatived.

The Chairman: The question is that Clause 3 shall stand part of the Bill.

Agreed to.

Clause 4 agreed to.

Clause 5.—*Regulations for controlling the supply of electricity.*

Mr. Burnham: I beg to move an Amendment to subsection 2 of Clause 5 to the effect that the word "two" be substituted for the word "five". If one looks at the requests which the Controller is empowered to make, one would see that there are certain things to be done by the Company; and looking at the present intention of the Government, that small amount did not really mean much. I feel it must be made clear to all would-be offenders what are the powers of the Government.

The Chairman: The question is that in subsection 2 of Clause 5 the word "two" in the second line thereof should be deleted and the word "five" substituted therefor.

Motion carried.

Mr. Burnham: With respect to subsection 4, I have a suggestion which may be accepted by the Government. I haven't formulated it by way of an Amendment. In the third line of subsection 4 of Clause 5, I feel that what shall be deemed as proper service shall be prescribed, or else one may find objections being taken if legal proceedings are taken as to whether or not there was proper service. I merely attract that to the Attorney-General's notice.

Mr. Ram Karran: I have no objection.

Mr. Burnham: May I suggest something like this: make a provision that it shall be duly served if delivered to

the Registered Office of the Company. In other words, it does not matter who signs for it so long as it is delivered to the Registered Office of the Company.

The Attorney-General: I have no objection to the Amendment.

Mr. Burnham: I suggest that we may put in a subsection to read:

"Any notice shall be proper if addressed to the registered address of the Company."

I am not sure that mere delivery at the registered office is good enough. In many instances service is only proper when made on the Secretary. I apologise for not having formulated it clearly, but we may defer consideration of this subsection.

The Chairman: We will have to defer Clause 5.

Clause 6.—*Right of the Government to generate electricity for its own use.*

Mr. Burnham: There are three Amendments I desire to make to this Clause. I notice that reference is made in the Clause to "sub-paragraph (a) of paragraph (2) of section 5." It should be paragraph (a) of subsection (2) of section 5. The draftsman obviously had in mind the Bill and not an Ordinance. This is going to be an Ordinance.

The Chairman: If there is general agreement about that Amendment we can proceed.

Mr. Burnham: The other Amendment which I propose, and to which I alluded in my remarks on the Second Reading, is to the effect that the Georgetown Town Council should also be given the right to generate its own electricity for whatever purposes it may think fit. I am appreciative of the fact that the Town Council may not be the only

Local Authority involved, therefore I would suggest the insertion of the following words after the word "Government" at the end of the Clause:

"and to any local authority within the area prescribed in the First Schedule to the Georgetown Electric Supply Order."

Mr. Hubbard: I wonder if my Friend is looking at subsection (1) of Section 5 of the Georgetown Electric Supply Ordinance, which gives authority to the Town Council to generate electricity for certain purposes.

Mr. Burnham: Under subsection (1) of Section 5 of Chapter 238 the Georgetown Town Council can only generate electricity to operate the Water Works and the sewerage system, and to illuminate buildings belonging to or under the control of the Council. That, of course, does not include street lighting, or the lighting of recreation parks or basketball courts, all of which are within the ambit of the Council's responsibilities. The Greater Georgetown Plan has not yet come into operation, and even after that there will be Plaisance, which is a Local Authority and which will be within the five-mile radius. Then we have the East Bank and Vreed-en-Hoop.

Mr. Ram Karran: I have no objection to the Amendment proposed.

Amendment agreed to.

Clause 6, as amended, put, and agreed to.

Clause 7.—*Special rules as to the making of complaints for offences.*

Mr. Burnham: I would be inclined to move an Amendment to Clause 7 to make the Attorney-General's fiat unnecessary, but perhaps we can hear from the Minister why he thinks it necessary that there should be the Attorney-General's fiat for prosecutions against the Company.

The Attorney-General: I think the hon. Member will realize that the question of whether or not there has been a contravention of Regulations, which may involve consideration of a very technical nature, would require very careful consideration for the purpose of enabling one to decide whether or not a prosecution should be brought. One would not want a prosecution brought against the Company to fail and, similarly, one would not wish a prosecution to be brought and then discovery is made that the case is weak. I think it is a desirable provision. As the hon. Member knows, before a prosecution can be brought against anyone for selling rum without a licence the Attorney-General has to give his fiat.

Mr. Burnham: I have always understood that for the purpose of the Attorney-General's fiat there should be some investigation into the merits of the case. I say with all humility and respect that I am not convinced by the answer given by the Attorney-General. If it is merely a question of whether the case has merit or not I always assume that in important cases there is advice from the Law Officers, and I think it is adding unnecessary red tape to require the Attorney-General's fiat. I feel that we should leave in the provision that there should be the Controller's consent, and no Controller who is worth his salt is going to think of bringing any prosecution without consulting the Law Officers, for at least he will want to be able to say, when it is proved palpably wrong, that he had the advice of the Law Officers. That is what the Law Officers exist for in many respects — to take the blame for various authorities. But that is by the way. I feel that there is no necessity to have the Attorney-General's fiat. Let it be with the Controller's consent, and the Controller will always consult the Law Officers.

There is no question of policy involved here. The matter of policy is embodied in the Ordinance — that we want strict control. That is the policy, and I do not think we should burden the

[Mr. Burnham]

Attorney-General unnecessarily. I want the Attorney-General to be free to do more important work.

The Chairman: I think we have to go back into Council to determine the time of adjournment—whether we should adjourn to tomorrow.

Mr. Ram Karran: It is likely that we will be able to complete consideration of the Bill in half an hour or more, and I suggest that we prolong the sitting to that time.

The Chairman: I think we will have to adjourn. We have to follow the Standing Rules and Orders. We have to go back into Council.

Council resumed.

Dr. Jagan: I move that the sitting be continued until 5.30 p.m.

Mr. Speaker: I note:

“Provided that if the Speaker is of opinion that the proceedings on which the Council is engaged could be concluded by a short extension of the sitting, he may permit the sitting to be continued to 5.30 p.m.”

That is the Standing Order.

Mr. Burnham: I had hoped that I could persuade Your Honour, subject to your convenience, that we could complete the business within half an hour, but I am very much aware of the fact that it is entirely a matter for you.

Mr. Speaker: If there is going to be a Motion that we continue until 5.30 p.m. I would say “No”, because it is a matter for the Speaker. If the Rule is complied with the Speaker would have no objection to going on until half-past five, but if there is going to be a Motion—

Dr. Jagan: I beg to withdraw my Motion.

Mr. Ram Karran: I beg to move that Council resolve itself into Committee to resume consideration of the Bill.

Mr. Rai: I beg to second the Motion.

Question put, and agreed to.

COUNCIL IN COMMITTEE

Mr. Burnham: My Amendment, Sir, was that the words “without the consent of the Attorney-General” in lines two and three of subsection 1 of Clause 7 be deleted.

The Chairman: If no one wishes to speak on it I shall put the question to the vote. The question is that the words, “without the consent of the Attorney-General” be deleted.

Question put, the Committee divided and voted as follows:

<i>For</i>	<i>Against</i>
Mr. Jackson	Mr. Tasker
Mr. Burnham	Mr. Hubbard
Mr. Kendall—3.	Mr. Fredericks
	Mr. Davis
	Mr. Gajraj
	Mr. Bowman
	Mr. Beharry
	Mr. Saffee
	Mr. Rai
	Mr. Ram Karran
	Mrs. Jagan
	Mr. Benn
	Dr. Jagan
	The Attorney-General
	The Financial Secretary
	The Chief Secretary—16.

Mr. Jackson: In view of that, I am moving an Amendment to the same Clause 7 by the deletion of the words “against the Company” in the second line, and the words “or against any other person without the consent of the Controller” in the third line. It seems to me logical and advisable that the consent of the Attorney-General could be given to all cases for prosecution where persons have broken the Regulations which will be prepared under this Ordinance.

If at all it is necessary to consult the Attorney-General in any case with respect to a Company, he must be able to exercise the same rights for prosecution against any person guilty of an offence, whether or not the case or cases are brought before him and they have failed.

Mr. Burnham: In supporting that Amendment I would like to observe that those cases under the Intoxicating

Liquor Ordinance which require the fiat of the Attorney-General did not discriminate between Companies and individuals; and to make the fiat of the Attorney-General necessary for cases of prosecution against the Company would seem to be discrimination, and if the Attorney-General has to exercise his over-worked mind with respect to prosecution for a Company he must do similarly with respect to individuals.

The Chairman : The Amendment is that "No prosecution under or in pursuance of this Ordinance or the regulations shall be instituted against the Company or any other person without the consent of the Attorney-General."

The Attorney-General: I think we can achieve the same objective by simply deleting the words "against the Company".

Mr. Jackson: I accept that.

The Chairman: The Clause should read: "No prosecution under or in pursuance of this Ordinance or the regulations shall be instituted without the consent of the Attorney-General."

Mr. Burnham : In Subsection (2) of Clause 9, a typographical correction is necessary — the word "jurisdiction". The letter "d" in the word as printed, should be the letter "r".

The Chairman: That is so.

Mr. Burnham: I do feel that a technical Ordinance like this should not empower the conduct of prosecutions or the conduct of defence by laymen. Such power should not be given to laymen. I have seen so very often in the Magistrates' Court Labour Department Officers who are laymen, throw away good cases because they are not trained in the law. I do not mean any disrespect, but it is as if I was asked to practise medicine. In technical legislation like this, what should be done is to give the laymen power to be complainants, but not to conduct cases. The Courts have be-

come a little intolerant to these laymen conducting cases, and have had to tell them that they cannot get in hearsay evidence. The whole thing becomes farcical.

Mr. Rai: While there is some merit in what my hon. Friend has said, I think this clause is only permissive. It says they may prosecute. It is not that he alone will be asked to do it.

Mr. Burnham: I want to save these laymen from themselves. That is what I want to do. I fear that the administration of this Ordinance is going to fall into disrepute. A good engineer is not necessarily a good lawyer. I therefore move the deletion of this subsection. If the Government does not see the wisdom of it all. My learned friend, the hon. Member for Central Demerara, before he was called to higher service, as Your Honour said, would have agreed with me. I can understand the hon. the Attorney-General not agreeing with me, because it means more work for his department. I think it is a serious matter and should be considered.

The Attorney-General: The hon. Member's motion is in effect the numbering of subsection (1) and the deletion of subsection (2).

Mr. Burnham: If my motion is carried, it means that subsection (1) will be the only Clause 7. Again I say you cannot create lawyers overnight.

The Chairman: The question is, that subsection (2) of Clause 7 be deleted."

Question put, and negatived.

The Chairman: I shall put the whole Clause 7 as printed.

Question put, and agreed to.

Clause 7 passed as printed.

Clause 8.—*Powers of the Controller.*

Mr. Ram Karran: I beg to move the deletion of this clause as printed and the substitution therefor of the circulated Amendment.

The Chairman: The amending clause reads —

“8. (1) The Controller may —

- (a) at any time enter any premises, or otherwise gain access to any installations, belonging to or under the control of the Company for the purpose of examining any electrical lines, wiring, works or other equipment of the Company;
- (b) require the Company to furnish him with any information regarding its undertaking to enable or facilitate the exercise or performance of any powers or duties under this Ordinance or the regulations; and
- (c) exercise any power exercisable, with or without his authority, by an Inspector under this Ordinance or the regulations.

(2) If upon being required in writing in pursuance of subsection (1) of this section to furnish the Controller with any information in its possession the Company fails to furnish the Controller with the information, the Company and every officer or servant thereof who authorised the default shall be liable on summary conviction to a fine not exceeding five hundred dollars.

(3) Where in any proceedings under subsection (2) of this section it is proved that the Controller required the Company in writing to furnish him with any information in pursuance of subsection (1) of this section, such information shall be deemed to have been in the possession of the Company when required as aforesaid unless the contrary is proved.”

Mr. Burnham: At subsection (1), paragraph (a), I see no provision here for

the service of a notice. Are we to understand that the Controller can just go to a company's gate, knock and say, “I want to inspect?” I do not think that that is the intention. I think that in these cases, one usually provides for a notice, as in the Landlord and Tenant Ordinance.

Mr. Ram Karran: I see no reason for providing for a notice under this clause. It is expected that the Controller should have access at all times to the premises of the Company.

Mr. Burnham: I will not worry to move an amendment because I know it will be lost, but I think it is important that under paragraph (c) after the word “Inspector” the words “authorised in writing by the Controller” should be inserted. You cannot have every little Inspector exercising such powers unless he can show his authority in writing.

New Clause 8 and Clauses 9 and 10 agreed to.

New Clause 11. — *Duration of Ordinance.*

Mr. Tasker: I beg to move the insertion of a new Clause, 11, which reads:

“11. This Ordinance shall have effect for a period of one year from the date of its coming into force, and may be extended by resolution of the Legislative Council.”

Mr. Burnham: Speaking on that Amendment I think that if one reads this Bill carefully one will see that there is a possibility of the Ordinance coming to an end in less than a year, because all the Governor has to do is to prescribe a day, and as soon as he does that the Ordinance comes to an end and also the powers of the Controller. If we fix it for a year it would mean that if the emergency comes to an end before the expiration of a year the Ordinance will still continue in force.

Mr. Tasker: I have no objection. On the Second Reading I asked for an

assurance, but I got no answer. I do not know what is meant by the "prescribed day."

The Attorney-General: I do not interpret Clause 5 in the manner interpreted by the hon. Member for Georgetown Central. It seems to me that the principal effect of Clause 5 is that until the prescribed day the Controller, with the approval of the Governor in Council, shall make regulations, but after the prescribed day he may not. But that does not apply to the rest of the Bill.

Mr. Burnham: I concede that the Attorney-General's interpretation is a possible one.

Mr. Tasker: It has been suggested to me—and I can only take the advice of these legal luminaries—that my Amendment would be better if it specified a period of "not more than one year". If that would meet with general agreement, I will certainly accept it.

The Chairman: If it is agreed I will add the words "not more than".

Agreed to.

New Clause 11, as amended, put, and agreed to.

Clause 5.—*Regulations for controlling the supply of electricity.*

The Attorney-General: Section 9 of the Interpretation Ordinance, Chapter 5, says:

"9 Where an Ordinance authorises or requires any document to be served by post, whether the expression 'serve', 'give' or 'send', or any other expression, is used, then, unless the contrary intention appears, the service shall be deemed to be effected by properly addressing, pre-paying, and posting a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course by post.

I do not know if my Friend considers his suggested Amendment necessary in view of this provision.

Mr. Burnham: Service on a Company in many cases has been held to be service on the Secretary. It really does not matter to me. If you wish your Ordinance to be loosely administered it will be a Roman holiday for lawyers.

Question put, and agreed to.

Clause 5 passed as printed.

Mr. Ram Karran: I move that the Council resume.

Question put, and agreed to.

Council resumed.

Mr. Ram Karran: I beg to report that the Georgetown Electricity Supply (Control) Bill has passed through the Committee stage with several Amendments. I therefore move that the Bill be now read the Third time and passed.

Question put, and agreed to.

Bill read the Third time and passed.

ADJOURNMENT

The Chief Secretary: I move that Council do now adjourn until 2 p.m. tomorrow.

Mr. Davis: I thought that the sitting was extended with the object that we should not come back tomorrow.

Mr. Speaker: That was not said, and I do not take things for granted. The Motion is for adjournment to tomorrow at 2 p.m. Tomorrow is one of our regular days.

Mr. Jackson: I agreed to priority being given to the Bill just passed because of its urgent nature. I now observe that some Members are unwilling to sit tomorrow, and I would like my Motion to be debated when the Council is full, as it is very important. If, therefore, some Members will not be present I would ask that the Council should not sit tomorrow.

Mr. Speaker: I shall put the Question, that we adjourn to tomorrow at two o'clock.

The Council divided and voted:

<i>For</i>	<i>Against</i>
Mr. Tasker	Mr. Hubbard
Mr. Gajraj	Mr. Fredericks
Mr. Bowman	Mr. Davis
Mr. Saffee	Mr. Beharry
Mr. Rai	Mr. Jackson
Mr. Ram Karran	Mr. Burnham
Mrs. Jagan	Mr. Kendall—7.
Mr. Benn	
Dr. Jagan	
The Financial Secretary	
The Attorney-General	
The Chief Secretary—12	

Mr. Speaker: The Motion is carried. We now adjourn to tomorrow at two o'clock. I wish to say that if you do not wish your Motion taken first tomorrow we shall proceed with the other business.

Mr. Jackson: I intend to take that course of action.

Mr. Speaker: Do you intend that it should be taken first?

Mr. Jackson: No, Sir.

Mr. Speaker: Council is adjourned until tomorrow at two o'clock.