

LEGISLATIVE COUNCIL

(Constituted under the British Guiana
(Constitution) (Temporary Provisions)
Order in Council, 1953.)

THURSDAY, 10TH JANUARY, 1957

Council met at 2 p.m.

PRESENT:

His Honour the Speaker
Sir Eustace Gordon Woolford,
O.B.E., Q.C.,

Ex-Officio Members:

The Hon. the Chief Secretary,
Mr. F. D. Jakeway, C.M.G., O.B.E.

The Hon. the Attorney General,
Mr. G. M. Farnum (Ag.)

The Hon. the Financial Secretary,
Mr. F. W. Essex.

Nominated Members of Executive Council:

The Hon. Sir Frank McDavid,
C.M.G., C.B.E. (Member for Agriculture,
Forests, Lands and Mines).

The Hon. P. A. Cummings (Member
for Labour, Health and Housing).

The Hon. W. O. R. Kendall (Member
for Communications and Works)

The Hon. G. A. C. Farnum, O.B.E.
(Member for Local Government, Social
Welfare and Co-operative Development).

The Hon. R. B. Gajraj

Nominated Unofficials:

Mr. L. A. Luckhoo, Q.C.

Mr. E. F. Correia

Rev. D. C. J. Bobb

Mr. H. Rahaman

Miss Gertie H. Collins

Mrs. Esther E. Dey

Dr. H. A. Fraser

Mr. Sugrim Singh

Clerk of the Legislature—

Mr. I. Crum Ewing

Assistant Clerk of the Legislature—

Mr. B. M. Viapree, (Ag.)

Absent—

The Hon. R. C. Tello—on leave.

Mr. J. I. Ramphal—on leave.

Mr. T. Lee —on leave.

Mr. W. A. Phang —on leave.

Mr. C. A. Carter —on leave.

Mr. R. B. Jailal —on leave.

Mr. W. T. Lord, I.S.O.—on leave.

The Speaker read prayers.

The Minutes of the meeting of the
Council held on Wednesday, the 9th of
January, 1957, as printed and cir-
culated, were taken as read and con-
firmed.

LEAVE TO MEMBERS

Mr. Speaker: I have to an-
nounce that both Mr. Tello and Mr.
Jailal have asked to be excused from
today's meeting.

PAPERS LAID

THIRD SCHEDULE

Section 122

The Chief Secretary: I beg to lay on the table:

The British Guiana (Constitution) (Temporary Provisions) (Amendment) Order in Council, 1956, made on 19th December, 1956, and published in the *Gazette* on 5th January, 1957.

ORAL QUESTIONS

MAHAICONY FLOODS

Mr. Luckhoo: With your Honour's leave which I have obtained, I should like to ask the Member for Agriculture, Forests, Lands and Mines the following questions:

1. What is Government doing to relieve the grave hardship and plight of farmers in the Mahaicony Creeks due to the flooding of these creeks?
2. Whether Government would waive the agistment fees for animals rescued from the flood and taken to Cane Grove Land Settlement?

Sir Frank McDavid: I shall require notice of these questions, Mr. Speaker.

Mr. Speaker: The hon. Member (Mr. Luckhoo) knows that. If we wait until the necessary papers are published some delay might be caused.

Mr. Luckhoo: Thank you, Sir.

INCREASED FEES FOR RURAL CONSTABLES

The Chief Secretary: I beg to move the following motion standing in my name in the Order Paper,

"Resolved, that this Council in terms of section 122 of the Police Ordinance, Chapter 77, approves of the following being substituted for the third schedule in the said Ordinance:—

Table of Fees and Allowances Payable to Rural Constables

- | | |
|---|----------|
| 1. For execution of a warrant of commitment | \$1.50c. |
| 2. For making any arrest where a warrant of apprehension has been issued, or for making any arrest where a warrant has not been issued if the Magistrate considers the arrest was properly made | \$2.00 |
| 3. For preparing a summons if the summons has been initialled by an Officer of Rural Constabulary or the County Sergeant-Major of Rural Constabulary | 1.50 |
| 4. For attendance at court | 2.50 |
| 5. For executing in the prescribed manner any warrant of distress or levy or warrant of ejection, or other process issued by a magistrate | 2.00 |
| 6. For performance of police duties when required to assist the police for the first eight hours or part thereof and 56c. per hour for each hour over eight | 3.00 |
| 7. Travelling allowance to a constable when engaged in the execution of his duty, on the scale for the time being sanctioned for the police force. | |
| 8. (a) The allowance specified in item 7 shall be in the discretion of the magistrate, and shall be paid by the magistrate at the conclusion of the case or the completion of the service. The account shall be made out by the police. | |
| (b) In any case under item 2 the Commissioner of Police may, on the recommendation of the magistrate, award special remuneration not exceeding \$5. | |
| (c) Where any constable received any monthly pay or salary from public revenues, he shall not be entitled to any fees or allowances under this Ordinance, unless the Chief Secretary expressly authorises the payment." | |

The object of this motion has been clearly set out in the Order Paper and it is really self-explanatory. Its purpose is to improve the fees earned by rural constables for the performance of certain duties. Rural constables are not in receipt of a regular salary; they depend on payment for services rendered. They perform extremely valuable and useful service, and the last occasion on which the fees were revised was in 1949. Since then there had only been one revision in relation to one part of that work, and that was done in 1954. Generally, however, the fees have been unchanged since 1949. It is considered that the general increase in the cost of living and the upward rise in the trend of wages and salaries for full-time Government employees justify these increases (proposed in the motion) for rural constables.

There are one or two other points which opportunity has also been taken to change. One restriction which was rather irksome under the previous law has been removed. It existed under item 18 (9) which has now been deleted, where if constables performed two or more services on the same day they were paid for only one—which was no incentive to get work done expeditiously. The constables therefore tended to spread out their duties as far as possible and over a series of days. The wages for a full day when they perform the functions of a night watchman, or where they are called out to assist in Police duties, have been increased to \$3 per day, which is in accordance with other comparable rates in the Public Service. If this motion is approved it will be followed by an Order in Council made by the Governor, which will increase the fees for certain services, including the services under the Magistrates

(Summary Jurisdiction) Offences Ordinance which these constables perform — particularly the serving of summonses and warrants of commitments. That, to some extent, will offset the additional charge on public funds which these increases will involve. This is not action which will not be required of this Legislative Council, but will be done by the Governor in Executive Council.

The Financial Secretary: I beg to second the motion.

Mr. Sugrim Singh: I would like, simply and briefly to congratulate Government on this motion. From the records which could be seen, I have always been asking for some assistance for these rural constables. They give willing and valuable service in the rural areas and I think that this revision of their fees, with an upward trend, will be well appreciated.

Mr. Correia: I would like to join the hon. Member (Mr. Sugrim Singh) in thanking Government for the increases being made in the fees for rural constables, thus bringing them in line with the salaries revision made last year. I am sure that the increases will act as an incentive to these men, particularly in the outlying districts where they are largely used to assist the Police. I know that within recent times they have been keeping away from the Police Stations because the fees they received were considered to be too small. Now that they are being given an incentive I think we should find these men becoming more keen in their work.

Miss Collins: I should also like to congratulate Government on granting this relief to the rural constables. I know that they will appreciate it very much, because they have been com-

[Miss Collins]

plaining about the matter for a very long time.

Motion put and agreed to.

Mr. Speaker: I should like to take opportunity to express the view that the duty of administering the oath to a rural constable on his entry into the constabulary is one that should be confined to a Magistrate. I think it is very desirable to have the whole of the rural constabulary sworn by a Magistrate.

The Chief Secretary: Thank you very much, Your Honour, I will look into the point.

SUPPLEMENTARY ESTIMATES—
NOVEMBER & DECEMBER, 1956

The Financial Secretary: I beg to move the following motion:

“Be it resolved: That this Council approves of the Supplementary Estimates for the months of November and December, 1956, totalling \$1,377,931.67 which have been laid on the table.”

The provision sought under this resolution falls into two parts; the first covers supplementary expenditure for November and December, 1956, totalling \$1,010,265 which was passed in Finance Committee early in December. The second is a Supplementary Schedule passed at \$367,666 later in December. In view of this second Schedule, I hope that the unauthorised excesses Schedule to be presented next year after the accounts are closed, will be very small. Though it may seem a little odd to have Supplementary Provision Schedules so late in the year, this is better than having a large unauthorised schedule after the year has closed. It does show that at

least there was awareness in departments that certain votes were going to be insufficient before the end of the year and that steps were taken to augment them instead of the excesses not being realised until well after the end of the financial year when the Treasury books were closed.

There is no need to say very much about the \$1,010,265 as this was examined in detail by Finance Committee. Apart from the revotes of over \$194,000 there are large amounts like \$57,000 for the operating costs of the Agricultural Machinery Hire Pool, which will be offset to some extent by increased revenue; \$30,000 for additional allowances to students at the Training College—already approved in principle by Council; nearly \$200,000 for Medical and Hospital Services; \$50,000 for leave passages for public officers, \$70,000 for pensions \$97,000 on the various Stores votes, and \$57,000 on Social Assistance and Old Age Pensions. Most of these large items have been taken into account in the revised Estimates and indeed, I made reference to some of them in my Budget Speech.

The second part of the motion which is the Supplementary December Schedule of \$377,666 to which I have referred, does not contain any particularly important item to which Council's attention has not already been invited. More than half of the total—\$199,000—is to augment the expenditure vote for the Timber Seasoning suspense account. As I explained in my Budget Speech this was necessary because, though the revenue item in the printed Estimates was a realistic one, the \$1,000 for expenditure in the Estimates was only a token figure. Of the other half of the Schedule, about \$82,000 is represented by revotes. I therefore recommend that this Council approves by formal resolution the Schedules which have been passed by Finance Committee.

Mr. Cummings: I beg to second the motion.

Question put and agreed to.

Motion carried.

SUPPLEMENTARY ESTIMATES (DEVELOPMENT)—NOVEMBER & DECEMBER, 1956

The Financial Secretary: I beg to move the following motion:

"Resolved, That this Council approves of the Supplementary Estimates (Development) for the months of November and December, 1956, totalling \$959,178.96, which have been laid on the table".

These two Schedules to the Development Estimates consist for the most part of large revotes of unexpended balances from 1955 and, particularly in the first Schedule, the items are formal ones to ratify expenditure which was continued on the basis of the Legislative Council Resolution dated 29th December, 1955, to enable work to be carried on pending the approval of the 1956 Estimates. In the December Schedule of \$364,135, \$241,074 is a revote for drainage and irrigation works and \$48,282 is for the continuation of former Colonial Development and Welfare Schemes which have expired. Hon. Members will note that \$47,000, in addition to the \$65,000 already voted, will in any event be necessary to complete the purchase of an additional "Grumman" aircraft for British Guiana Airways. Hon. Members will remember that I did inform them earlier in the year that in all probability the cost of this plane would be about \$110,000. I now recommend, Sir, that these Schedules which have been passed by Finance Committee be now adopted by the full Council.

Mr. Cummings: I beg to second the motion.

Question put and agreed to.

Motion carried.

Agreement with British West Indian Airways, Ltd.

Item 4.—Motion by the Member for Communications and Works (Mr. Kendall):

"Be it resolved: That with reference to Sessional Paper No. 13/1956 this Council approves of the conclusion of the proposed Two-Year Management Agreement with British West Indian Airways, Limited."

Mr. Speaker: Does the hon. Member propose to move his motion this afternoon?

Mr. Kendall: Yes, please Sir, if it is the wish of the Council.

Dr. Fraser: I would like to speak to the motion, Sir.

Mr. Luckhoo: I would like to speak too, Sir.

Mr. Speaker: I observe that the Agreement is to take effect as from the 1st of January. I know that Mr. Correia would like to speak on it.

Mr. Correia: Yes, please Sir.

Mr. Kendall: The papers have been in the hands of Members for a week, but I have no objection to the motion being deferred if Members desire more time to study the terms of the Agreement.

Mr. Speaker: I gather that Members would not like the debate on the motion to start this afternoon. Is that the idea?

Mr. Correia: That is the idea, Sir. I only received my copy of the Agreement yesterday.

Mr. Speaker: If that is the general wish of Members I suppose I must accede to it. Within what time are you likely to be ready to discuss it?

Mr. Correia: If the Council will be sitting next week I think everyone would be ready then.

The Attorney General: In the absence of the hon. the Chief Secretary I had intended to move the adjournment of the Council.

Mr. Speaker: To what date?

The Attorney General: To the 24th of January.

Mr. Kendall: I think the 24th would be too long. As you have indicated, Mr. Speaker, this Agreement should have been signed since the 1st of January. On the 24th of January several Members of the Government will be 'out of the Colony. I would agree to an adjournment for a week.

Mr. Speaker: Members like Mr. Phang would like to speak on a matter of this sort.

Mr. Kendall: Would it be agreeable to Members if I moved the motion now and allowed the debate on it to be adjourned?

Mr. Speaker: I think it would be better to defer your remarks on the motion.

The Attorney General: When I suggested an adjournment for a fortnight I was thinking of the Representation of the People Bill which will take precedence.

Mr. Speaker: On the Representation of the People Bill the Council will go into Committee. It will be the first item on the Order Paper for the next meeting. I adjourn Council until the 24th January at 2 p.m.