

LEGISLATIVE COUNCIL.

Tuesday, 12th January, 1932.

The Council met pursuant to adjournment, His Excellency the Governor, SIR EDWARD DENHAM, K.C.M.G., K.B.E., President, in the Chair.

PRESENT.

The Hon. the Colonial Secretary, Mr. C. Douglas-Jones, C.M.G.

The Hon. the Attorney-General, Mr. Hector Josephs, K.C., B.A., LL.M. (Cantab.), LL.B. (Lond.).

The Hon. T. T. Smellie (Nominated Unofficial Member).

The Hon. P. James Kelly, M.B., Ch. B., Surgeon-General.

The Hon. F. Dias (Nominated Unofficial Member).

Major the Hon. W. Bain Gray, M.A., Ph.D. (Edin.), B. Litt. (Oxon), Director of Education.

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

The Hon. B. R. Wood, M.A., Dip. For. (Cantab.), Conservator of Forests.

The Hon. S. H. Bayley, General Manager, Transport and Harbours Department.

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

Major the Hon. J. C. Craig, M.E.I.C., D.S.O., Director of Public Works.

The Hon. J. Mullin, A.I.M.M., F.S.I., Commissioner of Lands and Mines.

The Hon. N. Cannon (Georgetown North).

The Hon. A. V. Crane, LL.B. (Lond.) (Demerara River).

The Hon. G. E. Anderson (Nominated Unofficial Member).

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

The Hon. F. J. Seaford (Nominated Unofficial Member).

MINUTES.

The minutes of the meeting of the Council held on the 7th January, as printed and circulated, were confirmed.

THE COLONIAL SECRETARY (Mr. C. Douglas-Jones) gave notice that at a later stage he would move the suspension of the Standing Rules and Orders to enable "A Bill to authorise the making of Orders in Council for the purpose of effecting economies in expenditure with respect to the remuneration of persons in the Public Service" to be read the first time.

ORDER OF THE DAY.

RETIREMENT OF OFFICIALS.

Mr. CRANE, on behalf of Mr. ELEAZAR, asked the following questions:—

1. On what principle is Government retiring persons from the Service who have not attained the age of 60 years?

2. How many such persons have been served with notice that their services will be dispensed with?

3. In what departments are they presently engaged?

4. How many are natives of the Colony and how many from other Colonies?

5. How many married ladies are now in the Service? Why are they retained when there is a long list of needy spinsters awaiting employment.

THE COLONIAL SECRETARY replied as follows:—

1. Government has adopted two principles for the retirement of officers who have not attained the age of 60 years, namely:—

(a) In the case of an officer applying to be allowed to retire under the scheme for voluntary retirement recently extended by Government to ease retrenchment the officer may be permitted to retire without compensation by the addition of any years to his service, provided that his post can be abolished and that the amount of his pension together with any additional provision required for the performance of his duties do not exceed the amount of salary previously drawn or definite saving on the Estimate is effected by the retirement of the officer.

(b) Where it is found that, as an economy measure, the post of any officer can be abolished, the officer concerned is given 3 months notice and 3 months leave, and granted such pension or gratuity as he may be eligible for with compensation by addition of years service for abolition of office, under the

provisions of the Pensions Ordinance, Cap. 204.

In the case of Non-Commissioned Officers and Constables of the Police Force the age for retirement is 55 years. Reductions in the strength consequent on such retirements are not being filled at present.

2. 40 Officers.

3. In the following Departments :—

Post Office.
Local Government Board.
Government Analyst's.
Immigration Agent-General.
Commissaries.
Public Works.
Lands and Mines.
Prisons.
Co-operative Credit Societies.

4. Thirty-one were born in British Guiana, four in Barbados, four in the United Kingdom and one at sea.

5. There are two married ladies at present in the Government Service. One is a fifth-class clerk in the Lands and Mines Department and one is a sixth class clerk in the Attorney-General's Office.

It was decided in August, 1930, that should a female officer marry while in the Service she would be liable to be called upon to vacate her office and might be paid a gratuity. This decision did not apply to women already in the Service whose cases should they marry are to be judged on their merits.

NUMBER, ETC., OF MOTOR BUSES.

Mr. CRANE, on behalf of Mr. SEERAM, asked the following questions :—

1. How many Motor Buses are licensed for hire ?

- (a) In the City of Georgetown.
- (b) Between Georgetown and Rosignol.
- (c) In New Amsterdam, on the East Bank, Berbice River, and on the Corntyne Coast.
- (d) On the East and West Banks of the Demerara River.
- (e) On the West Coast of Demerara.
- (f) On the Essequibo Coast.

2. What is the total sum of revenue received by Government for the issue of licences for such buses for the year 1931 ?

3. What is the total sum collected by Government as Fines throughout the Colony in Motor-Buses prosecutions for the year 1931 ?

4. What is the total sum of revenue collected as duty on Motor Cars and Motor Trucks for the year 1931 ?

5. What is the total sum of revenue collected as duty on Petrol for the year 1931 ?

THE COLONIAL SECRETARY replied as follows :

1. The number of Buses licensed are :—

- (a) 15 buses.
- (b) 38 buses.
- (c) 60 buses.

(d) 33 buses.

(e) 10 buses.

(f) 5 buses.

2. The total revenue received for licences for 1931 amounts to \$19,402.75.

3. The total sum collected as Fines throughout the Colony in Motor Buses prosecutions for the year 1931 is \$2,516.16.

4. The total sum of revenue collected as duty from January to November, 1931—\$14,492.95.

5. The total sum of revenue collected as duty on Petrol from January to November, 1931—\$143,370.97.

SUGAR (TEMPORARY) EXCISE DUTY BILL.

THE COLONIAL SECRETARY: I move that "A Bill to impose a temporary excise duty on sugar manufactured and sold in the Colony" be read the third time.

Mr. SMELLIE seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time.

PUBLIC SERVICE ECONOMY BILL.

THE COLONIAL SECRETARY: I move the suspension of the Standing Rules and Orders to enable "A Bill to authorise the making of Orders in Council for the purpose of effecting economies in expenditure with respect to the remuneration of persons in the Public Service" to be read the first time. In doing so I ask hon. Members to say whether they will be prepared to go on with the second reading of the Bill to-day. There are very few Elected Members present and perhaps it would be more convenient to suspend proceeding with the second reading.

Mr. SMELLIE seconded.

Question put, and agreed to.

THE COLONIAL SECRETARY: I move that the Bill be read the first time.

Mr. SMELLIE seconded.

Question put, and agreed to.

Bill read the first time.

THE COLONIAL SECRETARY: It would be a matter of some convenience to

Government if this Bill could be passed through all its stages to-day, but Government does not desire to press it if hon. Members require further time to consider its provisions. The effect of it is simply to give the Governor executive power to effect economies by the reduction of salaries on a scale. Salaries and pay we know have been cut by business firms and other institutions and it is only right that Public Servants should also have their salaries reduced to a certain extent. The purpose of the Bill is to give power to do that and I can explain, if hon. Members desire it, the actual effect of the proposals. I make this statement with no idea of moving the second reading to-day unless hon. Members desire it.

Mr. CRANE: Hon. Members are prepared to go on and suspend the Rules and Standing Orders to take the Bill through all its stages to-day.

THE COLONIAL SECRETARY: It is proposed that all salaries over £600 per annum should be reduced by 10 per cent. salaries between £600 and £300 by $7\frac{1}{2}$ per cent. and salaries from £300 to £150 by 5 per cent. It is estimated that these cuts will give a sum in the neighbourhood of \$78,000, which will be shown below the line of revenue as an emergency or exceptional receipt. An Order in Council will be issued under the powers enacted by this Bill. It is not possible without a Bill of this sort to reduce salaries on the Civil List. Other salaries by a vote of this Council can be reduced.

Mr. CRANE: I congratulate Government on copying legislation which has been enacted by the Imperial Parliament during the recent emergency in England. When the Bill was published some of my colleagues suspected that it was an encroachment on the rights and privileges of this House, but I think I have been able to convince them that it is this House itself which authorises Government to carry out economies by Orders in Council. If I am not mistaken it is the same piece of legislation which has been enacted in England, and there it was not thought too much to authorise the Government to make the economies by Order in Council.

THE PRESIDENT: The hon. Member is quite correct, This Bill throws on the

Governor of the Colony the rather invidious task of making cuts in the salaries of all Government Officers. I should like to take this opportunity of expressing my appreciation as Governor and of Government of the spirit in which it has been taken by Government Officers. I have not had any representation from Government Officers that this action is not necessary or that any exception should be made, and I think that speaks very well indeed for the Public Service of the Colony. There has been no attempt to differentiate between officers or to suggest that certain officers should be given exemption on certain grounds. The Service has accepted the cut loyally and in the spirit in which it is made. This legislation does not affect actual salaries of officers, but, as the Colonial Secretary pointed out, a cutting from 10 to 5 per cent. on the rates of pay of officers, and I congratulate the Public Service on the spirit shown.

THE COLONIAL SECRETARY: I move that the Bill be now read the second time.

Mr. SMELLIE seconded.

Question put, and agreed to.

Bill read the second time.

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

Clause 2—Power to make Orders-in-Council for effecting economies in the Public Service.

Mr. CRANE: I understand Government only intends to make economies in personal emoluments. It would appear that this clause is wide enough to cover any economies, and that the Governor would be within his legal rights to make economies also in respect of any other expenditure which has the approval of this Council. We know, however, it is only with respect to salaries.

THE ATTORNEY-GENERAL (Mr. Hector Josephs): The operative part of the clause is sub-clause (2), which confers on the Governor power in respect of remuneration of persons in the Public Service. I venture to think that the Order-in-Council is limited entirely to the remuneration of persons in the Public Service.

Mr. CRANE: I accept that ruling.

The Council resumed.

THE COLONIAL SECRETARY: I move that the Standing Rules and Orders be suspended to enable the Bill to be read the third time.

Mr. SMELLIE seconded.

Question put, and agreed to.

THE COLONIAL SECRETARY: I move that the Bill be read the third time.

Mr. SMELLIE seconded.

Question "That this Bill be now read a third time and passed" put, and agreed to.

Bill read the third time.

FINANCIAL COMMISSIONERS' REPORT.

The following motion stood in the name of the hon. Member for Georgetown North:—

(1) THAT the Council consider and discuss the Report of the Financial Commissioners.

(2) That Government should indicate to Council what further steps, if any, it is proposed to take to give effect to the Financial Commissioners' Report.

Mr. CANNON: When I tabled this motion it was understood that Wednesday would be the day for its discussion.

THE PRESIDENT: The Council is quite willing to postpone it.

Mr. CANNON: I wish to make an explanation. I received a telephone message yesterday saying that in view of the scarcity of business to-day this motion would be included in the agenda. I am perfectly willing to go on with it but it is a question whether my colleagues, not having been aware of what I had agreed to, are prepared to do so. I see no harm, if Government is going to take any part in the second portion of the motion, in that being proceeded with, and my colleagues who are not here will have to be satisfied with what they read in the papers. I think it was understood that Government would take the initiative and let us know exactly how it stood in this matter before we proceed to discussion. I understood that was the intention to curtail discussion,

THE PRESIDENT: The hon. Member is responsible for the motion standing in his name. Government is prepared to give an answer to the motion when it hears what is in the hon. Member's mind and what the Council intends to discuss in regard to the report. If the hon. Member thinks there are other Members who desire to be present Government has not the slightest objection to postponing the discussion. It will be possible to take the motion to-morrow.

Mr. CANNON: In view of what Your Excellency has said I have no alternative but to ask you to take the motion to-morrow. I repeat it was understood on the last occasion that Government would tell us something about the report before we embarked upon the discussion.

THE PRESIDENT: I think it would be helpful if some indication is given to Government on what points Members desire to be enlightened. It is obviously clear that the mover of the motion must explain on what points an explanation is required. I suggest that for discussion to-morrow.

THE COLONIAL SECRETARY: I might point out the difficulty I am in in being responsible for a reply to the debate on this question. On various occasions indications have been given in Council in regard to matters in the report which have been raised and dealt with. To collect those details and put them forward in a formal statement would not be very difficult, but I do not think it would take the Council very much further. Hon. Members must know what Government's intentions are in regard to the recommendations because they have been stated either in speeches or reports, therefore before any reply can be given it is necessary to know exactly the lines on which it is proposed to deal with the subject. When we have that it is possible to deal with a general reply in an adequate manner. I want to make it quite clear that there is no intention on the part of Government not to give hon. Members the fullest information, but it is only fair that the hon. Member should endeavour to extract from Government the information Elected Members want to know.

Mr. CANNON: Speaking for myself if Government would only make a pronounce-

ment that it has no intention of bringing particular paragraphs of the report into operation it would relieve the minds of a number of us. What we feel is that this report might be so elastic that it might be extended over a very considerable period of time and while Government to-day is not disposed to act on any particular paragraph it might in the very near future say a particular matter was recommended by the Commissioners and Government proposed to deal with it. I think it would simplify matters and help the situation immensely if Government would make a pronouncement such as that.

THE COLONIAL SECRETARY: It is a question of the method which the hon. Member wishes to play this game and the method which Government wishes to play it. The hon. Member is inviting Government to put up bogeys for the Electives to knock down and I desire hon. Members to put up bogeys for Government to knock down. It is a question of how we should play the game. The ordinary rules of the game, if reduced to Parliamentary procedure, are for the hon. Member to put up bogeys for Government to knock down. I suggest that that be done.

Mr. CANNON: I was quite willing to do that but when I was induced to insert paragraph 2 I thought that would be the procedure.

THE PRESIDENT: I think we have given the hon. Member some suggestions with regard to the line he should pursue. It would save the time of the Council if hon. Members would look at the report of the Financial Commissioners from three points of view, viz., recommendations with regard to expenditure and revenue, how much has been done on that and how much remains to be done, and recommendations with regard to the future. With regard to the first three Government has already indicated the policy it intends to pursue. In regard to the other portion there are such points, for instance, as reduction in salaries and posts when vacancies occur. That cannot possibly be dealt with until vacancies occur and when those vacancies occur no doubt the Secretary

of State is going to refer to the recommendation of the Financial Commissioners, but it does not necessarily follow that this Government will accept it. We cannot say more than that. Still that is some indication that might help the discussion.

INCOME TAX BILL.

THE PRESIDENT: I think it is well to let hon. Members know what is the position of the rest of the business of the Council. The Income Tax Bill has passed its second reading and the suggestions of Elected and Nominated Members are now receiving further consideration. These suggestions necessarily cannot be disposed of by the local Government without reference to the Secretary of State for discussion with the Imperial Treasury. I am awaiting a reply from the Secretary of State to representations made by telegram with regard to the recommendations of a Committee of the Council on the subject. Until a reply is received Government is not in a position to proceed with the Bill or any attendant legislation that might arise in connection with the balancing of the Budget. I expect a reply at any moment but when that reply does come it will necessarily take a little time to make any amendments that may be necessary or to deal with the procedure to be followed. It would perhaps serve the purpose better if we fix a day definitely to consider the matter. I suggest Tuesday next as I am quite certain to be in a position to do so then. The only point of difficulty is in respect of attendant legislation which may require immediate introduction. If I have to ask the Council to attend earlier than next Tuesday, should it become necessary, I am sure hon. Members will appreciate the circumstances.

Mr. CANNON: Before the adjournment I wish to ask Your Excellency to postpone discussion of my motion until the Income Tax Bill has been dealt with.

The Council adjourned until Tuesday, 19th January, but resumed on Friday, 22nd January, instead.