

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

[Volume 7]

**PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE NATIONAL
ASSEMBLY OF THE THIRD PARLIAMENT OF GUYANA UNDER THE
CONSTITUTION OF GUYANA**

85th Sitting

2 p.m.

Thursday, 18th December, 1975

MEMBERS OF THE NATIONAL ASSEMBLY

Speaker

Cde. Sase Narain, J.P., Speaker

Members of the Government – People’s National Congress (50)

Prime Minister (1)

Cde. L.F.S. Burnham, O.E., S.C.,
Prime Minister

Deputy Prime Minister (1)

Cde. P.A. Reid,
Deputy Prime Minister and Minister of National Development

Senior Ministers (9)

Cde. H.D. Hoyte, S.C.,
Minister of Economic Development

* Cde. H. Greene,
Minister of Co-operatives and National Mobilisation

***Non-elected Minister**

* Cde. H.O. Jack, **(Absent)**
Minister of Energy and Natural Resources

* Cde. F.E. Hope,
Minister of Finance

* Cde. S.S. Naraine, A.A., **(Absent)**
Minister of Works and Housing

* Cde. G.A. King,
Minister of Trade and Consumer Protection

* Cde. G.B. Kennard, C.C.H.,
Minister of Agriculture

* Cde. C.L. Baird, **(Absent)**
Minister of Education and Social Development

* Cde. F.R. Willis S.C.,
Minister of Foreign Affairs and Justice

Ministers (5)

Cde. W.G. Carrington,
Minister of Labour

Cde. S.M. Field-Ridley,
Minister of Information and Culture

Cde. B. Ramsaroop,
Minister of Parliamentary Affairs and leader of the House

* Cde. O.M.R. Harper, **(Absent)**
Minister of Health

* Cde. C.V. Mingo,
Minister of Home Affairs

Ministers of State (9)

Cde. M. Kasim, A.A.,
Minister of State for Agriculture

***Non-elected Ministers**

Cde. O.E. Clarke,
Minister of State – Regional
(East Berbice/Corentyne)

Cde. P. Duncan, J.P.,
Minister of State – Regional (Rupununi)

Cde. C.A. Nascimento,
Minister of State,
Office of the Prime Minister

Cde. M. Zaheeruddeen, J.P.,
Minister of State – Regional
(Essequibo Coast/West Demerara)

Cde. K.B. Bancroft,
Minister of State - Regional
(Mazaruni/Potaro)

*Cde. W. Haynes,
Minister of State for Consumer Protection

(Absent)

*Cde. A. Salim,
Minister of State – Regional
(East Demerara/West Coast Berbice)

(Absent)

*Cde. F.U.A. Carmichael,
Minister of State – Regional (North West)

Parliamentary Secretaries (8)

Cde. J.R. Thomas,
Parliamentary Secretary,
Ministry of National Development

Cde. C.E. Wrights, J.P.,
Parliamentary Secretary,
Ministry of Works and Housing

Cde. M.M. Ackman,
Parliamentary Secretary,
Office of the Prime Minister and Government Chief Whip

***Non-elected Ministers**

Cde. E.L. Ambrose,
Parliamentary Secretary,
Ministry of Agriculture

Cde. S. Prashad,
Parliamentary Secretary,
Ministry of Co-operatives and National Mobilisation

Cde. J.P. Chowritmootoo,
Parliamentary Secretary,
Ministry of Education and Social Development

Cde. R.H.O. Corbin,
Parliamentary Secretary,
Office of the Prime Minister

Cde. M. Corrica,
Parliamentary Secretary,
Ministry of Works and Housing

Deputy Speaker (1)

Cde. R.C. Van Sluytman, Deputy Speaker

Other Members (16)

Cde. J.N. Aaron
Cde. L.M. Branco
Cde. E.H.A. Fowler
Cde. J. Gill
Cde. W. Hussain
Cde. S. Jaiserrisingh
Cde. K.M.E. Jonas
Cde. M. Nissar
Cde. L.E. Ramsahoye
Cde. J.G. Ramson
Cde. P.A. Rayman
Cde. E.M. Stoby, J.P.
Cde. S.H. Sukhu, M.S., J.P.
Cde. C. Sukul, J.P.
Cde. H.A. Taylor
Cde. L.E. Willems

Members of the Opposition – Liberator Party (2)

Mr. M.F. Singh, Leader of the Opposition

Mrs. E. DaSilva

Officers

Clerk of the National Assembly – F.A. Narain

Deputy Clerk of the National Assembly – M.B. Henry, AMBIM

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PRAYERS

ANNOUNCEMENTS BY THE SPEAKER

The Speaker: Comrades and hon. Members, I am sure you wish me to extend congratulations to the Cde. Minister of Trade and Consumer Protection on his election as Chairman of the A.C.P. Conference of the Council of Ministers. I am sure that this is a great credit to Guyana. I am happy that the merits of our Ministers are recognised abroad. I am sure you would expect the Cde. Minister to give of his best and so further Guyana's name and image abroad. Congratulations. [**Applause**]

PUBLIC BUSINESS

BILLS – SECOND READING

The Speaker: Comrades and hon. Members, I understand by agreement, we will deal with the Rent Control (Special Provision) (Amendments) Bill 1975 to be done by the Cde. Minister of Economic Development.

RENT CONTROL (SPECIAL PROVISIONS) (AMENDMENT) BILL 1975

A Bill intituled:

“An Act to amend the Rent Control (Special Provisions) Act 1974.

[**The Minister of Economic Development on behalf of the Minister of Works and Housing**]

The Minister of Economic Development (Cde.Hoyte): Cde. Speaker, comrades and hon. Members, early in 1974 when the awful consequences for this country and other developing

countries of the effects of the so-called 'energy crisis' and other disturbances in the international economic system became apparent, the People's National Congress Government took a number of tough and defensive measures to protect the economy and to save this country from disaster. The paramount consideration that influenced the content of that package of measures was the welfare of the Guyanese people and, in particular, the welfare and well-being of our workers. Government was determined that the full impact of the inflationary pressure and other adverse economic consequences would not be borne by the workers of this country. As a result this package was introduced to protect the working people of this country.

An important element in the package was the Rent Control (Special Provisions) (Amendment) Act of 1974, the substance of which was to freeze rents at the level at which they existed prior to the 31st January, 1974. This Act covers dwelling houses and other premises which were protected by the Rent Restriction Act and also land holdings protected by the Rice Farmers Security of Tenure Act and other agricultural holdings. Today, as we look back upon the effect of the package of measures which the Government adopted, there can be no doubt as to the rightness of those measures and as to the beneficial consequence both to the economy of the country and the welfare of workers.

During the debate on the Rent Control (Special Provisions) Act 1974, the Cde. Minister of Works and Housing indicated to this honourable House that he would set up a Committee to review the operations of the Act and report to him. That Committee has been working assiduously and my information is that it has presented its report in draft to the Cde. Minister and is at the moment finalising its report of submission.

The success of Government's measures to contain inflation has been widely discussed both inside and outside of this honourable House. But I may remind hon. Members that what the Government was trying to achieve was to limit rampant inflation and stabilise the cost of living in this country. Hon. Members will recall that in 1974, despite our best efforts, we were saddled with a rate of inflation which was somewhere between 18 and 20 per cent. But in 1975 when the

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full effect of the measures was felt, the results were dramatic indeed. In a world in which the rate of inflation averages somewhere well in excess of 20 per cent we, in Guyana, were able to report a rate of somewhere between 5 and 6 per cent.

I did mention in the course of the general debate on the Budget some of the figures and it may be well for me to repeat these figures so that Members of this House could understand how

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very effective has been the Government's measure in this respect.

From the official statistics published by the various countries to which I will refer in a moment, we have been able to glean the rate of inflation in those countries. For example, in Trinidad and Tobago, the rate as reported for 1975 is 16.2 per cent, in Jamaica 16.6 per cent, in Barbados 18.6 per cent. In the United Kingdom it is 25.9 per cent. In the United States of America it is 7.3 per cent and in Canada 10 per cent. I ask hon. Members to reflect upon these high rates of inflation in countries which are much more developed than ours and which have at their disposal greater techniques and better means of controlling inflation. Apart from that, Cde. Chairman, during 1975 the rate of escalation of export prices has averaged 20 per cent and this has had very grave consequences for us especially as far as the importation of capital goods for development is concerned.

Despite all of these difficulties, we have been able to contain our rate of inflation, as I said, to a level between 5 and 6 per cent primarily as a result of the package of measures introduced by this Government, an important element of which has been the rent freeze. The projections are that there is no real hope that this trend in the world will be reversed next year. The chances are that inflation will continue to rise and that export prices will continue to escalate rapidly. For us there is another sobering consideration which is that the prices of commodities

are not likely to increase but rather are likely to fall during 1976. And we all know that the price for sugar is likely to be well below the average 1975 price in the year 1976.

For these reasons, therefore, there will be a great need to intensify and not relax our efforts to protect the Guyanese workers from the worst effects of inflation. Therefore, because of these considerations and in these circumstances, Government proposes to extend the provisions of the Rent Control (Special Provisions) Act to December 31, 1976, or to such earlier date as the Minister responsible for Housing may decide.

I wish to indicate that Government considers the interest of the workers to be paramount and this has been the over-riding consideration in arriving at this decision to continue the rent freeze until 31st December, 1976.

It has been said in this honourable House in the past when consideration was being given to similar measures that the rent freeze imposes a hardship upon landlords. Now, I think that a statement as broad as that is unacceptable and, in fact, needs to be examined closely. There are two types of landlords. There are landlords whose main interest is landlordism – those who make a living and, hopefully for them, a fortune out of renting premises to workers. And there are those people, widows and retired public servants, who may have a house or two which they rent and which bring them a small return which enables them to subsist. It is the latter category of landlords, I submit, which is likely to endure some hardship but, for the others, the Government does not concede that this measure is likely to have any hardship or any calamitous effect upon them and upon their income.

I wish to say, however, that on the other side of the coin, Government has been providing massive subsidies over wide areas of consumption and services to the Guyanese people. Subsidies, as the Cde. Minister of Finance pointed out in his Budget Address, in 1976, will amount to over \$39,000,000 or 11 per cent of our total revenues. These subsidies are enjoyed by every Guyanese citizen including the landlords, and yet the cost of the subsidy is borne by the

productive sector – in the final analysis by the workers. By no stretch of imagination can landlordism be classified as a productive activity. Thus while the landlords benefit from the subsidies which the Government provides, they do not, in fact, contribute to the cost of those subsidies.

May I remind hon. Members that the subsidy for food in 1976 will be in excess of \$17 million for transportation, \$4.7 million; for electricity, \$9 million; for pure water supply, \$3.7 million; for drainage and irrigation \$1.1 million; for school books \$5.3 million.

When we consider the expansion of social amenities, medical services, recreational amenities which are subsidised and which are, in fact, enjoyed by all the citizens of this country, I think we will agree that whatever small “sacrifices” the landlord will be called upon to make is not only balanced by the subsidies he enjoys in other sectors but, in fact, is more compensated by those subsidies.

I should point out, too, that from our investigations, from our inquiries the increases in rates which the landlord might have been called upon to bear had there not been the Rent Control (Special Provisions) Act, would amount to no more than 5 to 6 per cent, that is, between 1973 and now. This takes into account not only increases in rates and taxes that have actually taken place during that period but also such increases as may have taken place as a result of new valuation lists published in Georgetown.

The increases, therefore, which landlords might legally have imposed upon their tenants who are protected by the Rent Restriction Act would have been minimal and would not have been an incentive for them to carry out repairs to their houses.

One of the complaints which this Government has made in the past and which it continues to make is that landlords have failed to keep their tenements in a proper state of repair and have attempted to extract every cent out of the tenant without providing adequate services in

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return. However, there is still available to the landlord financial support from the Guyana Co-operative Mortgage Finance Bank if he wishes to take advantage of the resources of that Bank to repair his tenements. However, experience has shown that the landlords, by and large pay little attention to repairs and to improvements to tenements.

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In these circumstances, therefore, Cde. Speaker, the Government believes that every section of the community must contribute to the development of this country and must play its part in making the sacrifices which are necessary not only to protect our economy from the ravages of the external influences of inflation but also to ensure that we generate in this country the financial resources so vital to our development and growth. The workers throughout the years, particularly over the past three or four years, have played their part magnificently, both in terms of increased production and increased productivity. We believe that it is not asking too much of that relatively privileged class of Guyanese citizens, namely, the landlords, also to make a contribution to the welfare and development of Guyana. In these circumstances, therefore, Cde. Speaker, I beg to move that the Rent Control (Special Provisions) (Amendment) Bill, 1975 be read a second time.

Question proposed.

The Speaker: Hon. Member Mrs. DaSilva.

Mrs. DaSilva: Mr. Speaker, I listened with great care and attention and much interest to the hon. Minister of Economic Development has had to say in proposing this Rent Control Bill (No. 35) of 1975, and his reasons for seeking to extend for another year, or to an earlier date at the discretion of the Minister, the freeze on rents as of 31st December, 1973. We were asked to extend it last year, and now we are asked to extend it again in 1976. We objected to this Rent Control Bill in the first instance when it was brought before this House. We objected last year

when the extension was sought, and again this year we are forced to object to the extension now being sought. But why do we continue this way? It is not that we want to oppose for the sake of opposing. That is not the case at all; we do not do that kind of thing. We continue to do this because we feel as we have felt, that this Bill is very discriminatory. It discriminates against, it is aimed at, it singles out, one special group of people for this special treatment, and we do not hold that there should be discrimination in any form.

Why are you picking on the landlords? Are they a special kind of people that they have to be sought out? We agree with the hon. Minister of Economic Development when he points out that there are landlords who exploit their tenants, who do no repairs to their premises, who do everything they possibly can to get every cent out of their tenants without giving anything in return. We agree that there are such people and that these people must be dealt with. We have no pity for them. We do not beg on their behalf. But there is a place for these people in our Courts. We are beginning to wonder if our Courts no longer act because this is the resort we have always had and we always hope to have. If you have a dispute, whether it is over rent or land, or cows or whatever it is, you can go before the court and justice will be done. And we continue to hope that this will be the case. As it stands now, there is ample opportunity for that type of person, for the exploiting landlord, to be dealt with fairly before our courts. There is absolutely no need to make the innocent landlord suffer for the guilty.

The hon. Minister in starting off the debate did say that there were two types of landlords. He talked about the landlords who used their landlordism as a means of getting rich and exploiting people, and then he did admit that, on the other hand, there were the widows and the civil servants, people who have saved their money, people who have worked honestly to acquire some money because it has been the Guyanese custom in the past to try and save and it is something that this Government encourages. They have in the past invested their money in property and they have looked at it as a means of income, and as something to pass on to the children when they die. The Minister admitted that there is this type of landlord. But why should they suffer? Why should one particular group of people be made to suffer when there is ample

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opportunity in the laws of this country to approach the courts of Guyana, and to have justice done?

The Government says that its aim is for every Guyanese family to own a home, a roof over its head. We have many figures dangling to and fro and we are told how the Government is building more and more houses, and ever so often we get figures of houses being built. In spite of the number of houses being built we do not think that there are enough houses for people to live in, whether they own them or they have to rent them. Somebody will have to provide them and that is the landlord. So why continue to penalise and pressurize these people? Those who exploit them are the bad landlords. I do not agree with the hon. Minister that there are more bad landlords than good ones. I think there are more good landlords than there are bad landlords, and I think the exploiters can be formally dealt with in our courts. There is absolutely no need to bring this Bill before this House to continue it for another year and for them to freeze on rents as

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they were at 31st December, 1973.

The hon. Minister told us – and we appreciate hearing it again – about the high rate of inflation in other parts of the world and how well Guyana has done. In 1975 our rate of inflation was the lowest among many countries. Fair enough. But are landlords not feeling the inflation as well as anybody else?

He went on to tell us about the subsidies that Government is giving and said that everybody is benefiting from these subsidies. But in some instances workers have had increases to meet the high cost of living but landlords whose only income – remember, I am talking about the majority of landlords who I think are the ones in the category of the widows and civil servant – not the bad landlords, are feeling the increased cost of living. They have no increase to get on

their income because rents are being frozen. These people are being discriminated against and it is for this reason that we continue to oppose the Bill.

There is one little ray of hope. I always like to look for a little ray of hope and the Christmas season is a good time to look for it. The hon. Minister spoke about the Committee that was set up to review the conditions. I think they had a draft on it and they are working on it now for the final report. Well, this is one ray of hope that I have because in this Bill it is said:

“The Bill seeks to provide for the extension of the duration of the Act to 31st December, 1976 or such earlier date as may be appointed by the Minister.”

I hope that this Committee in their report will bring out the various points of the problems and sufferings of the landlords and recommend that the hon. Minister bring this condition where a freeze of rents from the 31st December, 1973 exists to an end as soon as possible. What could also be done is to go into the condition and probably in a fair and just manner for everyone, adjust on a percentage basis, the amount that is now paid by tenants as rent and in this way allow the landlords to have a reasonable increase in their rental. They might then be encouraged to do repairs to their properties because very often we talk about the rent coming in and forget, on the other hand, the thousands of dollars, in spite of the subsidies, that have to be paid for building materials and for labour costs to improve the property. Mr. Speaker, with those remarks, I wish to end what I have to say and regret that we cannot support this Bill.

The Speaker: Cde. Minister, do you wish to reply?

Cde. Hoyte (Replying): Cde. Speaker, it seems clear to me that the hon. Member has misunderstood the intent and purpose of the Bill before this honourable House and indeed, the original legislation passed in 1974. This Bill does not seek to punish or victimise landlords. I pointed out, when I was speaking earlier on, that this Bill was part of a total package of measures designed to have a specific effect, namely, to contain inflation in this country and to ensure that the full impact of inflationary pressures are not visited upon the Guyanese workers. It is in a

sense, therefore, quite wrong to say that the Bill is discriminatory. The original Bill was no more discriminatory than the present Bill before this honourable House is. At the time this Bill was introduced in 1974, every section of society was called upon to make its contribution and to make a sacrifice. Hon. Members will recall, for example, that severe restrictions were placed upon the right of Guyanese to travel abroad, and severe restrictions were placed upon emigration allowances. Extensive curbs were placed upon importation, and there were several other measures taken which had their effect upon the workers and upon other sections of this society. My contention is that, in the circumstances, it was not only right, but eminently so, that this special class of citizens should not be exempt from the sacrifices which all others were being called upon to make.

I made the point, and I wish to make it again, that on the one hand the landlords are asked to make a sacrifice, if it may be called that, by having their rents remain at the December 1973 level, but, on the other hand, they are benefiting immensely from subsidised goods and services. My contention is that the cost of the subsidies is borne by the productive sectors, is borne by the workers, and the landlords themselves are making little or no contribution to the cost of the benefits which they are enjoying.

Cde. Speaker, this is not a matter for the Courts. This is an economic measure. It has nothing to do with the Courts of the land. The hon. Member is right when she says that Government has stated as a matter of policy that it intends to house every Guyanese family in the near future. Indeed, housing is a duty of the Government and the Government is proceeding apace with its housing programme. That is why in all the circumstances it is important that, while this programme is going on the workers should be protected from further exploitation. By now it is clear that landlordism has no future in this country and landlords may well consider some proposal for selling their houses on easy terms to their tenants.

Agricultural landlordism also has no future. We believe that the land must be owned and controlled by the tiller, by the people who toil on the land, by the people who produce the crops.

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We therefore shed no crocodile tears for that type of landlord or with their advocates in this honourable House. We believe that this Bill is right; we believe that landlords have nothing to complain about, given the over-all policies of this Government; and we believe that it is the patriotic duty of every landlord to shoulder his responsibilities to this country. In these circumstances, Mr. Speaker, I am afraid that the Government benches are constrained to reject the point of view put forward by the hon. Members Mrs. DaSilva on behalf of her party.

Question put and agreed to.

Bill read a Second Time.

Assembly in Committee

Bill considered and approved.

Assembly resumed.

Bill reported without amendment, read the Third time as passed.

3 p.m.

CONSTITUTION (AMENDMENT) BILL 1975

A Bill intitled:

“An Act to alter the Constitution in accordance with Article 73 thereof and to effect amendments to the Acquisition of Lands for Public Purpose Act. [**The Minister of Foreign Affairs and Justice**]

The Minister of Foreign Affairs and Justice (Cde. Wills): Cde. Speaker, I beg to move that the Bill No. 34 of 1975, the Constitution (Amendment) Bill, be read a Second time. This Bill posits the question: What constraints are unacceptable to a Socialist Government in Guyana in the pursuit of the economic development of Guyana?

We have always expressed the view that the Constitution was something that was relevant to the Independence politics of 1966 and has lost its substance in dealing with the politics for the new era of economic development. It requires a new freedom it requires a more acceptable regard for what is the collective will of the people expressed in the Party and the Government benches of the executive arm of the Party. It requires amendment, when necessary, in the pursuit of economic development of the country.

We, therefore, propose in this Bill to amend Article 8 and, in consequence, Article 92 of the Constitution. In Article 8 it is provided that prompt and adequate compensate must be paid for all lands compulsorily acquired for public purposes. We propose, therefore, to accept this formula of just compensation and we propose to remove it from the courts and to out this in the hands of a Minister for assessment. The Chief Valuation Officer will issue certificates as a prima facie evidence as to value and the Minister can take into account all other factors which can make the compensation just in all respects.

We have used the Housing Act 1937 and made March 1939 a referable date for the value of property. The reason seems to be that March 1939 was the date just before the Second World War when it was felt that the fire of inflation and speculation had not gained so much momentum as to distort the true value of property. That has been the true picture behind the Housing Act of 1937 and we have worked on it as a basis.

It gives the Minister the discretion to take into account other factors to add to whatever the Valuation Officer deems fit in the circumstances, having regard to questions like: How the property was developed over the years. We propose to leave out of consideration the amendment

of the Constitution in Article 8 that was made in respect of the Bauxite Nationalisation Act which required a reasonable compensation for the acquisition of the bauxite undertaking. We propose, also, to remove access to the courts on the question of whether compensation is adequate. In this respect, we are doing what most developing countries have done. The English Constitution so provides all it is nothing new, nothing novel and nothing remises.

There are amendments in my name to which I now advert which proposes to give the Minister the authority to pay, either wholly or in part, by the issue of Government bonds. That, too, is nothing new. That, too, is attempts to afford people the opportunity of saying that they are interested in the development of the country and that they will have an incentive to assist in the further development of the country. I mention that now merely to warn that the amendments have been tabled and circulated.

The Bill itself is very clear on the face of it. The thing is that all dealings with land seem to attract a certain degree of trauma in a society where landowners form an elite class and who look upon their arbitrary exercise of power gained in land as a sort of prerogative right given to them to retard progress in developing countries.

I have no doubt that my good friend on the Opposition opposes this Bill. We are here, the elected Government of the country, to rule this country in a way that will benefit the majority of the people and to economically develop the country for the majority and not a few minority people: land owners and holders of vast pieces of land who are not relevant to the development of the country. With those remarks I beg to move that the Constitution (Amendment) Bill 1975 be read a Second time.

Question proposed.

3.10 p.m.

Mr. Singh: Mr. Speaker, in connection with this Bill before this honourable House, we have before us, in addition to the Bill, four pages of amendments to this Bill the effect of which, if passed, would be to make it possible for the Government to pay compensation for property compulsorily acquired, partly or wholly, in Government bonds instead of cash. Mr. Speaker, this is indeed a fundamental amendment to the Bill which was published in the **Official Gazette** and which was circulated to this honourable House and I feel very very deeply indeed that the Government has denied my request for a postponement to allow John Public to have an opportunity to study the effect of this far-reaching amendment.

Standing Order – 46 of this honourable House provides very clearly for the procedure for the stages of Bills. And let me say at the outset that the letter of the law has not been offended in this case, but let us think of the spirit of the law when we read these Standing Orders. Standing Order 42 (2) says:

“An interval of not less than three clear days must elapse between the first and second reading of a Bill, unless the Assembly on motion made and question put, agree to proceed with the Bill at an earlier date, or forthwith.”

And Section (3) says:

“No Bill shall be read a second time before the expiration of *seven clear* days from the date of its publication in the Gazette and until it has been printed and circulated to Members.”

It is true, Mr. Speaker, that this Bill was printed and circulated to Members more than seven days ago. But it is not true that a Bill can be printed and circulated to Members with the most innocuous provisions embodied in the Bill printed and circulated to Members, but then the real meat of the Bill can be put by way of amendment to this honourable House at the last possible moment?

What is the spirit of this Standing Order? My humble submission – and I say this without any fear of contradiction – is that a Bill should be published in the Official Gazette so as to give John Public seven days' opportunity to study that Bill and to make whatever recommendations he may thin fit, to the Government in respect of that proposed Bill.

What is the position in this case? The amendment before this honourable House deals with a fundamental provision. It says that instead of being paid in cash, compensation can be paid, either wholly or partly, in bond. Is that not something fundamental? Is that not something that the people of Guyana should have the opportunity of making representations to the Government about? Should they not be given an opportunity to do this? Up to now, as I stand in this honourable House, it is only the members of this honourable House, and perhaps a few other who are aware of the fact that the Government intends to proceed with a measure which will create such a radical change in the legislation that they read in the Official Gazette.

The Speaker: Hon. Leader of the Opposition, will you please read Standing Order 51 sub-section (2).

Mr. Singh: Standing Order 51, sub-section (2):

“Any proposed amendments of which notice has not been given shall be handed to the Chairman in writing.”

Sub-section (3):

“The following provision shall apply to amendments relating to Bills:

The Speaker: The Amendments have been handed to me.

Mr. Singh: Right, Sir. I am aware of the provisions of the Standing Order but I am speaking of the spirit of the Standing Order and I am sure you will not deny me the opportunity to say that in the spirit of the Standing Order, the people of this country, the population of this

county, should be aware of what is taking place in Parliament today, that is the whole object of 7 days.

The Provision in Standing Order 46 provides for 7 days to elapse so that they may be aware of all the provisions in any proposed Bill. The rule is that the entire Bill must be published in the Official Gazette and that John Public must be aware of that and can thereafter take his objections to the Government.

I humbly submit to you that this is really fundamental. If we are to circumvent the provisions of that Standing Order, what is to prevent the Government from merely putting forward in the Gazette an innocuous thing, for instance, that the number of members on the Public Service Commission shall be three instead of four and then put forward far-reaching amendments which require at the utmost two-thirds majority.

The Speaker: I think if you read the whole of Standing Order 51 you will observe that the Government cannot do that. The Amendment must be relevant to the Bill as well as it must not be inconsistent with any clauses therein. If you can satisfy me that the proposed Amendments are inconsistent as well as irrelevant, then certainly I think you have every right to request an Adjournment to which I will give every consideration. But at the moment and as at present advised, the amendments are both relevant and not inconsistent with the proposals.

While it is true that the spirit is that notice must be given, provision is also made, notwithstanding that spirit, that the Government's business must not be hampered or hindered and provided it keeps within Standing Order 51.

Mr. Singh: Yes, sir. Unfortunately, I am also aware of that. That is why I crave you indulgence to speak on this matter. There are many occasions on which democratic institutions can be used to subvert democracy. We have seen that in history. Time and time again it has been repeated and this is where the letter of the Standing Order does not permit me to make the kind of objection which will permit you to rule that we give the Guyanese public, by and large, an

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(Mr. Singh continues)

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opportunity to make representations to the Government in respect of this most serious and most consequential Amendment to this Bill before the honourable House.

We had a Bill which said we will change the provision of the Constitution so that

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compensation shall be varied from what is provided in the Constitution but no indication at all was given that compensation would not be paid in cash but would be paid in paper – in bonds. That is what I object to. I am very grieved about it. I thought that at least on this occasion the Government would have heard and listened to my objections. I think they are not unreasonable in the context of the Guyanese population. What difference does it make if we had adjourned it to tomorrow or next week. The Government has its majority. If they insist on it, it will be passed in any case. All I was asking for is to give John Public an opportunity to be heard. John Public does not know, at the present moment, what is before the House.

That is all I was asking for, that they be given an opportunity to be heard, that they may be allowed to make any representations that they would like to make in respect of this matter. That is the whole object of publishing it in the Gazette. If that is not the case, then let us dispense with publication in the Gazette. Let us just come here and pass it in the House. In fact, one could even go further, but I am talking about John Public. For myself, let me say that I received this Bill and I thank the hon. Minister of Foreign Affairs for having got it to me, according to him, at the earliest possible opportunity. I did get it shortly before midday today. I looked at it and it became quite apparent from these four pages that I would need to look ...

The Speaker: Hon. Leader of the Opposition, so no be so dramatic, I myself thought that there were four pages but they could all be put in paragraph. They look like four pages, but if you look at them keenly they are not so much.

Mr. Singh: I did not want to speculate as to what they could have been put into. I want you to look at what they were put into and you would not like me to speculate. I am telling you what I have seen. I so not like speculations. That is why I say four pages because that is what it is. If you think I am dramatizing I have to be factual and factual I am.

When I looked at the Bill I realised that a new dimension had been brought into it, as I said – the question completely new, of compensation in paper, in bond, instead of in cash. Then a new Act has been brought into it, the Land Bonds Act. I do not claim to be an expert on all the laws of Guyana, but I know about the Land Bonds Act when I look at it. I do not think I am incapable of looking at it, I can look at it and I can examine it as I have always done for the years I have been in Parliament. I have looked at pieces of legislation and compared them with what was given to me as proposed legislation. I have not had an opportunity to look at the Land Bond Act to see how it is affected. I have not had an opportunity also to go through the Acquisition of Lands for Public Purposes Act and to see what necessary consequential amendments might have to be made. I have not had an opportunity to go clause by clause through the Housing Act to see what consequential amendments may be necessary. Fair enough. I have the greatest admiration and the greatest respect for the Chief Legal Draftsman. I have the greatest respect for his expertise but I also have a job to perform. I am not merely here to accept what is given to me. I am here to critically analyse what is handed to me in order to see whether it is correct or not. If not I would be drawing money under false pretences. I have a job to do and I should be given the opportunity to do my job. That is what I also object to.

Then I read in the Bill the section dealing with interest that “the interest upon the principal represented by each land bond shall run from the date specified in that behalf in the bond payment of interest in the case of each fixed date or drawing bond and of principal and interest in the case of each annuity bond shall be made half-yearly.” I do not know the details of these fixed date bonds and annuity bonds and all the rest of it. I am not an expert on bonds. I need to get advice on these matters. How can I get advice on that short notice? **[Laughter]** I hear

laughing on the other side of the House but this is something I am very deeply grieved about. What would have been the difference of one day, to give me an opportunity to study it.

But I say that even that is not enough. I am not all that important. John Public is important. **[Interruption]** Even though I may not be representing them, somebody on the other side said, I am here appointed as Leader of the Opposition, I have to speak for the rest of the community. I have to speak also for the Government's own supporter who may be displeased about things and I have an obligation to raise my voice in protest and this is the first time in my long career here in the House that I felt so deeply hurt. It may be a matter that hon. Members on the other side seem to think is facetious but it goes to the very root of what is happening in the country today.

Sir, if we have Standing Orders, if we have a Constitution, if we have a set pattern of things then, until we change them, we should observe the rules. We say we should observe not only the rules but the spirit of the rules. My hon. and learned Friend knows there is a saying in law that "Justice must not only be done but must appear to be done", and so be it in this case before Parliament. The Standing Orders must not only be observed but must appear to be observed. That is what is so important. He knows it, and it gives me great pain that he has not paid some attention to it. **[Interruption]** This is a maxim that the hon. Prime Minister has quoted often in this honourable House and far be it from me to decry the quotation of the hon. Prime Minister.

Mr. Speaker, dealing with this piece of legislation before the House let me say that this is the most vicious piece of legislation I have ever had the misfortune to deal with in all my years in politics. It will, of course, be passed by virtue of the P.N.C. Government's two-third majority in this Parliament but at least history will record the most profound objection of the United Force to this iniquitous measure. Let me remind the P.N.C. that what we are doing here today is not only for now. It will endure for future Governments and this Government need not think that it will stay in office for eternity.

What we are doing here will endure for other Governments which will not have a two-thirds majority, other Governments which will take advantage of this legislation which will be passed today, will take advantage of it, by a simple majority, to abrogate the rights of the citizens of this country, to take away their property by a simple majority and to give them whatever compensation that Government feels like giving them, because that is the effect of this bill which is before the House today. Whatever the Government of that day feels like giving them without any right at all of appeal to the Courts of the country.

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The sting in this Bill is in Clause 2(a) which amends Article 8 of the Constitution. Since it requires a two-thirds majority to be passed, it is important enough to read this Clause. It states:

“Article 8 of the Constitution is hereby altered in the following respects –

(a) by the deletion of paragraph (1) thereof -”

and the substitution of the following paragraph therefor –

“No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired except by or under the authority of a written law which provides for compensation for the property or any interest in or right over property so possessed or acquired and either fixes the amount of compensation or specifies the principles on which the compensation is to be determined and given and no such law shall be called in question in any court on the ground that the compensation provided by that law is not adequate.”

That is what is proposed. Let us see what the present Constitution provides. Article 8 of the present Constitution reads thus:

“No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except by or under the authority of a written law and where provision applying to that acquisition or taking of possession is made by a written law –

- (a) requiring the prompt payment of adequate compensation; and
- (b) giving any person claiming such compensation a right of access, either directly or by way of appeal, for the determination of his interest in or right over the property and the amount of compensation, to the High Court.”

Sir, the position, therefore, is that under the existing Constitution, the person whose property is acquired is guaranteed prompt payment of adequate compensation and also the right to go to the Court either directly or by way of appeal in order to determine his rights in respect of prompt payment of adequate compensation.

What does the proposed legislation provide? First, that the payment shall be compensation which may be specified in the legislation or shall be compensation which any law sets out and secondly, there is no appeal. The decision of the Government is final. Nothing further can be done after the decision of the Government is given in this matter.

Let us remember, as I say, that this law is for all time, until it is changed. The Government has a two-thirds majority here not to change it. Let us remember that this law is not dealing with specifics. It is not dealing with expatriate sugar or the acquisition of the sugar industry. It is not dealing with bauxite. In fact, we see in the last clause of the Bill – and I am dealing with the Bill because I have not had any chance to study the Amendment – that bauxite is specifically exempted by clause 5, so that reasonable compensation for bauxite is preserved. So, we are dealing with generalities; we are dealing with a general clause. We are dealing generally with everyone including Guyanese properties and I ask the question: Why should Guyanese not be entitled to prompt payment of compensation? Why should they not be entitled to go to the Courts to determine their rights in this respect? Why should they not get his right?

We talk about land owners and property owners being blood suckers. This does not necessarily follow. Fair enough, there may be several but is it not true that there are land-owners who, by the sweat of their brows, by the sweat and blood of their fore-fathers have acquired

property in this country? Are there not those property owners who have really toiled in order to acquire property? This legislation does not make any exemption for them. One may say that one would have to rely on the *bona fides* of the Government but we are dealing with any Government, this or any other. Is it not possible that a Government may have *mala fides*? Is it not possible that a Government may discriminate against people? Is it not possible, therefore, for a Government to pass a law for example, that the estate of the hon. Minister, Mr. Kasim, on the Pomeroon may be taken over for \$500 to be given in bonds? Or, that Mr. Ramsaroop's home to be taken over for an old people's home and that he be given \$500 in bonds? That is possible under the legislation.

Everyone of the Minister over on the other side may be able to tell me that they will never do this but the law officers will tell me that it is entirely possible under the legislation for that to be done. It is possible for any property under any specific legislation to be taken over. You need not go under the two existing pieces of legislation now. The two existing pieces of legislation are Housing Act and the Acquisition of Lands for Public Purposes Act. Those are two existing laws which we are now amending so that 1939 valuations with certain modifications will apply. But it is equally possible for a law by simple majority to be passed in this honourable House without going to any one of those existing laws to take over any property at any stipulated figure.

Let me read again the provisions. It shall not be taken over unless it –

“provides for compensation for the property or any interest in or right over property so possessed or acquired and either fixes the amount of compensation...”

So, if you fix it, you can take it over. And then they go on to tell you that:

“For the purposes of this article, the provisions contained in the Acquisition of Lands for Public Purposes Act shall be deemed to specify the principles...”

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But you need not acquire property under that Act. You can pass a special Act in Parliament here to take over any property at all and therein lies the danger. I am not saying that this present Government has intentions of doing that. I do not know. I am fair enough to say that they have not indicated their intentions. So far they have done nothing along these lines but the provision is there, the law is there to permit them to do it and that is what worries us. That is what worries us because any other Government, including this Government, can use it and can use it very, very detrimentally not only to expatriates but to Guyanese people, and there is no appeal to the Court.

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Even in Jamaica, where Manley's Government has acknowledged itself socialist to the extent that it believes more in socialism than in regionalism, even there the provision provide for appeal to the Court. As recently as last week, Mr. Manly professed socialism for his country and socialism in preference to regionalism. Jamaica is operating along socialist lines under its present Constitution which the socialist Jamaican Government is using provides in Article 18:

“No property of any description shall be compulsorily taken possession of and no interest in or right over property of any description shall be compulsorily acquired by or under the provisions of a law that prescribes the principles on which and the manner in which compensation therefor is to be determined and given, and secures to any person claiming an interest in or right over such property or a right of access to a court for the purpose of establishing such interest or right, if any;

(2) Determining the amount of such compensation, if any, to which he is entitled; and

(3) Enforcing his right to any such compensation.”

The Jamaican Constitution provided that even Comrade – and I use the word that the Government would use – Ramphal's draft Constitution provided along the same lines. I shall read from “The Constitution of Guyana, the Attorney General's Chambers, Georgetown, October, 1965.” The document is here exhibited for anybody to see. I am not reading from any fictitious document, I am reading from a document which I exhibit before this honourable House.

The hon. Minister may try to confuse me but this is a matter which I feel very strongly about. Try as he might confuse me, I will stick to my guns because I have right and justice in my side in this debate in this House.

I shall read what Cde. Ramphal proposed, which the P.N.C. took up to London at the Independence Conference. I was there and I shall read what he proposed:

“No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except by or under the authority of a written law and where provision applying to that acquisition or taking of possession is made by a written law –

- (a) requiring the prompt payment of adequate compensation; and
- (b) giving to any person claiming such compensation a right of access for the determination of his interest in or right over the property and the amount of compensation to the Supreme Court; and
- (c) giving to any party to the proceedings in the Supreme Court relating to such a claim, the same rights of appeal as are accorded generally to parties to civil proceedings in the Court, sitting as a Court of original jurisdiction.”

We are inclined to malign the British, the terrible wicked colonial powers, for having imposed this wicked Constitution on us. Who took this up to London? The British did not supply this to us. We took it to Lancaster House in London and gave it to them and said: “This is what we want. Let us hear what you have to say about it.” Why malign the British? Why say this, that and the other about them? We took it there. Why should we not take the blame for it? Why are we saying they are the people who imposed this on us? This is what we put to them and we told them this is what we wanted. In their magnanimity they said “All right, fair enough, you want this, we will give it to you.” Let us stop this bogy about saying that the British are responsible, they are the wicked people who imposed this Constitution on us. They did not.

Indeed, I have the United Force proposals which are here also which are along the same lines. Kit Nascimento, the hon. Member, had a hand in this also. Whatever he says we can acknowledge. **[Interruption]**

The Speaker: Hon. Members, please let us have some order.

Mr. Singh: This Constitution was definitely endorsed by the executive of which Mr. Nascimento was a member, in 1961-1964. Let me continue. We will not expect better from someone who did that to his own uncle. Even the P.P.P.'s draft is along the same lines. Look at what the P.P.P. said in the proposed Article 29:

“No property of any description shall be compulsorily taken possession of and no interest in or right over property of any description shall be compulsorily acquired except by or under the provisions of a law that –

- (a) prescribe the principles on which and the manner in which compensation therefor is to be determined and given; and
- (b) secures to any person claiming an interest in or right over such property a right of access to a court for the purpose of –
 - (i) establishing such interest or right;
 - (ii) determining the amount of compensation to which he may be entitled; and
 - (iii) enforcing his right to any compensation to which he may be entitled.”

The P.P.P. proposed that. The P.N.C. proposed the same thing in the Ramphal draft. The United Force proposed, with certain variations, which they made us change at the Independence conference. Even the Trinidad and Tobago Constitution guarantees the right of appeals to the Courts in such matters. Why then is the Guyana Government bent on being so different from its Caribbean neighbours when we are all talking about economic integration, about political

integration? If we talk about economic and political integration, why are we veering so very far away from what obtains in these countries?

Let us look at the Acquisition of Lands for Public Purposes Act so that instead of paying out the market value of the land, which includes buildings, the Government will pay the assessed

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valued as at the 31st March, 1939.

What does the present legislation say? It states: providing that they shall pay the current market value. I was looking for the section so that I could read it. I do not think there can be anybody who will dispute that. The present legislation provides that you must pay the present market value of the land. What is it being changed to? It is being changed to the value of the land ascertained by reference to current prices as at the 31st March, 1939, shortly before the war. There is also provision for the Minister, by a certificate, to add a certain percentage. But if we look at the Clause we will realise how much window dressing there is. It says on page 14:

(2) “In determining the additional sum to be awarded to the owner of land pursuant to subsection (1) The Minister may, in his discretion,”

He need not do it.

“have regard to –

(a) the cost of acquisition of the land to the owner;

(b) any outlay or improvements on the land since 31st March, 1939, not being any outlay or improvements mentioned in section 18(1)(a)(vi).”

So that the position is that the Court’s hands are tied completely.

Under the Compulsorily Acquisition of Lands for Public Purposes Act, it is true that there can be a going to the Court by the Attorney General but what is the factual position? The

Attorney General goes to the Court but the value of the land instead of being accessed by evidence of the market value at that time is fixed according to the valuation of the Chief Valuation Officer, a Government Officer, as at the 31st March, 1939. It is *prima facie* evidence but *prima facie* evidence by a Government Officer is very powerful and very persuasive evidence.

The Minister has the power to award additional percentage. But I have just read the legislation. He need not do it. He may do it; and when the matter goes to the Court the Minister's signature on the certificate is *prima facie* evidence. Let us read the Clause on page 4 (3) line 10:

“*prima facie* evidence of the fact that the certificate was given by him and shall be conclusive evidence of the matters stated therein relating to the additional sum to be awarded to the claimant under this section.”

So what do we have? (1) Certificate of the Chief Valuation Officer as to 1939 value and (2) In respect of any possible additional value, the certificate of the Minister which is conclusive. What is the Court there for? The Court is merely window dressing. What can the Court do? The Chief Valuation Officer's certificate is *prima facie* evidence which invariably would be accepted and the Minister's certificate, if there is any more to be given in conclusive. If he does give that is the end of the matter.

So where is any appeal to the Court? Before this proposed legislation there was some hope in going to the Court but his, I submit, is absolute window dressing. No purpose would be achieved by going to the Courts unless, maybe, you may be able to attack the principles and even that has been tied up solidly by section 2 (b) which adds paragraph (7):

“For the purposes of this article, the provisions contained in the Acquisition of Lands for Public Purposes Act shall be deemed to specify the principles on what and the manner in which the payment of compensation is to be determined and given for property compulsorily acquired thereunder.”

So even the principles have been stipulated. This is very good drafting. Even the principles have been laid down and have been tied in very strongly. So what have we got? Window dressing.

Having said all of that we realise that the sum total of it all is that the Government can take away your property and you have to be satisfied with whatever it feels like giving you. That is the fact of the matter. But it does not end there.

The Speaker: Not “take away” but “acquired”.

Mr. Singh: I am using my phrase and my phrase is “take away”, sir. The Government can take away your property and give you whatever it feels like giving you. But it does not end there. Before this Amendment came to me this midday I had thought that at least you would get some money in cash, but you get paper bonds.

It is true that it is stated that the Government may or may not give you the paper bonds but the provision is there. The law will be there if this is passed – and the hon. Members seems determined to have it passed. There is an indication that it will be passed. When it is passed there is the possibility, indeed the probability, that it could be used as a weapon and when used at this weapon the Government could give you paper instead of money.

What is the sum total of this all? Let me give an example. John Public wants to buy a piece of land but before he buys the land he goes to the Bank and he says: “Look, I want to buy this piece of land for development purposes, whatever it may be. I would like a loan for this.” The bank would then give him a loan on the basis of the market value of the land as they assess it. I am talking about transactions that may exist at the present moment but let me put it in retrospect. A man may have bought a piece of land in the past and may have gone to the bank or the insurance company; he may have a mortgage on the basis of what he was buying. He may have had to provide collateral security. He may have put his personal property and his personal belongings as collateral security.

The Government, after this Bill is passed and comes into operation, will be entitled under the Amendment of the Constitution, to take away, if it is so desires, that land, to fix compensation. If it wants to do it by way of a special bill, it will not need to go under the existing Bill. It can go by way of a special Bill and say “We are taking away this land; we are compulsorily acquiring this land.” The Government can then give some purpose for which it is acquiring it. It need not even give the purpose of it as proceeding by way of a new Bill but it can acquire the land and fix compensation at say \$500 and give the gentleman or lady bonds in respect of that property.

What will be the position in respect of that person’s indebtedness? That person has only a piece of paper. If he or she cannot pay it means that that person’s collateral will go, their

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personal property will go, everything they may have put in the kitty to guarantee that they get the loan can go, because they will not be able to make repayments if the property, which presumably would provide an income, is taken away from them.

How can people have normal commercial transactions under these circumstances? What is the position of people who have entered into such transactions at the present moment? They have no safeguards; they do not know whether tomorrow the Government will move in and take them over and give them bonds, pieces of paper in return for their properties. So where is the safeguard? What are we doing to generate normal business and business transactions? Let us understand that these are the realities of the situation at the present moment.

We know what the position is in Guyana and we know that the Government use this as a weapon to discriminate against or to victimise individuals. It may be that the Government has all the best intentions in the world and it will not do this but it can be used for such purposes, and we know from bitter experience that such weapons in fact have been used in the past.

This Clause was considered so important that it was entrenched in the Constitution and we all agreed to it. I was there when we all agreed to it. We took up the draft and the British Government accepted it and we all agreed to this provision in the Constitution. Let us remember, finally, that...

Cde. Speaker: You were here when it was entrenched, and you will be here when another clause is entrenched, so you do not have to complain.

Mr. Singh: If you were listening, sir, I prefaced my remarks by saying that it is my misfortune to be here to see this changed. That is exactly what I said. I would have preferred not to be here to see a clause entrenched like this, changed in the Constitution. Let us understand what we are changing this clause not only for this Government but we are changing it for any future Government which may not have a two-thirds majority. This Government will make it possible for item, by a simple majority, to use this legislation probably and maybe to victimise those people who they may have something against by taking away their property. That is what will be possible after this is passed. **[Interruption]**

This Government may beat its breast and say “We have never done that.” I am saying that it is possible not only for this Government to do it but for any future Government to do this. This Government cannot tell me that it will guarantee itself in operation in Government in perpetuity. I do not think that it can possibly want to tell me that. The good Lord is on top there, sir, and he is the one... **[The Prime Minister:** “He is everywhere.”] Yes, everywhere. I am glad for the correction, and I am glad that there is such a recognition of the Omnipotent on the part of the hon. Prime Minister. He is all around us. Who determines who is rich and who is not rich? The P.N.C. Government? Do they set themselves up as gods to determine who is rich and who is not rich? That is what they want to tell me, namely, that they have the power to say who is rich and who is not rich. I say that the provisions of the Constitution must be observed. I urged this Government to rethink its position. It can be used by it today it may be used against it tomorrow. Let the members of this Government bear in that in mind. We talk so glibly about the rich and

exploitations and all the rest of it. [**The Prime Minister:** “Jesus said so.”] Even Jesus recognised that the man who hid his talent in the ground, and did not make use of it, was not fit to be acknowledged by the good Lord, but the man who hid his talent in the ground to preserve it, the good Lord said to him, “Get thee yonder, you did nothing about it. You did not use your initiative.” Let us recognise that the good Lord said that also.

We each have initiative, we each have ability let us be allowed to develop our initiative, let us be allowed to develop our ability, let us be allowed to earn if we earn, provided we do not take unfair advantage of the rest of the population. It is fundamental that we be allowed to use our initiative and ability. This is very serious. The man with the talent who made money on the investment of his talent was not condemned by the good Lord, he was praised by Him. Let that be a lesson to the hon. Prime Minister and indeed to the Ministers of the Government and let them rethink their position on this matter.

Cde. Speaker: Cde. Minister of Foreign Affairs.

Cde. Wills: Cde. Speaker, when I sought to propose the Second Reading of this “Christian” Bill I warned this honourable House that we may have dramatics at this moment. The hon. Leader of the Opposition complained first of all, on the lack of precedent and called this legislation vicious, words to that effect. I am not prepared to contest on the concept of precedence, but on the lack of publicity and the failure to inform John Public, I would seek to remind the hon. Member that John Public is a member of the P.N.C. and if he is not a member of the P.N.C. he is critically supporting the P.N.C. We are also accused... [**Interruption**] In any case when we appropriate property to John Public we assure this House that we shall not pursue willy-nilly and arbitrarily to acquire every little man’s enclave... we are interested in economic development as the overriding factor so it is not wise or fair, in fact, it is rather inconsistent with the standard set by my hon. and learned Friend to even suggest that we would willy-nilly undergo an exercise of the arbitrary appropriation of people’s property. That is not the case and

that is not so intended. But unhappy to me and the most painful is the accusation by my hon. and learned Friend of the legality. I would have thought that he would be the last person to have accused me and the Party which I represent of pursuing illegality. But these things happen and one must take into account there is maxim... that we have not broken the Standing Orders but the hon. Member mentioned some amorphous and effervescent things which is called the spirit of the law which I am not aware of not being versed in the supernatural.

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But I am referring to the quotation just made by the hon. Leader of the Opposition. That quotation that justice must not only be done but must also appear to be done is one of the most famous of jurisprudence so the hon. Member should be ashamed to quote it like that or at least out be ashamed. [**Mr. Singh:** “But you Prime Minister has quoted it.”] I am speaking about the hon. Member quoting it on this occasion. [**Laughter**] But there is a maxim which the hon.

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member will do well to beware of and that is that all men are presumed to know the law. There is a difference here, this applies to John Public, to laymen who are not lawyers.

Now, the hon. member also said, quite graciously I thought, that he was speaking for many people, even our own Party supporters. Well, if that is a back-handed way of applying for membership of the P.N.C., I think I can see him privately and show him what is the best way of doing so, because it may be that his back-handed application is an attempt to illustrate that if he does join us that justice will not only be done but appear to be done. [**Laughter**]

Now, the hon. Leader of the Opposition also gave us the basic problem. It is these things which pain and grieve me because he has been my friend for many years. Among the many fallacies that he propounded – and this is distressing again – was when he read the section that

said “The certificate of the Chief Valuation Officer” to mean the Valuation Officer’s assessment. The certificate is evidence of the fact. What he does is *prima facie* evidence. The hon. Member made a basic error there which I would not use against him. As lawyers we can have different opinions on that.

He also remarked that the Government intends to pass this Bill. Well, does he think that we intend to bring a Bill here and not pass it? That, to my mind, is ludicrous and humorous to the extreme designed to bring this House into ridicule and contempt. It is all right to be traumatic, I do not mind that, but to be ludicrous is to be insulting. Then he asks, why is it generalised; why could we not have a separate law, why bring a general law? Why does the hon. Member ask us to go back to medieval times? Perhaps he is suggesting that as the occasion comes from time to time, we should, like Adolph Hitler, call in the secretary and say: “Take a law.” But the thing is, the hon. Member knows that his law books say that law should be of general application and it means that one must have a general law. Why does he ask us to go back to medieval times, to imperial times for the method of legislation? Why does he ask us to do these things? That, I am afraid, we cannot accept.

But the most grievous thing told is his statement about the payment of bonds. I ask a question: which is more important? The economic development of this country or the instant enrichment of a few landlords who are not concerned with the re-distribution of wealth and the creation of employment opportunities? We believe, the economic development of the country and therefore, we feel, in all the circumstances, we must reject all that the Leader of the Opposition has said.

Cde. Speaker, I move that the Bill be read a Second time.

Question put.

Mr. Ramsaroop: Division!

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Assembly divided: Ayes 37, Noes 2, as follows:

Ayes

Cde. Willems
Cde. Taylor
Cde. Sukhu
Cde. Stoby
Cde. Rayman
Cde. Ramson
Cde. Ramsahoye
Cde. Nissar
Cde. Jonas
Cde. Jaiserrisingh
Cde. Hussain
Cde. Gill
Cde. Fowler
Cde. Branco
Cde. Aaron
Cde. Van Sluytman
Cde. Corrica
Cde. Corbin
Cde. Chowritmootoo
Cde. Prashad
Cde. Ambrose
Cde. Ackman
Cde. Wrights
Cde. Thomas
Cde. Bancroft
Cde. Zaheeruddeen

Noes

Mrs. DaSilva
Mr. Singh - 2

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Cde. Nascimento

Cde. Duncan

Cde. Clarke

Cde. Kasim

Cde. Ramsaroop

Cde. Field-Ridley

Cde. Carrington

Cde. Hoyte

Cde. Reid

Cde. Burnham - 37

NB: PAGES OF THE TRANSCRIPT ARE MISSING
