

LEGISLATIVE COUNCIL.

FRIDAY, 30TH JUNE, 1950

The Council met at 2 p.m., His Excellency the Governor, Sir Charles Woolley, K.C.M.G., O.B.E., M.C., President, in the Chair.

PRESENT.

The President, His Excellency the Governor, Sir Charles Campbell Woolley, K.C.M.G., O.B.E., M.C.

The Hon. the Colonial Secretary, Mr. D. J. Parkinson (Acting).

The Hon. the Attorney-General, Mr. F. W. Holder, K.C.

The Hon. the Financial Secretary and Treasurer, Mr. E. F. McDavid, C.M.G., C.B.E.

The Hon. C. V. Wight, O.B.E. (Western Essequibo).

The Hon. Dr. J. B. Singh, G.B.E. (Demerara-Essequibo).

The Hon. Dr. J. A. Nicholson (Georgetown North).

The Hon. T. Lee (Essequibo River).

The Hon. V. Roth (Nominated).

The Hon. T. T. Thompson (Nominated).

The Hon. Capt. J. P. Coghlan (Demerara River).

The Hon. D. P. Debidin (Eastern Demerara).

The Hon. J. Fernandes (Georgetown Central).

The Hon. Dr. G. M. Gonsalves (East-Berbice).

The Hon. Dr. C. Jagan (Central Demerara).

The Hon. W. O. R. Kendall (New Amsterdam).

The Hon. A. T. Peters (Western Berbice).

The Hon. W. A. Phang (North Western District).

The Hon. G. H. Smellie (Nominated).

The Hon. J. Carter (Georgetown South).

The Hon. F. E. Morrish (Nominated)

The Clerk read prayers.

PRESENTATION

MR. J. DUREY, M.B.E.

The PRESIDENT: I would ask the hon. the Colonial Secretary to read the Warrant conferring on Mr. John Durey the dignity and honour of a Member of the Most Excellent Order of the British Empire.

The COLONIAL SECRETARY read the Warrant.

The PRESIDENT: Mr. Durey, by command of the King conveyed to me through His Majesty's Principal Secretary of State for the Colonies I present to you the Insignia of a Member of the Most Excellent Order of the British Empire. This award is conferred upon you for social service and more particularly for your work as Colony Commissioner of the Boy Scouts in British Guiana, which office you have held since 1941 and devoted yourself untiringly to the welfare of the youth of the Colony. I have much pleasure in presenting you with this Insignia. (applause).

MINUTES

The minutes of the meeting of the Council held on the 16th of June, 1950, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENT

INHERITANCE (FAMILY PROVISION)
LEGISLATION

The PRESIDENT: In connection with Mr. Wight's motion for the enactment of legislation on the lines of the United Kingdom Inheritance (Family Provision) Act, 1938, which was debated in Council on the 2nd June, 1950, when the Council decided "that the matter should be referred to a Select Committee to investigate and report whether the introduction of such legislation in this Colony is desirable", I have appointed the following personnel to serve on that Committee

The Hon. the Attorney-General
(Chairman),

The Hon. C. V. Wight, C.B.E.,

The Hon. T. Lee,

The Hon. D. P. Debidin,

The Hon. A. T. Peters,

The Hon. J. Carter.

PAPERS LAID

The following documents were laid on the table:—

The Report of the Controller of Civil Aviation for the year 1949.

The Report of the Forest Department for the year 1949.—(The Colonial Secretary).

Minutes of the meeting of Finance Committee of the Legislative Council held on the 8th of June, 1950.—(The Financial Secretary & Treasurer).

UNOFFICIAL NOTICES.

DAMAGES FOR PERMANENT CROPS

Mr. LEE gave notice of the following motions:—

- (a) WHEREAS by section 15 subsection (c) of the Rent and Premises Recovery Ordinance, Chapter 92, there is provided that a Magistrate shall have power to award compensation for growing crops;

AND WHEREAS growing crops do not include permanent and

staple crops planted and grown by the tenant of lands or his predecessors;

AND WHEREAS it is necessary that tenants be rewarded for cultivating and planting such permanent crops when possession is obtained by the landlord;

AND WHEREAS it has become a great hardship on tenants who have been dispossessed of lands on which his parents and predecessors have cultivated and planted permanent crops;

BE IT RESOLVED that this Honourable Council recommend to Government the immediate amendment of the said Ordinance in order to provide that, on the Magistrate ordering possession of tenement lands, he, the Magistrate, shall have power to award damages for permanent crops planted, cultivated and grown by the tenant or his predecessors, and that the same be recoverable as a debt or lien before possession.

PLN. RIDGE, WAKENAAM,
SEA DEFENCES.

- (b) WHEREAS Plantation Ridge, Wakenaam, was declared a Sea Defence area and the owners were compelled under the Sea Defences Ordinance, Chapter 118, to pay sea defence rates and did pay such rates for several years;

AND WHEREAS the said Sea Defence rates were declared a Colonial question and the construction, repairs and maintenance of sea defence areas were made chargeable to general revenue;

AND WHEREAS the said Plantation Ridge, Wakenaam, is being inundated by the tides through the non-repairs of the koker which is part and parcel of the Sea Defences;

AND WHEREAS the said koker is further part and parcel of the public road of the island and as such Government is liable to maintain the said public road;

BE IT RESOLVED that this Honourable Council recommend to Government the immediate repairs of the said koker and sea defence of the said frontal area of the said Plantation, Ridge Wakenaam, in order to protect the owners and tenants of the said lands.

LABOUR REGULATIONS FOR WATCHMEN

Mr. CARTER gave notice of the following motions:—

- (a) WHEREAS under Regulation No. 6 of 1948 made under the Labour Ordinance No. 2 of 1942 the term "watchman" means anyone who is employed as a watch or guard of business premises or commercial undertaking;

AND WHEREAS there seems to be considerable doubt as to the scope of the term "watchman" as defined under the Regulations;

AND WHEREAS many clubs, hospitals, etc., have failed to follow the Regulations of work and pay of watchmen with the excuse that they are not included in the term "business or commercial undertaking;"

AND WHEREAS on account of this restricted scope of the definition of the term "watchman" many watchmen are deprived of the benefit of the Regulations;

BE IT RESOLVED that this Honourable Council recommend to Government that the Regulations be amended so as to include persons employed to watch or guard premises other than business or commercial undertaking.

UNEMPLOYMENT INSURANCE AND SOCIAL SECURITY SCHEME.

WHEREAS the tide of unemployment has been rising continually since the end of the war;

AND WHEREAS the unemployment problem is one that affects the whole Colony;

AND WHEREAS insecurity of employment is leading to a general lowering of moral and social standards;

BE IT RESOLVED that this Honourable Council approve of the appointment of a Committee to make recommendations for the setting up of an Unemployment Insurance and Social Security Scheme similar to that which exists in the United Kingdom and commensurate with the financial capacity of the Colony.

RENT CONTROL.

WHEREAS it is provided by Section 2, Sub-section (b) of the Rent Restriction Ordinance No. 13 of 1947 amending the Rent Restriction Ordinance

of 1941 that the term "dwelling-house" means "a building or part of a building separately let, which is used mainly as a dwelling or place of residence and includes land occupied therewith under a tenancy but does not include a building, part of a building or room when let with agricultural land";

AND WHEREAS the literal interpretation of this definition results in substantial hardship owing to the fact that the construction of dwelling-houses and the interrelation of tenants who occupy dwelling-houses on one flat or in one curtilage makes the use of firesides, bathrooms and lavatories in common necessary in some cases;

AND WHEREAS the use of firesides, lavatories and bathrooms in common does not in many cases affect the capacity of the tenancies as being separate where dwelling-houses are situated on one flat or in one curtilage, since but for the use of the fire-sides, bathrooms and lavatories the tenants dwell more or less in the single living rooms;

AND WHEREAS by virtue of Section 8, Sub-sections 6, 7 and 8 of the Landlord and Tenant (Rent Control) Act, 1949, of England a tenant cannot be ejected from the shared accommodation whether living or "non-living", without an order of the Court which must be accompanied or preceded by an order for possession of the separate accommodation under Section 3 of the Rent and Mortgage Interest Restrictions Amendment Act of 1933 subject to the provision contained in section 8 (8) by which the Court can make an order terminating the tenant's right to use shared "non-living" accommodation, if the contract provides for such termination, without making an order for possession of the separate accommodation;

BE IT RESOLVED that this Honourable Council recommend to Government that the Rent Restriction Ordinance be amended immediately on lines similar to the Landlord and Tenant (Rent Control) Act in England.

CONTROLLED PRICE OF FRESH FISH

Mr. KENDALL gave notice of the following motion:—

WHEREAS the cost-of-living continues to rise despite salary and wage increases;

AND WHEREAS salary and wage revisions have lagged behind the rise in the cost-of-living;

AND WHEREAS control of essential foodstuffs is the only partial remedy for these ills;

AND WHEREAS the price of meat is controlled and the fact that fresh fish is not controlled is an anomaly which results in the price of fresh fish fluctuating with the scarcity of meat;

BE IT RESOLVED that this Honourable Council recommend to Government the immediate introduction of legislation to control the price of fresh fish.

FORMATION OF ECONOMIC BOARD

Dr. NICHOLSON gave notice of the following motion:—

WHEREAS it is desirable to secure for each individual, if in a state of mental and physical fitness, the necessities of life and the means of earning them and with a view to stemming the rising tide of unemployment and securing occupation for the hundreds at school-leaving age and combating the high cost of living;

BE IT RESOLVED that this Honourable Council approves of the formation of an ECONOMIC BOARD comprising the best brains in Industry, Finance and Labour Question to explore the possibilities of implementing for this country an agricultural economy by whichever or whatever other means which may be found expedient or practicable in its application:—

- (1) By installing Agriculture and its ancillary industries on a big scale—scientific and mechanised agriculture of the most up-to-date variety by organisational and co-operative planning.
- (2) By acquisition and utilisation of extensive areas of land now lying idle for agricultural purposes and the erection of buildings suitably equipped for families on such areas.
- (3) By floating a loan large enough for the said purpose.
- (4) By obtaining aid from whatever source externally, viz. E.C.A. (Economic Co-operation Administration) of Marshall Plan Funds, Colonial Development and Welfare Organisation, Colonial Development Corporation.
- (5) By legislation to further aid pioneering and risk-bearing industries and the expansion of existing industries by way of remission of

customs imposts and income tax levies, wholly or in part.

- (6) By inducing industrialists from abroad to establish new industries or branch factories in this country.

SITTINGS OF LEGISLATIVE COUNCIL

Dr. JAGAN gave notice of the following motion:—

WHEREAS the Rules provide that the sittings of this Honourable Council shall be from 2 to 5 p.m.;

AND WHEREAS many Members of this Council being professional and businessmen find great difficulty in attending all meetings of this Council;

AND WHEREAS it has been often said that in a functioning democracy the people must be informed and vigilant;

AND WHEREAS the public is desirous of attending meetings of this Honourable Council as was indicated by full attendance at evening sessions in 1948, but is unable to attend during working hours;

BE IT RESOLVED THAT the Rules of this Honourable Council be amended to provide for the sittings of this Council between the hours of 5 to 10.30 p.m.

REVISION OF CUSTOMS TARIFF

WHEREAS the Trades Union Council has petitioned Government for a review of wages, the Cost of Living figure now being at 222, an increase of 20 points over the pre-devaluation figure of 202;

AND WHEREAS since the devaluation of the Pound Sterling the cost, insurance and freight (C.I.F.) value of imports from U.S.A., Canada and Great Britain has increased in terms of B.G. Currency;

AND WHEREAS Bill of Entry Tax and Ad Valorem duties collected by the customs on C.I.F. value, B.G. Currency;

AND WHEREAS the Chamber of Commerce has recently been critical of Government's post-devaluation financial policy, especially since the Estimates of Revenue for 1950 from ad valorem duties is \$3,000,000 or \$¼ million above the revised estimate for 1949;

AND WHEREAS the Economic Adviser had recommended in his "Memc-

random on the Financial Position of British Guiana 1920-1946" that a Committee should be appointed to consider a complete revision of the Customs Tariff with the aim of abolishing Bill Entry Tax, surtaxes, anomalies and other related matters;

BE IT RESOLVED that this Honourable Council recommend that Government abolish the Bill of Entry Tax, and appoint a Committee to consider a revision of the Customs Tariff as set out in Recommendation 11 of the Economic Adviser's Report.

PROPOSED INCREASED ELECTRICITY CHARGES

Mr. FERNANDES gave notice of the following motion:—

WHEREAS it is considered by consumers of electric current that the proposed increases in the tariff of charges recently announced by the Demerara Electric Company are unjustified;

BE IT RESOLVED that this Council recommends that Government make representations to be Company with a view to withdrawal of the proposed increases.

NOTICE OF QUESTIONS

VOCATIONAL TRAINING SCHEME FOR COLONIAL SERVICEMEN

Dr. JAGAN gave notice of the following questions:—

1. Can Government state how many ex-servicemen in British Guiana took some form of vocational training under the Vocational Training Scheme for Colonial Servicemen in England during the last war run by the British Ministry of Labour?
2. Does Government recognise the certificates issued to these men as sufficiently indicative of ability to perform the jobs in respect of which they were earned?
3. Can Government say how many of these men have been employed or given recognition and the jobs at which they have been employed, or for which they have been given recognition?

FIRE PRECAUTION

Mr. ROTH: I crave Your Excellency's indulgence before you proceed with the Order of the Day to mention a subject of great importance to the City. I un-

derstood that the burnt out area at the corner of Regent and High Streets was to be placed under the same regulations as the 1945 burnt area—that all buildings are to be of a fire-resisting nature. I understand a wooden three-storeyed building is to be put up in that area. I trust that Government will take such steps as will be necessary after the terrible fire which took place there in the past.

PUBLIC DEMONSTRATION

Mr. CARTER: Before proceeding with the Order of the Day may I be permitted to mention briefly a matter of some public importance. On Tuesday last the Women Section of the B.G. Labour Union held a demonstration through the streets of the City protesting against the housing shortage and certain defects in the Rent Restriction and Recovery of Premises Ordinances. Police permission was obtained for this demonstration to proceed along the streets. As the demonstration proceeded, however, I am given to understand that the Police so harassed the demonstrators that they became excitable and got out of control of the persons who organised the demonstration. I am told that when the demonstration reached the Parade Ground the Police hounded them out of the Ground and caused them to take up a position in the avenue. Subsequently, I am given to understand the demonstrators appeared before Government House. Sir, I think that the action of the Police on this occasion was very injudicious and indiscreet.

The PRESIDENT: Members averse to something that has taken place can bring it to the notice of the Council but should not express any opinion on it until the matter has been looked into. The hon. Member is quite in order to draw attention to it and ask that it be enquired into, but I do not think the case should be prejudiced by any ex-parte statement or expression of opinion. I think the hon. Member would appreciate that.

Mr. CARTER: I am very grateful to you and I do desire that the attention of the Council should be drawn to the very sad events which took place on that afternoon.

ORDER OF THE DAY

BOULDER STONE SUPPLY FOR ROAD
RECONSTRUCTION

Mr. CARTER asked and the COLONIAL SECRETARY replied to the following questions:—

Q. 1.—Has Government accepted any tenders for supply of boulder stone for the Road Reconstruction Programme tenders for which were closed on 17th December, 1949?

A. —Yes.

Q. 2.—If the answer to question 1 is in the affirmative has Government entered into a binding contract with any would be supplier? If not, why not?

A. —Government has entered into a contract with Messrs. Skull Point Company, Limited, in joint association with Messrs. Ash and Watson, Limited.

Q. 3.—If the answer to question 2 is in the affirmative when was the contract entered into and what sureties, if any, were provided by the would be supplier?

A. —The Contract was signed on the 21st of June; the sureties being Mr. Eugene F. Correia and the Atlas Assurance Company, Limited, London.

Q. 4.—If the contract has been entered into what supplies have been made to date?

Q. 5.—Is Government satisfied with the quantity of stone supplied to date?

A. —The Contract was concluded only a week ago. However, the Skull Point Company supplied 2,024½ tons of boulder stone prior to the signing of the contract on 21st June under the same conditions and at the price provided for in the contract.

Q. 6.—If the answer to question 5 is in the negative has Government made any provision for supplies from any other source?

A. —See answer to questions 4 and 5.

Q. 7.—Has Government made any provision in the contract for a penalty of for liquidated damages for the failure of the would be supplier to meet his obligations under the contract?

A. —Yes.

Q. 8.—If the answer to question 7 is in

the affirmative what sum has been fixed as a penalty or as liquidated damages?

A. —\$20,000.

Q. 9.—If the contract has been entered into and the supplier is in default of supplies will Government take steps to enforce the penalty clause?

A. —The supplier is not in default.

MAJOR DARLINGTON'S U.K. MISSION

Q. 1.—For what period has Major C. E. Darlington, Principal of the Kingston Trade Centre been away? Give date of departure from the Colony?

A. —1 year. 12th June, 1949.

Q. 2.—Has any machinery been received or information of selection of technical Officers?

A.—The greater part of the machinery acquired for the Institute has now arrived in the Colony. Two technical officers have been selected. Selection of others is proceeding.

Q. 3.—What has been the cost to Government to date of Major Darlington's —

(a) Passage to England.

(b) Subsistence.

(c) Daily Rate.

(d) Cost of travelling around in course of selection.

(e) Who is deputising for the Principal?

A—(a) \$308.00.

(b), (c) and (d)—The daily rate of subsistence is \$7.20. Figures to date are not available but the cost of Major Darlington's combined travelling and subsistence in the United Kingdom was \$1,196.18 up to the 6th of February (the latest date to which accounts have been received from the Crown Agents).

(e) As the Institute has not as yet been established, it has not been necessary to appoint a deputy.

The COLONIAL SECRETARY: I would like to add for the information of Members that it is expected that Major Darlington will leave the United Kingdom on or about the 9th of July.

GAMBLING AND PUBLIC LOTTERIES

“WHEREAS the Gambling Ordinance, Chapter 95, was passed in the year 1902;

AND WHEREAS it is desirable in view of conflicting public opinion to investigate whether there should or should not be a new Ordinance;

BE IT RESOLVED that this Council request His Excellency the Governor to appoint a Committee to make such recommendations as it may deem appropriate with regard to any amendment of the Law as it stands at present in relation to all forms of Gambling and Public Lotteries."

Mr. WIGHT: Sir, in moving the motion which stands in my name on the Order Paper I do not intend to go into detail as to the legal aspect of the present Ordinance and the amendments that are in force in the Colony, but the main point that I would like to ask the Council is that a Committee, as the resolve clause states, be appointed to investigate these Ordinances and to go through them critically and see whether there can be any amendment or if there is any necessity for amendment of the present Ordinance. The Principal Ordinance was enacted in 1902 and has received certain amendments, the last being in 1941. The hon. the Attorney-General has reminded me of a later amendment in 1950. So there have been from time to time amendments in the intermediate stage—alterations of the Schedule and general discussions on amendments which were mainly around the point as to the running of Sweepstakes by the Demerara Turf Club.

As hon. Members are no doubt aware, there is a great deal of conflict of opinion on the question of gambling as a whole. We have had addressed to us a circular from the Ministers' Fraternal on the question of gambling. But while we may feel that gambling is a vice, others think the people should be at liberty to indulge in that vice in a moderate way and controlled by legislation. The Common Law of England recognizes gaming, as they call it, and it is banned in certain forms as illegal by statute. In the old days we had cock-fighting and things of that kind and we still have it now but, I understand, cock-fighting is really not legal. The Statute in England, the Gaming Act, prohibits certain forms of gaming and legalizes other forms, the main ones being horse-racing and lottery and the quite recent innovation, dog-racing. It is a

matter, as I say, of opinion and a conflict in that opinion as to whether we should allow gambling, or enlarge or restrict it in certain prescribed forms under the law, as the Committee may find. We have, for instance, one section of the Ordinance which is more observed in the breach than in the observance, and that is the section dealing with lotteries outside the Colony or, as a matter of fact, sweepstakes out of the Colony, such as the Irish Sweepstakes and other sweepstakes held in the West Indian Islands. Those are illegal; if they are brought in this Colony and the money is received in this Colony that constitutes an offence under the Ordinance. Everyone of us knows quite well that it is quite common to purchase these tickets in several forms though we are breaking the law. Some lucky members of the public have actually won large sums in the Irish Sweep. The other day a member of this community won a first prize in the Jamaica Sweep and no doubt others have had chances of winning prizes in the other Colonies.

It does seem that while we talk about neighbourliness, federation, uniting in various forms and the several branches of the Service, we may even unite in indulging in this form of play. It seems to me there is no harm in a person having an odd shilling or two and desiring to take a chance in the purchase of a sweepstake ticket. There seems to be no harm in that. I do not think we can say that is an illegal form of sport, if we can so term it. It can in no way detract from the man's character. You have gaming in certain clubs the idea being that you do not pass money but chips. But we know what the chips represent, and we know that money is eventually passed. I remember some years ago when I was sitting on the Bench as an acting Magistrate a case came in front of me for gambling. The law is very strong on the poor man who happens to gamble outside and who gambles with money, and there is a minimum penalty attached. While I was supposed to uphold the law and had to convict the men, I had to give them some advice, and that was to buy chips and proceed as they do in a recognized club. I thought it very hard, as I had just the previous afternoon, not 24 hours before, myself indulged in that same form of

card play, to punish those unfortunate people for doing what I had been doing, the only difference being I was passing chips across the table and they were passing money. It is recognized that you cannot have illicit gambling all around the street corners and in the open places, and there must be some form of control even in clubs. There seems also to be the case where in one or two instances certain poor people have been prosecuted. Recently one such person whom I defended was so poor that he could not pay the fee. It is true that he was reprimanded and discharged, but that was a case in which the man made his living by selling sweepstake tickets. He is known by a pseudonym. I will not call it because the gentleman strongly objects to the pseudonym by which he is called. We have several others. There is one well known ticket-seller who has been successful in certain ways. She is known to us as "Mabel". I know personally even on the strength of making a living out of the selling of these tickets she won on one occasion and donated \$100 back to Charity out of her winnings. So there is good in it and evil in it.

There are quite a number of details which, I feel sure, can be ironed out in the Committee and the Committee can receive assistance from those better equipped than I, when it goes into the details. There is one ex-Magistrate, I feel sure, with his knowledge of gaming, etc., who will be able to assist the Committee to a large extent. On the whole he is an authority on various forms of gambling. I do not know whether he actually plays cards very much, but I know he loves horseracing and he participates in the buying of sweepstake tickets with no mean success. I commend to the Council the motion, which I have standing in my name, for Members' support.

Mr. ROTH: I have pleasure in seconding this motion

The PRESIDENT: Does the hon. Member suggest a Committee of this Council?

Mr. WIGHT: I would suggest a Committee of this Council, and the Committee would no doubt be empowered to have

one or two persons giving evidence or sending in memoranda. I would prefer a Committee of this Council. If other Members think, however, that a Committee comprising Members of the Council and persons outside I myself would offer no objection.

Mr. LEE: In supporting this motion I feel that in that Committee there should be included certain members of the Ministers' Fraternal, because they are to a certain extent opposed to lotteries. They have circularized us. But I would like to draw their attention to this fact. It is to my knowledge and, I think, to the knowledge of the Ministers' Fraternal, that the Irish State Lottery, which is called the Irish Sweepstake, has produced money which has been used in very useful directions. As far as I am told, at one time the hospital in Dublin was considered one of the best equipped hospitals, perhaps, throughout the world, and all that came through the receipts from percentages of the Irish Sweepstake. Apart from the hospital several other Charities have benefited from that money too. If a close enquiry is made it would be found that, perhaps, sooner or later we have to extend our Social Services and it would be a welcome thing to have a State Lottery here. I remember rightly that at one time a suggestion was put forward to the Georgetown Municipality that they should conduct a lottery in order to raise funds provide some of the necessary amenities of life for the people of this City. It was turned down, and I cannot tell you whether that was done wisely or unwisely, but we are now finding that taxes will have to go up if other things are to be done. Our Social Services need improving and we desire to have Family Allowances introduced. I think, Sir, that an enquiry by a Committee of all Members interested and those against, to make a thorough investigation into it and submit their recommendations will be of great benefit to the Members of this Council. I heartily endorse the motion and ask that such members of the public, as I have referred to, be members of that Committee.

Dr. JAGAN: While I rise to speak on this motion I would have preferred if the hon. Mover had given us more details as to what he had in mind before intr-

ducing such a motion in this Council. We do not know whether he refers to a State lottery or whether he wants to legalize Bingo games. His motion is very vague and the explanation which he has given was just as vague as the motion, because that probably was the most debatable had in mind was that a State lottery should be introduced that seems to be the main issue today. I know that the Fraternal have issued

I believe most Members of the Council have received, objecting to any form of State legalized gambling. No doubt there may be very justifiable reasons for that. I know that in other countries there have also been objections by the Churches. Some time ago when, in the United States Mr. Harold Knutson introduced a Bill authorizing and directing the Secretary of the Treasury to conduct prize drawings as a means of raising additional revenue for defraying war expenditure, and of financing increased Federal grants for old-age assistance after the termination of the then unlimited national emergency, the Executive Committee of the Christian Council of Atlanta (Ga.) passed a resolution petitioning the President and Members of Congress, especially those from the State of Georgia, to use their influence to defeat the National Lottery Bill sponsored by Mr. Knutson.

Apparently that view is held by the Church in most countries, but there are many sides to the question of a national lottery. Whereas the Christian Churches in British Guiana object to lotteries I note that at the recent sweepstake drawing a Hindu priest won one of the first prizes. There may be other circumstances which indicate that in certain respects even the Churches themselves tolerate some measure of gambling. Recently we have had the invasion of the Bingo game in Georgetown, and I know that a few Church organizations are participating in this game, probably for the purpose of raising money for those organizations.

There is one aspect of the question with which I am particularly concerned. Since I became a Member of this Council I have been following up the articles which have been written by the hon.

Nominated Member, Mr. Roth, in support of a national lottery. I also wrote to the Pan American Union in the United States, and with your permission, Sir, I would like to find the important paragraph of the organization of America says:

national lotteries: Brazil, Chile, Costa Rica, Cuba, Dominican Republic, Haiti, Mexico, Nicaragua, Panama, Paraguay, Peru and Uruguay, Colombia and Venezuela have state lotteries and in Ecuador there are privately-run lotteries."

This letter was addressed to me since June 4, 1948. It seems that in certain countries there are objections to Government participating in any form of gambling. In the United States opinion is very much divided. Even in Great Britain there is a great deal of objection to it. In the United States some time ago a Gallup poll was taken which showed that 61 per cent. of the voters in the nation were in favour of legal betting. Another investigation indicated that 9 million people in the United States favoured lotteries to aid in cutting taxation by increasing the revenue of the country. In the *Reader's Digest* there is a quotation which says:

"Practically every important national Government in the world—except Great Britain, Japan and the United States—promotes some kind of public lottery."

In fact Japan has gone a bit farther afield by issuing bonds with lottery features which, I believe, might well be adopted in this Colony. We know that in many cases we have had great difficulty in raising loans, and in many cases we have had to pay very high rates of interest. If we can issue bonds in the Colony with lottery features, perhaps bearing interest at say 1½ per cent with a lottery feature of another 1½ per cent., making a total of 3 per cent to be given in the form of a lottery, I am sure that many members of the community would subscribe in the hope of winning a lump sum of money. As the hon. the Financial Secretary said some time ago, we have a lot of money in the Post Office Savings Bank where depositors are only getting 2½ per cent.

interest, and probably that money is re-invested in other countries. There is no reason why we should not encourage those savers to invest in this Colony Government bonds either by loan or national lottery. This and if we can use we have need for money I feel that we which should be raised by increasing revenue by increased revenue lotteries to raise revenue would go a far greater way in our country.

Only last week, when we were discussing the old age pension motion which I introduced, objection was raised to the reduction of the age qualification from 65 to 55 years, and the abolition of the means test, on the ground that it would involve an additional expenditure of nearly a million dollars. It was also asked where the money would come from? I am sure that if we had a national lottery in aid of the old people of the Colony the people generally, young and old, would subscribe to it. There is also the Best Hospital where many unfortunate people need hospitalization but cannot get it. In the neighbouring Latin-American countries hospitals are built with funds raised by lotteries, and only recently a modern dental clinic was built in a neighbouring Latin-American country. These things can be done in this Colony and I feel sure that if a Committee was set up (I do not know whether the hon. Member intends that there should be a directive to the Committee to investigate a national lottery, or whether he contemplates something wider in scope) it would give careful consideration to the memorandum issued by the Ministers' Fraternal, and that when its report is brought before this Council we would be in a better position to decide whether this Council should recommend that a national lottery should be instituted in this Colony. I can see that it would mean great benefit to the people of the Colony as a whole, aside from bringing unexpected happiness to a few people.

Mr. DEBIDIN: In support of the motion I wish to make just a few comments. With regard to the suggestion of the hon. mover regarding the sale of sweepstake tickets of other countries in this Colony I feel that it may be a risky

undertaking in view of the possibility of more attractive prizes being paid by outside sweepstakes. We have to be very wise if we would be open the door to purpose for which we other countries we sweepstakes. reciprocity, other-defeating the very we are running our

The hon. member also referred to gambling in the rural districts. I am glad he has done so, because not only Magistrates but lawyers have come to the conclusion that the Gambling Ordinance should be amended so as to provide some protection for people such as sugar estate labourers who, in the cool of the afternoon, gathered together between their ranges at a time when there were few community centres, and indulged in a very friendly and innocent game of cards for a few cents. Such people have been raided by the police and prosecuted for gambling. That has been going on a long number of years, and I hope that if a Committee is appointed it will see what can be done for the protection of such people.

At the same time, in the interest of the youth of this Colony I cannot help saying that there is too much proneness to drink, gambling and lawlessness, and whenever a Committee is considering the question of relaxing the law against gambling I think it should think twice before it gives further licence to lawlessness. I do not like the way some of our young people are disporting themselves in gambling, especially in the City of Georgetown. That is a risk we should not encourage.

On the question of lotteries I had an opportunity to see the enthusiasm of the people of Colombia over a lottery run there. Loud speakers in certain squares and hotel proprietor the object of that lottery. If it is decided to institute a lottery in this Colony it must be run purely in the interest of some charitable cause, and not run in the name of the Government of the Colony as a Government lottery. If it is run for the benefit of a particular social cause I feel certain that it would find popularity not only among the people but with the religious bodies. I have also received a communique from the Minis-

ters' Fraternal, and I know they are very anxious about the question. In the case of clubs and charitable organizations which endeavour to raise funds by holding fairs, the police have the right to object to what are known as the over—and—under boards, spinning boards and all games of chance which yield tidy sums, but they have been very indulgent, and quite rightly too, by permitting charitable causes to run such games. They nevertheless remain illegal, and in matters of this kind the Committee might well consider what amendments are desirable in the Gambling Ordinance.

Mr. SMELLIE: This motion merely requests Your Excellency to appoint a Committee to consider the question and make recommendations. As the hon. Member for Central Demerara (Dr. Jagan) has pointed out, it is rather vague, and I do not intend at this stage to express any opinion on the question of State lotteries or on any other point that has been brought up until the proposed Committee has reported. Then I shall have some remarks to make. There are several Committees in existence at this moment and you, Sir, a few moments ago announced the appointment of another. Quite a number of motions have been submitted at this meeting, some of which may be the subject of investigation by other Committees. I would just like to say that unless members who are appointed to Committees turn up to the meetings, and not only turn up but turn up in time, such Committees inflict an intolerable burden on some of us who take pride in punctuality. ("Hear, hear"). I understand that the hon. mover of this motion is on more Committees than anybody else in this Council, and I do hope that these remarks of mine may be given heed to. I am not afraid of work, and I do not mind sitting on Committees, but I do object to sitting around waiting half an hour for the Committee to start work.

Capt. COGHLAN: The mover of the motion has indirectly referred to me, and I feel called upon to say something, as I think I am the only Irishman in this Council, and I certainly support the motion which contemplates something based on the Irish Hospitals sweepstake. We all know that that sweepstake is run by Irish-

men and has already provided something in the region of between 16 and 20 million pounds for the hospitals in Dublin. As the mover has rightly said, those hospitals are second to none in Europe, due to the same lottery which he proposes should be run here. I do not think that we should go into the question of gambling because it really has nothing to do with the Irish Hospitals sweepstake or the running of a lottery. If it did, I can assure the Council that they would not have had any legalised gambling in Ireland. What is gambling? Gambling really is taking a chance with money which you can ill afford.

There have been cases in Court dealing with gambling. I recall an occasion when five workmen were brought before me in Georgetown charged with gambling by the police who took up all the stake they were playing for and submitted it as an exhibit in evidence. The total sum the police got was five cents! I said to the Police prosecutor "Surely you can hardly consider it gambling when five men are only able to put up five cents which they were playing for at the time. That can hardly be considered gambling because men earning say \$5 per week can certainly afford to play for a stake of a cent at a time. You would not dare to enter the Georgetown Club and accuse the members of gambling because they were only playing for stakes they can afford, and their wives and families were not suffering anything as a result of their gaming with cards." For the same very logical reason I fail to see that there is not some misinterpretation of the law if a few workmen who sat down to a quiet game of cards for a stake of a few cents can be charged with gambling. I have only referred to that incident because it was referred to by my friend, the mover of the motion, and also by the Member for Eastern Demerara (Mr. Debidin). I fail to see that the investment of a shilling or a dollar in a sweepstake or lottery ticket in order to help some charitable cause can be considered gambling.

Mr. WIGHT: I thank hon. Members for their audible and silent support of the motion. In reply to the charge of being vague I may say that I have been

deliberately vague, so that all forms of gambling and public lotteries may be investigated. The motion so states. Therefore I would rather be vague and indefinite than be specific and definite.

With regard to the fears expressed by the hon. Member for Eastern Demerara (Mr. Debidin) of allowing outside lotteries to creep into the Colony and perhaps help to kill the Colony's sweepstake, I would say that that is also a matter of detail, and if necessary a tax could easily be placed on each such foreign ticket sold, and some form of control could easily be evolved with regard to the sale of tickets from outside. The Committee might come to the conclusion that all tickets coming into the Colony should be sold through a particular organization which would have to pay tax on each ticket as is done in the case of the Entertainment Tax. As the hon. Member for Central Demerara (Dr. Jagan) has said, we would thus be gaining revenue from all forms of gambling and public lottery.

I also agree with the hon. Member's suggestion that the Committee might investigate the possibility of some form of State lottery for the purpose of creating a fund or nucleus for the improvement of our hospitals. We have heard quite a lot about the poor equipment and the need for hospitalization. Those are all matters which I feel sure would receive the earnest consideration of the Committee. It is quite true that there are two forms of lotteries known on the Continent, and more especially in Italy. One is in the form of private lotteries and the other in the form of State lotteries. They are all worked on different bases. Your investment is secure and you get a return on it. Weekly or daily, there are State lotteries and that is a very popular form of gambling on the continent. It is indulged in by the poorer classes particularly, and I feel sure we would have have these forms of obtaining revenue. As long as a man buys—for a shilling or a cent—we would be able to get taxation on every form of gambling—in a club or otherwise. All that would be a matter for detailed consideration by the Committee, however, and I do not think we should burden this Council with it.

The PRESIDENT: Very well then. I take it that it is left open to me to appoint either a Committee of the Council or an independent one.

Mr. WIGHT: As Council desires, or as Your Excellency desires.

The PRESIDENT: I will now put the motion.

Motion put and agreed to.

INCREASES FOR GOVERNMENT PENSIONERS

Mr. DEBIDIN: I desire to move the following motion standing in my name:

"WHEREAS salaries and wages have been revised and accepted by the Legislative Council for Civil Servants and wage earners under Government to an extent commensurate with the increase in the cost of living at as high as 212 points;"

"BE IT RESOLVED that this Honourable Council recommend the payment of increased pensions to all pensioners of Government to be calculated at present rates on the amount each such pensioner would have received under the new scales of salaries and wages at the point or grade at which he left had he still been in the service of Government, when such new scales of salaries and wages became operative."

This motion, Sir, relates to a band of people in this Colony for whom I have the greatest regard and admiration. Pensioners are really a reminder to us of the solid and honest foundation laid in the Civil Service in the years gone by. They have given of their best—of their strength and of their brains—and they left at a stage when they needed assistance. That is why I am asking for further consideration on their behalf. What ever credit or whatever success the Civil Servants of this Colony can boast of today, it is directly attributable, to my mind, to those who have gone before them and who have built up the tradition of the Colony's Civil Service. I know of the service which those connected with me used to give in the old days. My own father was a civil servant and I know how he would take his papers home and work into the late hours of the night,

and that went on from day to day. So it is that we can say today that the Civil Service has built a tradition of hard and honest service through their predecessors in office.

It has been said that very few civil servants live long enough to enjoy their pensions fully. I think that has become a popular saying and that it is borne out by the Estimates for 1950. The actual figure for the clerical staff of the Public Service is only \$338,000; while the figure for Police pensions is \$53,872 and the figures under the other heads are very small. As I have already said, these people have given valuable service and we must remember that when a civil servant retires at the age of 60 years, as most of them do, he has already built up a home and a family and has been living at a certain standard of life commensurate with the salary he was receiving at the time of his retirement. After retirement civil servants receive a mere percentage of what they drew as salaries. It is true they are entitled to lump sums, but when we take the actual income in the form of pensions we are reminded of the fact that they must, of necessity, revise their domestic budgets and alter their way of living after retirement. I think, therefore, that the same consideration should be given to these pensioners as that given by the Salaries and Wages Commission to the public servants of the Colony.

On many occasions we have heard the Financial Secretary and Treasurer refer to the fact that pension is really deferred payment of salary. I am going to refer to that today and say that if that is so and if the salaries of public servants had to be revised to meet the cost of living which has been soaring during the war years and after, I feel sure none of us here today would think that the pensioners do not merit similar consideration to that shown to those whose salaries were revised. We must remember that most of these pensioners, perhaps, have had to give up their homes in order to secure houses of a lower rental. We know, however, that while they may go into smaller houses and use fewer items of food and luxury, they

must become exposed to some of the economic difficulties and vicissitudes which confront other persons in the Colony. One cannot say too much in asking Members of this Council to carry their minds back to a class of people who have been forgotten because they have retired from public view and public activities.

The motion is a very simple one; it merely seeks to bring the pensioners in line with the civil servants of the Colony and asks that they be given similar treatment. Let us take, for example, a Class I clerk who has retired. He has given creditable service in that particular class for a number of years, and today the holder of the same post is giving the same service—as it must be assumed that all civil servants give of their best and that they were qualified when they got into the Service, because a qualification test was always there. I know that some of the civil servants who have retired have given to us more than they were expected to give. I am asking this Council to consider that the same value must be placed on service given in the past—whether it was for a 10 or a 20-year period—as that being given today. It is the same service and for that reason the same value must be placed upon it. In other words, if a Class I clerk retired at his maximum a few years ago, he would have been getting a salary which is smaller by far than that which he would have been receiving since the salaries were revised. Therefore, why should his service be deemed to be less in value than that of the Class I clerk of today.

I am also saying that in the calculation of pension the clerk who retired before the salaries were revised should be regarded as receiving the same salary he would have been entitled to if he was in the Service at the present time. That would be the only equitable thing to do. One might find a case of two clerks—let us say Senior Clerks—working in the same office or in adjacent offices. One might be just two years younger than the other and might, therefore, be in the Service in 1949 when the revision of salaries took place, while the elder had retired two years previously. It follows,

therefore, that the pension of the clerk who is just two years younger would be calculated at a much higher rate than that of the elder. Why should the older man who gave similar service have his pension calculated on a smaller salary because of the accident that he retired after the salaries were revised. It may be said that Government has given a cost of living allowance to all civil servants but it is a well-known fact that the percentage for the smaller men is still too small. I repeat that an equitable approach must be made to this whole problem; that is what the motion calls for. It is necessary for me to refer to certain considerations and I should like, first of all, to refer to the fact that when the Salaries and Wages Commission set about their task they had in mind (1) the removal of anomalies, and (2) the bringing of salaries and wages up to a standard which would take in the cost of living index. At page 4 of its report the Commission states:—

"7. Before concluding this part of the report we desire to invite attention to the Cost of Living Index. We stated in the interim report that the Commissioners had accepted the official Cost of Living index for working class families in Georgetown as providing a reasonably accurate reflection of the rise in the cost of living for the Colony as a whole. At the time of writing the interim report that index stood at 200 (1939 100) and we pointed out that there were indications that it would continue to rise owing to external causes beyond control, quite apart from the effect of Government's policy to reduce and gradually eliminate subsidization measures; and that in framing the schedule of revised wage rates we considered it desirable that the appropriate basic minimum wage rate should (in the words of the interim report) correspond with a Cost of Living Index at 212 and tolerate a further rise of up to say 10 points above that figure."

In the next paragraph the report emphasizes that and says:—

".....Nevertheless, the important fact is that the general Index is well below the point at 212 at which the revised wage structure was based. It is possible therefore that the hope expressed in the interim report that the maintenance of the full revised wage rates will secure a much needed rise in the living standards of the low income groups will be realized."

The Commission took into consideration the lower-income groups and in revising salaries and wages they adopted a cost of living index which was higher than the one existing at the time. In other words, the cost of living index was then 200 but the Commission adopted one of 212—exceeding it by 12 points. It seems to me, therefore, that if the 1939 index was taken at 100 and this was doubled when the revision of salaries and wages took place in 1949, I respectively suggest that the pensions affected by the 1934 and the 1944 Ordinances should be doubled completely and the pensioners concerned should get a little more than twice the amount they are receiving. It seems to me that such consideration would remove the anomaly that present day civil servants should be favoured or better considered than those who have gone before.

When one looks at the history of the situation, one finds that there were three attempts to grade the salaries of civil servants, the first being in 1934. Before 1934 there were only 83 pensioners on the list, and if we look at how salaries were classified in that year we would find that the scales were not very much different from those of 1944 and 1949. Probationers started at \$360 and went right up to \$1,200 per annum, in 1934. In 1944, while probationers were done away with, you had Class I and Class II clerks. A Class II clerk started at \$360 per annum, and then you had the same long line—up to \$1,200. When we come to 1949, we find the same Class I and Class II, but instead of starting at \$360 a Class II clerk started at \$600 per annum. The only difference I see is that instead of Senior Clerks they now use the name "Principal Assistants and Departmental Staff Officers" and they have in brackets "previously styled Senior Clerks." If one looks in the 1950 Estimates he would see the three scales set out. Therefore, this question of determining what should be the position of a pensioner who left the Service in 1934 or 1944 should not be difficult because the grades are identically the same except for the way in calling them.

In the 1949 scales we find a big jump—there is no question about that—and

that is why pensioners are entitled to claim a jump also. Why have the civil servants been given this jump in salary?—because of the high cost of living they have to face. We now find a Chief Clerk getting \$3,000 to \$3,600 per annum, and if a man retired at the top of this class even a few months before the new scale came into force he must, on the primary principles of equity, be deemed to have left at the maximum of the present scale and his pension should be calculated accordingly. As I have already stated, the value of the service given by the man who retired a year or so before the revised salary scales came into force, is the same as that given by the man who retires after. At the present time a civil servant's pension is calculated at 1/720 of his final salary—for the last 3 years; but in the old days it used to be calculated at the rate of one-sixtieth of the annual average amount of the salary of the officer for the last five years. If that was the way it had to be calculated today, then I say it would cause a great deal of difficulty, because you would have to find a five-year period always. But where the pension is calculated on the salary at retirement, it makes a difference. The position is calculated today on the basis of 1/720th of the final salary multiplied by each month of service over 20 years. So when we come to consider the justice and the merit of the motion it comes to this:

Since the calculation today is on the salary which has been put up to a very high amount, I feel that Mr. X, once he is alive and has to face the burdens of life and the cost of living, if he left at the top of the Senior class, should have his pension calculated at the same rate as today. If he served 20 years and had no promotion but had four years' service in the Senior class, when we come to consider his pension it is only right that he should get the same benefit as the present day officer of that class. In other words, if the salaries and wages have been passed to remove anomalies, let us also remove them for the ex-Civil Servants of the Colony. Let us assume that they had been drawing salaries at the same scale as the officer of today and calculate the pension accordingly. Under chapter 204

I want to give to Members the way in which pensions are calculated today in the three categories. It is 1/960th of the annual average salary for the last five years multiplied by each month of service over 18 years. That is if you take a five years period before retirement. Ordinance 20 of 1930 then changed it to 1/720th of the final salary multiplied by each month of service over 20 years. Later, in 1944, by Ordinance No. 39 of 1944 there was a slight amendment whereby a Civil Servant can retire at 55 and the scale made 1/600th of the final salary. So that from 1930 the form of calculation of pensions has been a fraction of the final salary as against what it used to be—over a period of years—and today, I respectfully submit it will be completely an easy matter for the Treasury to determine what a pensioner will get. It does not matter what time he retired, all you want to know is at what time or point of service he retired, and looking at it at the present scale calculate his pension.

This motion does not require any great amount of work on the part of the Treasury Department, I respectfully submit, the way in which I have put it. One has not to go into the question of percentages up and down the scale, and the Civil Service Association cannot come and say the percentage is too small because the pensioner will be getting the same pension as any person in the Service gets today. I respectfully submit that will be adequate and the Civil Service Association will have nothing to complain about. That in short is the aim of my resolution clause. There is one thing I should mention and that is, today's rate of calculation of pension assistance is 40 per cent., on the first \$60, 8 per cent. on the next \$60 and above \$120 there is a flat \$24 given in addition to the pension. In other words, that is a very small amount not reaching 50 per cent. above the very small pension which had been calculated at a time when the salary scales of the Service were in great need of revision and, therefore, a percentage increase upon what is small may still be small and inadequate to that Civil Servant. Government need not have any fear that this will land the Colony into any great expense. It is bringing the

pensioners into line with the Civil Servants and at the same time creating a state of equity appreciated by all in and out of the Civil Service.

I should refer to the fact that the total amount of pensions, including the Police Force which has the largest number of pensioners, is \$350,000. Assuming that the assistance of 40 per cent. on the first \$60 and 8 per cent. on the next \$60 and a flat rate of \$24 above \$120 has already brought them in some cases not far from what they would get through my motion, I cannot imagine that increase is more than a few thousand dollars, and I think very little more will be added to that \$350,000 should this Colony give to that class of people the consideration which has been given to the Civil Servants of this Colony. There are in respect of the Public Service 333 pensioners of the Clerical Service receiving \$238,354.22, 41 Police Officers pensioners receiving \$5,580.33, 6 Militia pensioners receiving \$1,281.29, 4 Pilotage pensioners receiving \$767.70 and 473 Police pensioners receiving \$38,218.76. Then there are several grants by the Executive Council given under Chapter 204 to a special type of pensioners in extraordinary cases, 82 of them receiving \$12,364.23; and then there are the Widows and Orphans' pensions — 103 receiving pensions aggregating \$53,978. We had asked the hon. the Financial Secretary what that Fund was and he told us it was in the vicinity of \$1,000,000. If the pensions to the Widows and Orphans do not come from general revenue, then we can deduct that \$35,978, and the total number of pensioners including policemen will be 933 drawing pensions totalling \$296,494.53. This does not take in the Transport and Harbours Department. I may mention that I could not get the figures for that Department, but that could not be more than that of the Police. But we have it here that if you include the Widows and Orphans the total would be \$350,000 and if you exclude them it is a matter of \$296,000.

We therefore ought not to be afraid that this motion would mean an extraordinary addition to the expenditure of the Colony, and I respectfully ask that we do justice to that band of people whom. I

would say, it would be cruel if we do not help. It would be as cruel as in the case of a person who works a donkey for a long number of years feeding him with oats to get the best from him and after he has dropped his teeth and has become weak in the legs turns him out on barren soil to feed on that land. That is what we will be doing if we turn them out without giving them consideration not more nor less than that given to the Civil Servants under the new revised scales of salary. I commend this motion as a simple and workable motion and one which is equitable in all respects.

Dr. JAGAN: Sir, I have listened to the speech of the hon. Mover of the motion and, I must say, his arguments are very convincing. We have had salaries and wages brought up to date, not only the salaries of Public Officers but the wages of the unskilled worker taking into consideration the present high cost of living. There can be no doubt about it, the pensioners who have been receiving pensions under the old and low rates of salaries are experiencing hardships in this day of very high and increasing cost of living. It may be due to the fact that our system of calculating pensions is entirely wrong. What we are doing is merely to give back to an individual a certain amount of what he may have contributed during his period of service. I remember the hon. the Financial Secretary making the point that these people have contributed in some way or another towards their pension, and if they have contributed a certain portion dependent on their salaries then they should only get a certain amount at the end of that period of service. While that argument is quite valid, nevertheless in principle I feel the argument is quite wrong, because the foundations upon which it is based are very weak. People who have given service, maybe for the past 20 years, have no means of knowing the cost of living will increase at a certain period of time when they are about to retire or after they have retired. It may be that certain other individuals may be very fortunate. For instance, those who may now retire under the very highest scales of salaries which have been given, if within the next 10 or 15 years the cost of living has been

reduced considerably. The system, therefore, as it is operating at the present time, may in certain instances create hardship and in other instances create advantages. The hon. Member who has moved this motion is attempting to alleviate the hardships which have been imposed by the existing circumstances.

The sooner this Colony gets down to a real National Insurance the better it will be for all concerned. That is, persons whether they are disabled, or sick, or have retired from old age, should be given assistance to take care of their needs for the particular time, but until such time has arrived and until such National Insurance schemes have been inaugurated something definite must be done, despite the provisions of the law, to bring justice upon the scene. I have a book entitled "Czechoslovakia National Insurance" in which the same principle is attempted to be solved. With your permission, Sir, I would like to read a relevant section.

The PRESIDENT: That is about National Insurance!

Dr. JAGAN: But it definitely has a bearing on Pensions, because at the present time, despite the law or because of the law, pensioners are experiencing hardships. When we were discussing the question of Old Age Pension only a few days ago, I remember the hon. Member for Western Essequibo (Mr. Wight) mentioned the fact that some time ago he proposed the institution of a Committee to be set up to consider the whole question of National Insurance. I believe if we do so at this time we would be doing no harm, especially as the Committee which was appointed felt it was not competent to deal with that subject at the time. Sir, if I may be allowed to read from page 16 the modern principles which found application in the Act which was introduced in Czechoslovakia in 1948:

"The new concept of the conditions of benefit, i.e., that only loss of earning capacity constitutes a claim, and not disability, old age, or death as such. Thus, the last trace of semblance with private life or accident insurance vanishes."

This is the main point which really applies:—

"The departure from the previous principle of "merit". According to this principle the rate of benefit is affected by each insured month or week (no matter how long ago), and by the wage gained in such a month or week, or the contributions paid in respect thereof. This system had its analogy in the actuarial balance between contributions paid and the rate of benefits. Our time has taught us the defects of that system: earnings of 10 or 20 years ago cannot be considered a just basis for the assessment of a pension on which the insured person has to live today. The National Insurance Act leans towards the principle of "need", and on that basis determines the rate of benefit; that is to say, benefit is assessed in accordance with the insured person's standard of living. Rates of benefit are thus automatically adapted to existing living costs and the expenditure of national insurance is stabilised from the very first, benefit being constant...."

What the Governor there has sought to do is to introduce a system of National Insurance whereby persons on retirement get a pension which will meet the present and existing cost of living. In view of the fact that we have no such National Insurance in this Colony, I feel that the motion which the hon. Member has introduced at this time is commendable and should meet with the support of Members of this Council, because the motion is simply trying to arrive at the same thing; that is, that persons who have worked and who have given faithful service to this Colony should at this time because of the high cost of living experience no difficulty in their living standards. He is proposing the way which would alleviate their sufferings. I feel the suggestion which he has made has great merit, and I heartily support it.

The FINANCIAL SECRETARY & TREASURER: I think I should intervene at this stage in order to try and clarify the situation, because with all due deference to the hon. Mover of the motion he has succeeded confusing the issue beyond all understanding. Before I deal with the subject I would like to say I welcome his intense admiration of retired

Civil Servants, seeing that I myself probably will shortly be retiring. I hope that at that time if not now that admiration would fall on me. He admires the retired Civil Servant more than the serving one.

The position about pensions is this: During the early years of the war when the cost of living began to rise there was a pressure by the pensioners for some relief, and the somewhat harsh and formalistic theory was advanced, not in this Colony but by His Majesty's Government for general application, that a pension was not susceptible to increase by cost of living allowances. It was held that a pension was mainly a saving of money over a period, and just as the person who was not employed in the Public Service and had attempted to provide for his old age and his own personal superannuation by saving his money could not get an increase on his income, in the same way those who were being paid pensions from the public purse should not be able to get a more favourable position than the private individual who was looking after his own old age. I said that was a very harsh way of looking at it. There was later a change of heart, and then there came the time when it was decided that as pensioners were suffering serious hardship some relief ought to be given them notwithstanding this directive.

So in 1944 this Council passed a resolution authorizing the payment of a temporary cost of living allowance to pensioners on a very small scale, it is true. It was only 15 per cent. on the first \$20, 10 per cent. on the next \$20 and 5 per cent. on the next \$20 with a minimum pension of \$3 per month. A pension is of course not a living wage. It is something granted in relation to service. Nevertheless it was thought in those cases where the pension was particularly small no one should get less than \$3 a month. It was not intended to represent the minimum cost of living of the pensioners concerned. That continued for three years and in 1947 there was a slight improvement approved by this Council in the scale of allowances. It was then made 20 per cent. on \$720 a year with a maximum of \$1,200, and the minimum was

raised to \$4 per month. Then in August, 1948, this Council approved by resolution of a further increase in the rate of cost of living allowance to pensioners. The new scale, which is still in force, is 40 per cent. on the first \$720, 8 per cent. on the next \$720 and a flat rate of \$24 for pensions above \$1,440 a year. That scale was brought into force in August, 1948. and is still in force at the present time.

Where the hon. Mover made his fundamental mistake is this: This subject is extremely complex and very difficult, and the Treasury has been for some time now trying to ascertain what is the best policy to recommend to the Government for consideration in this matter. Quite contrary to what he said, it has been found that the pension, computed on the revised salaries which have now been put in force from the 1st January, 1949, is in many cases lower than the pension plus the cost of living allowance under the old salary scales. It is strange that just before I knew that this motion was coming to this Council I had on my table presented to me by one of the clerks a statement showing a number of cases of policemen where this anomaly has occurred and occurred substantially. I will not call names, but here is case No. 1 who retired on the 13th March, 1949. He came within the revised salary period but his pension was first computed on his unrevised salary scale. Before the revised scales came into force he was drawing a pension of \$16.87 per month with the cost of living allowance of \$6.74 making in all about \$24 a month roughly. Then quite rightly his pension has been recomputed on his revised salary, and it turns out that the pension to which he is now entitled by law and must get is only \$17.13 per month. There are about twelve cases of that nature discovered already, and it does not only apply to Police pensioners but to some Civil Servants as well, and the reason is clear.

Again quite contrary to what the hon. Mover said, pensions are still computed on the basis of an average of salary over a period of years with certain exceptions. Under the old Pensions Ordinance, as he did say, the pension is computed on the

average salary over a lapse of five years, and under the Pensions Ordinance of 1933 which is the current one now with some amendments it is computed on the average salary over the last three years with certain exceptions; where an officer has held a particular office for a certain time he is entitled to have his pension computed on his last salary. But still the rule is to compute pension over an average of so many years' salary. In the case of the Police it is the average salary for five years which determines the basis. The reason for the anomaly is that if in computing the average the substantive salary is used, which has to be for five years, the average comes up to a figure very much lower than the revised salary. In other words something ought to be done, I think, to permit of an increase in the salary before the revision took place, either by adding the actual cost of living allowance which was in force to the substantive salary, or by agreeing that some arbitrary percentage be added. Be that as it may, I submit to the hon. Member that his case is not on correct premises because our concern at the moment is how to ensure that the pension of a retired Government employee on his revised salary is not less than he would have got had he retired previous to the revision and continued to get a cost of living allowance. That is the problem with which we are now faced, and which we are now studying.

I come back to the substance of the resolution and I hope hon. Members will agree with me that it is wholly impracticable. The hon. Member has forgotten that we have some very aged pensioners on our books. The first pensioner on this list is a gentleman who retired in 1907, 43 years ago, as a 5th Class officer of Customs. I ask the hon. Member how is anyone to re-compute the pension of this gentleman by endeavouring to fit him into some scale appropriate to what he was doing when he retired in 1907? It is quite impossible. There are people on this list who held posts when they retired which do not exist at the moment. There are numbers of Commissaries of Taxation. How are you going to re-compute the pension of a Commissary of Taxation by virtue of the salary which he should now get? There was an official Chaplain who used to work at H.M. Penal

Settlement and is getting a substantial pension. How are we going to re-compute his pension on the basis of the revised salaries?

The only possible way to recompense pensioners, if that is desirable, is to give them a suitable percentage on their existing pensions, that percentage bearing some reasonable relation to the average percentage by which the salaries of public officers have actually been increased. That is a more generous way of doing it. We have to find out by what percentage on the average the salaries of public officers have been increased through the revision, and if it is thought that pensioners should have the same generous treatment we can then apply that percentage to pensions. That is also a matter which requires careful study. Salaries have been revised in different grades and different posts, and the percentages vary enormously. On a salary of say £500 a year we may find that the percentage of increase is round about 40 per cent., but higher up the scale that percentage does not apply at all, so that one would have to devise some fair average or fair scale. That is the problem.

Meanwhile of course we are continuing to apply cost of living allowances to pensioners, and we are computing new pensions on the new basis. We must devise some formula which is possible and submit it to Government, and possibly to this Council for correcting what is clearly an anomaly. I hope I have made it clear to the Council and to the hon. Member firstly, that the fundamental thesis which he has tried to establish, that new pensioners are now automatically better off by virtue of the revised salaries, is wrong. Also I have tried to suggest that the particular formula in the resolution is hopeless and completely unworkable. It would lead to such an immense amount of complexity that it would never be really possible.

Lastly, I submit that the only thing to do is to arrive at some fair percentage and make it permanent by Statute, applicable to all pensioners. That matter is under consideration. It is a very difficult matter but I personally will give it more attention. The hon. Member for

Central Demerara (Dr. Jagan) knows that I promised him I would give it attention, but I think the first thing is to complete the work of Public Service Salaries and Wages Commission on which we are now engaged, and as soon as that is finished the second problem about how to deal fairly with the pensioners will certainly occupy my personal attention. I therefore suggest to the hon. Member that he does not press his motion, and that he accept what I have said, that the position of pensioners is under consideration, and certainly a solution to the problem involved will have to be found and brought before the Council before very long.

Capt. COGHLAN: As the hon. the Financial Secretary has given an assurance that he is going into this matter I do not propose to say much about it, although I have drafted an amendment which I feel the mover of the motion would accept. In moving my motion on September 1, 1948, for increased cost of living allowances to pensioners I said:

"With your permission, Sir, I would like to amend my motion so as to make it provide that pensioners should be paid cost of living allowance on exactly the same scale as Government officers. My reason for that is this: pensioners who were in receipt of pensions before 1939 got their pensions calculated on salaries that were much smaller than what they are today. Government officers have since got an increase of about 20% on their basic salaries and on top of that they are now receiving 40% on the first \$720 and decreasing amounts from that onwards. If it is difficult for officers in the public service to make ends meet, how much more difficult wouldn't it be for pensioners whose pensions are totally inadequate when you take into account the fast rate at which the purchasing power of money is diminishing. Most of the pensioners for whom I am appealing, Sir, are school teachers, policemen, Post Office officials, station masters and others who are in the lower ranks of the public service."

In the amendment which I have drafted I am only asking that pensioners rank *pari passu* with serving Government officers, as they did up to the 1st September, 1948, and that they continue to be treated in the same way as serving Government officers were treated. I think that will be acceptable by the Fin-

ancial Secretary. As a matter of fact I think that as a result of what he proposes to do now, Government pensioners would even be much better off still. I therefore suggest to hon. Members that it would be better to leave it to him to work out a solution than to pursue the matter now. I think it would mean more for the pensioners in the long run.

The FINANCIAL SECRETARY & TREASURER: May I explain one point. I should have said that the cost of living allowance which is now being paid to pensioners works out at an average of 25 per cent. of the total pensions payable.

The PRESIDENT: Does the hon. Member accept the offer of the Financial Secretary, or does he wish to reply to the debate on his motion?

Mr. DEBIDIN: I do not know if I have reached the stage of replying, but before I indicate what I intend to do I would like to say a word or two. I do not know if any other Member wishes to speak.

Mr. THOMPSON: I was given an assurance that this matter was in the hands of the Financial Secretary with whom I have discussed it, and I am glad that he has stated that in public. I think if we would be a bit patient the pensioners would have a better deal. In the absence of that I would support the amendment by the hon. Member for Demerara River (Capt. Coghlan).

The PRESIDENT: One can hardly call the hon. Member's proposal an amendment.

Capt. COGHLAN: I had intended originally to move an amendment but when I heard what the hon. the Financial Secretary said I did not wish to move an amendment at all. I only wished to say what I thought would be equitable and fair. I would prefer to leave the matter in the hands of the Financial Secretary, and not to move an amendment, if the mover would withdraw his motion.

Mr. DEBIDIN: I was very surprised when the hon. the Financial Secretary indicated that he did not understand my

motion. I was beginning to think—in fact he reminded me that he is nearing his retiring age, because the motion in my opinion is not beyond understanding. I believe that what he had in mind was—and he might have said so frankly—that he had the question in hand and therefore was reluctant to consider the merits of my motion. That I assume to be the position because I was waiting to find out from him in what way the motion is not understandable. He says that the whole question of pensions is complex, and the only argument he advanced is that there are cases in which pensions calculated on the revised salaries have been less than those computed on salaries previous to the revision. As a matter of fact he should have told us, if he had made a minute study of the position, how many persons would be getting less pension. I assume that he has ascertained that, otherwise it would not be fair to instance a single case. I venture to say that the number of pensioners who will suffer will be far more, and if in the case of the policemen it is a matter of law, and that they will have to accept a lesser amount, it seems to me that it would be more equitable if all pensioners were treated alike.

I have suggested a very simple formula—that pensions should be computed on the basis of the revised salaries in the various classes. I was thinking of the Financial Secretary himself when he was speaking. I thought that if he had retired in 1948 at a salary of \$120 less than what he is getting today, how would he have felt about it? Would he not have welcomed my motion then? That is a simple illustration of his own case. What I feel is that when certain matters are under consideration by a Committee it becomes a case of the horse starving while the grass is growing. Pensioners are very much concerned about their pensions, and they are people who are liable to die at any time. I do not know how long it will be before the promised revision will be forthcoming. I have indicated a simple method which I think would stand the test of equity. I would like to know what the Financial Secretary's formula is, because I feel that when it does come forward it will not be fully equitable to the pensioners of the Colony. In my motion I am seeking to do some-

thing more than giving pensioners a percentage more. I am seeking to give equitable relief to pensioners who have suffered because revision of salaries has taken place after their retirement, and anomalies were not removed in their time. I would invite the attention of Members to the following statement in the report of the Salaries Commission:

“...Accordingly, we stated that, after careful consideration, we had agreed that in framing the revised scales of salaries and wages there should be included as a cost of living allowance susceptible to removal or variation in certain circumstances an addition of 20 per cent. to wages and salaries up to \$200 per month and a flat \$40 per month to salaries above that limit.”

On page 13 of the report of the Commission we have excellent examples of the application of the conversion procedure with respect to the revised salary scales. A Class II clerk, a Postmaster, a Senior Clerk and an Engineer are given as typical cases. We know who have taken the places of the Commissaries of Taxation. Why can't the same procedure be adopted with respect to pensioners? There is no difficulty at all if the Financial Secretary is prepared to approach the question raised in my motion. There is no complexity whatever. Moreover section 30 of the Pensions Ordinance, Chapter 204, says:

“30. Whenever any doubt arises the Governor in Council shall have full power and authority to determine who shall be considered public officers of the colony within the meaning of this Ordinance, and to decide all questions arising in respect of the period of service to be allowed in computing the claims of public servants under this Ordinance, and also other questions of whatever nature arising in connection with the provisions of this Ordinance.”

There are 83 pensioners whose salary scales when they were in the Service have remained fixed until today, and as most of them will soon die there is no difficulty in computing their pensions on the basis of the revised salaries, and provision is made in the section of the Ordinance which I have just quoted for the Governor in Council to decide any question arising from their claims.

I think I have said enough to indicate a possible solution, and for that reason I am asking the Council's approval and Your Excellency's permission that my motion be deferred until such time as the Financial Secretary is able to produce his proposal for the revision of pensions.

The PRESIDENT: I do not see how the motion can be deferred. I cannot defer consideration of a motion on which debate has been completed.

Mr. DEBIDIN: Can't the voting on the motion be deferred?

The PRESIDENT: I do not see how we can defer voting on the motion. The hon. Member would be entitled to raise the question again in six months' time. Under the Rules, if no action has been taken inside six months the hon. Member can bring back the same motion for debate. I therefore suggest to him that he agree to withdraw his motion.

Mr. DEBIDIN: I was thinking of less than six months. I think six months would be too long. I would ask that voting on the motion take place within two months.

The PRESIDENT: I cannot agree to that. The debate has been concluded and we cannot defer the voting.

Mr. DEBIDIN: In view of the fact that Members feel that the Financial Secretary may bring forward suitable proposals I ask permission to withdraw my motion. I wish to say that I would certainly bring it forward again if I find that the proposals are not suitable.

Motion withdrawn.

AMENDMENT OF RENT RESTRICTION ORDINANCE

The PRESIDENT: I will now adjourn Council until Friday next, the 7th of July. I would like to inform Council that I hope Government will be in a position to bring forward an amending Bill with respect to the Rent Restriction Ordinance about which there is a good deal of controversy. The Bill is not ready to be tabled today or for copies to be circulated, but it seems to be a very urgent matter and copies will be supplied to hon. Members before Council meets next Friday.

Council was then adjourned until Friday, July 7, at 2 p.m.