
THE

House of Assembly Debates

(OFFICIAL REPORT)

THIRD SESSION OF 1966 - 71

HOUSE OF ASSEMBLY

Tuesday, 11th May, 1971.

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock.

PRESENT

His Honour Sir J. E. T. BRANCKER, Q.C., F.Z.S., (*Speaker*); Mr. L. E. SMITH, J.P., Hon. K. N. R. HUSBANDS, J.P., (*Minister of Trade, Tourism, Community Development and Youth Affairs*); Rt. Hon. E. W. BARROW, B.Sc., LL.D. (Hon.) (*Prime Minister*); Mr. J. W. CORBIN, J.P., Hon. G. G. FERGUSSON (*Minister of Communications and Works*); Mr. R. St.C. WEEKES, J.P., Mr. W. R. LOWE, J.P. Hon. N.W. BOXILL, (*Minister of Labour, National Insurance and Housing*); Mr. J. B. YEARWOOD, J.P., (*Chairman of Committees*); Mr. W. C. B. HINDS; Mr. C. A. E. HOPPIN, J.P., Mr. L. S. CRAIG; Mr. J. B. SPRINGER; and Mr. ELLIOTT D. MOTTLEY.

Prayers were read.

MINUTES

Mr. SPEAKER: There are no Minutes available for confirmation.

GOVERNMENT NOTICES

Rt. Hon. E. W. BARROW: Mr. Speaker, I am commanded to lay the following:

The First Annual Report and Financial Statements of the Barbados Development Bank for the financial year ended 31st March, 1970.

GOVERNMENT NOTICES

Rt. Hon. E. W. BARROW: Mr. Speaker, I beg to give notice of the following:

A Bill to amend certain enactments relating to the grant and payment of pensions and gratuities to persons employed in the service of Statutory Boards.

On behalf of the Hon. Leader of the House, I beg to give notice of the following Bill:

A Bill to consolidate and revise the Laws of Barbados relating to the Representation of the People.

QUESTIONS

Mr. SPEAKER: I have been advised that the hon. junior member for St. Joseph has asked the hon. junior member for Bridgetown to put his questions for him. Is the hon. member prepared so to do?

Mr. ELLIOTT MOTTLEY: Yes, Mr. Speaker.

Mr. Speaker, the eleven questions read as follows:

To enquire of the appropriate Minister:-

Would the Minister cause pedestrian crossings and or control traffic lights to be installed at the following places to ensure the safety of school children crossing the road:

- (1) Constitution Road, St. Michael, in the area of Queen's College?
- (2) Hall's Road, St. Michael, in the area of Saint Michael's Girls' School?
- (3) Six Roads, St. Philip, in the area of the Princess Margaret School?

To enquire of the appropriate Minister:-

Would the Minister open evening adult educational facilities at the West St. Joseph Secondary School in the Parish of St. Joseph in order to assist the people of the said parish?

To enquire of the appropriate Minister:-

Will the Minister treat as an urgent priority in his street-lighting programme, the improvement of the street lights along the public road leading from Oldbury corner, to Crane in the Parish of St. Philip?

To enquire of the appropriate Minister:-

Will the Minister assist the residents of Vaughan's Land in the Parish of Saint Joseph by installing a water main and making the necessary connections as soon as applications for services are made?

(2) Is the Minister aware that a water main has been laid in Blackman's Tenantry, St. Joseph during November 1970 and that several persons have laid their pipes to their homes and are awaiting inspection and estimates?

If the answer is in the affirmative

(1) Would the Minister indicate how soon inspection will be made, and estimates given?

(2) How soon after payment of estimates would connections be made?

To enquire of the appropriate Minister:-

In view of the unusual geographical terrain of the Parish of St. Joseph, would the Minister request the Barbados Telephone company to establish pay telephone booths at the following sites in the Parish of Saint Joseph:

- (1) St. Bernard's Village?
- (2) Mayer's Corner?
- (3) Parish Hill?
- (4) Horse Hill?
- (5) Tent Bay?
- (6) Cattle Wash?
- (7) Cambridge or Bissex?

To enquire of the appropriate Minister :-

Is the Minister aware that the Barbados Light & Power Company had promised to install the necessary power mains at Vaughan's Land in St. Joseph on condition that there were a certain number of applications for supply?

(2) That at the relevant period, there occurred the flood damage in the said area and that the number of applications from the area did not reach the number required by the Barbados Light & Power Co. Ltd?

(3) That the residents of the area are now ready to have electricity installed in their homes?

In view of the above, would the Minister assist Light & Power in running the necessary power mains and supplying the necessary facilities?

To enquire of the appropriate Minister:-

Will the Minister state

- (1) The proper use of the buildings and area

at Bissex Hill St. Joseph which previously housed the District "F" Police Station and Magistrate's Court?

(2) Is the Minister aware that it appears as if person or persons have been deliberately breaking windows and doors in the said building?

(3) Would the Minister take immediate steps to preserve the said buildings, so as to minimise further expenses and waste of the tax payers' money?

To enquire of the appropriate Minister:-

(1) Is the Minister aware that in the grounds of the Governor-General's official residence there are several beautiful trees as well as many well kept gardens?

(2) Would the Minister consider the removal of the wall surrounding the said Governor-General's official residence and replacing same with a 6' high chain link or some other similar material?

To enquire of the appropriate Minister:-

(1) Is the Minister aware that the payment of benefits from the Sugar Workers Provident Fund to residents of the St. Joseph began in the month of November, 1970?

(2) That several persons in St. Joseph, who have qualified, have made repeat visits to the Labour Department and have been unable to receive their benefits?

(3) That several of these applicants are aged 73 and over and are unable to work any longer?

(4) That at least one person in St. Joseph, who qualified, has since died at 73 without receiving any benefits?

Would the Minister state for the benefit of this House and those Sugar Workers who are entitled to receive benefit,

(1) The reason for the delay in payment?

(2) How soon can persons, who have applied, hope to receive their benefits?

(3) How much will be paid to relatives of deceased persons where the deceased was entitled to benefit on reaching the retirement age?

To enquire of the appropriate Minister:-

Is the Minister aware of the fact that the junction, connecting Gagg's Hill, Joes River, Cleaver's Hill and St. Elizabeth Village, has become difficult to negotiate in view of the increased traffic using the above-mentioned area?

If the answer to the above is in the affirmative, will the Minister consider the reconstruction of the

said junction so as to facilitate traffic using the surrounding districts?

To enquire of the Minister of Agriculture:-

Is the Minister aware that the price of second and third quality ginger on the London Commodity Market during the first week of May, 1971 was quoted at 92 - 99.50 Jamaican dollars per hundred-weight i.e., approximately \$230.00 Eastern Caribbean Currency?

If the answer to the above is in the affirmative will the Minister supply the following information:-

- (a) have any trials been carried out in Barbados on the possible growth of ginger in large quantities for the export market?
- (b) If any such trials have been undertaken, what were the results of these said trials?
- (c) If no trials have been undertaken, will the Minister give instructions that such trials be undertaken with the minimum of delay?

12.25 p.m.

Mr. SPEAKER: There are certain questions down in the name of the hon. and learned senior member for St. Thomas; his question re the raising of the marriage age.

Mr. ADAMS: Mr. Speaker,

To enquire of the appropriate Minister:-

Will the Government take action to raise the age of marriage in Barbados from 12 years for a girl and 14 years for a boy to a uniform age of 16 years so as to bring Barbados into line with modern thought and practice and with international conventions on family law?

Mr. SPEAKER: The same hon. member, his question re reduction of the legal age of majority.

Mr. ADAMS: Mr. Speaker,

To enquire of the appropriate Minister:-

In the light of the reduction of the voting age and the better education of modern youth over the past 20 years, will the Government take immediate steps to reduce the legal age of majority in Barbados from 21 years to 18 years?

Mr. SPEAKER: The same hon. member, his question re representation on behalf of Miss Ann Cools.

Mr. ADAMS: Mr. Speaker.

To enquire of the Minister of External Affairs:-

What representations, requests for assistance or otherwise, were made to the Government in Barbados and to Barbadian Diplomatic Missions abroad on behalf of Miss Ann Cools a Barbadian charged with offences alleged to have been committed at or in respect of Sir George Williams University in Canada?

Was any representative of the Barbados High Commission present at Miss Cools' trial and if so for how long on each day thereof?

What assistance has been afforded Miss Cools?

BILLS READ A FIRST TIME

Rt. Hon. E. W. BARROW: Mr. Speaker, I beg to move that a Bill to amend certain enactments relating to the grant and payment of pensions and gratuities to persons employed in the service of Statutory Boards be now read a first time.

Hon. G. G. FERGUSON: I beg to second that.

The question was put and resolved in the affirmative without division.

Rt. Hon. E. W. BARROW: Mr. Speaker, I beg to move that a Bill to consolidate and revise the laws of Barbados relating to the representation of the people be now read a first time.

Hon. G. G. FERGUSON: I beg to second that.

The question was put and resolved in the affirmative without division.

Mr. SPEAKER: The First Order of the Day stands in the name of the Hon. Leader of the House and it is to move the passing of a Resolution to approve the compulsory acquisition of land at River Bay, St. Lucy, for the provision of a beach facility. Is it being sought to deal with this Resolution?

Rt. Hon. E. W. BARROW: Mr. Speaker, before we go on to this, I beg to give notice of a Bill to consolidate and revise the laws of Barbados relating to the representation of the people, and that Bill was read a first time today. The Government intends to proceed with the debate on this Bill at the next meeting of the House, not less than six days of today's date. I feel it would be of interest to members, and it would probably save a lot of discussion in the debate, if the members of the House accept the invitation of the Minister of Home Affairs to visit the Registration Centre at "Verona," Bank Hall, St. Michael, where all registration is done and photographs taken, at 9.30 on Saturday morning, 15th May, 1971 and after that to visit the Data Processing Unit in the Treasury Building. I think it would be good for members to see that the procedure for registration is all that can be desired; there is no bar but drinks will be served. I beg to move that Order No. 5 be the first Order of the Day.

Hon. G. G. FERGUSON: I beg to second that.

The question was put and resolved in the affirmative without division.

BILL TO AMEND THE ESTATE AND SUCCESSION DUTIES ACT, 1941

Mr. SPEAKER: Order No. 5 stands in the name of the Rt. Hon. Prime Minister, and it is to move the second reading of a Bill to amend the Estate and Succession Duties Act, 1941.

Rt. Hon. E. W. BARROW: Mr. Speaker, this is a very simple Bill and it seeks to amend the Estate and Succession Duties Act to enable the Minister of Finance to declare the debentures or stock of the Government of Barbados to be exempt from the payment of Estate Duties.

12.35 p.m.

There is just one relevant Clause to the Bill, and it is to exempt any particular issue of debentures or stock of the Government from the payment of estate and succession duties. The Bill, as it has come down - I am trying to remember the reason why there should be some change - only exempts such issues of stock from estate duty. There are two kinds of death duties, as Your Honour will be aware: One is the estate duty which is paid by the executors of the estate and it is a percentage of the net value of the estate and not the gross value, and then there is the succession duty which is paid by the beneficiaries under the Will of a testator, or even in a case of intestacy.

Now, the Income Tax Act, 1969, provides for exemption of debentures, that is the interest which you earn on debentures, from income tax to the extent specified by Regulations, and from time to time Orders have been made exempting interest payable on particular issues of Government stock. In October, 1970, as far as I can remember, the Cabinet decided to seek authority for the issuance of \$8 million on the following terms: \$3 million at 7% debentures at 96 due in 1977-80, and \$5 million at 7 1/4% debentures at 95 due in 1980-85, and the debentures should be free of estate and succession duties. Also the interest payable on debentures in the beneficial ownership of a non-resident person should be free of income tax. As far as I know, provision has already been made for this.

There is one Clause, Mr. Speaker, but the only matter of concern to me is whether the Legal Draftsman has accurately represented the intention of the Cabinet, because it is clear to me that the intention was that debentures should be free of estate and succession duties. Maybe they are using the term "estate duty" as a generic term, but the generic term that we understand for duties payable by an executor and beneficiary is death duty and not estate duty.

I am somewhat concerned about this, because it appears to me that estate and succession duties are two different duties. There is only one Clause in

the Bill, and it is a great pity that a simple Bill like this should be, apparently, misrepresented by the Legal Draftsman. I suppose one of the disadvantages of being a lawyer is that one tends to see these things more quickly than the layman. In the peculiar circumstances, Mr. Speaker, either it is an omission by the Printer or something has gone wrong because I see no mention of succession duties and it is clear to me that succession duties were intended to be included in Clause 2 of the Bill.

I beg to move that further consideration of the Bill be postponed, but in the meantime, perhaps, the members of the House would like to advert their attention a little more closely to the implications of having estate duty exempted and not succession duty. It appears to me that succession duty is more important. Succession duty is the duty which is paid by the living person and not by the estate, and the person who is inheriting would, naturally, expect to get some kind of dispensation from the payment of these duties. I did not make a motion for the second reading of the Bill. I should really be moving that the Motor Vehicles Insurance (Third Party Risks) (Amendment) Act, 1970, be taken at the next Order of the day.

Mr. Speaker, I beg to move that further consideration of the Estate and Succession Duties Act, 1971, be deferred.

Hon. G. G. FERGUSON: I beg to second that.

The question was put and resolved in the affirmative without division.

MOTOR VEHICLES INSURANCE (THIRD PARTY RISKS) (AMENDMENT) ACT, 1971

Rt. Hon. E. W. BARROW: Mr. Speaker, I beg to that Order No. 2 be the next Order of the Day.

Hon. G. G. FERGUSON: I beg to second that.

The question was put and resolved in the resolved affirmative without division.

Mr. SPEAKER: Order No. 2 stands in the name of the hon. junior member for St. Thomas, and it is to resume Committee on a Bill to amend the Motor Vehicles Insurance (Third Party Risks) Act, 1952. When this Item was last dealt with, the House was in Committee, and thereto it now reverts.

Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. YEARWOOD in the Chair.

12.45 p.m.

Hon. G. G. FERGUSON: Mr. Chairman, on the 12th May 1970 when this Bill was postponed, the hon. junior member for St. Thomas was Minister of Communications. Since then I have taken over the Ministry and it is my duty to continue with this Bill. When at Clause 3, the hon. senior member for St. Joseph asked for certain amendments to the Bill with respect to increasing the damage to \$10,000. Due to this, I am asking that the Bill be recom-

mitted so that we can start from Clause 1, as this Bill was being done in 1970 and it is now 1971, and the year will have to be amended also.

I beg to move that this Bill be recommitted.

Hon. R. StC. WEEKES: I beg to second that.

The question was put and resolved in the affirmative without division.

Hon. G. G. FERGUSON: Mr. Chairman, the first amendment is in respect of the title. This should read:

"A Bill entitled an Act to amend the Motor Vehicles Insurance (Third Party) Act, 1952.

Clause 1 was called.

Hon. G. G. FERGUSON: Mr. Chairman, in Clause 1, amend the figures "1970" to read "1971".

I beg to move that Clause 1 as amended stand part.

Hon. R. StC. WEEKES: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 2 was called and passed.

Clause 3 was called

Hon. G. G. FERGUSON: Mr. Chairman, in paragraph (b) (ii) of subsection 1, substitute the figure "\$10,000" for the figure "\$5,000" appearing in line 1.

Paragraph (a) of subsection (1A) should read:

"liability for the death of or bodily injury to a person arising out of and in the course of his employment by the persons or categories of persons insured."

Paragraph (d) of subsection (1A) should read as follows:

Mr. St. JOHN: Mr. Chairman, if the Hon. Minister would give way, we are considerably handicapped because the Clerk cannot take the amendments at that speed.

Hon. G. G. FERGUSON: Paragraph (d) should read as follows: "damage to the motor vehicle or any part thereof or property in or on the motor vehicle of the person insured".

Mr. ELLIOTT MOTTLEY: Mr. Chairman, on a point of order, I think these amendments are so important that we should have them in writing so as to be able to understand what is going on. The public address system is fairly bad and one is experiencing some difficulty in appreciating what the Minister is saying. Let us get the amendments copied on the xerox machine.

Mr. St. JOHN: If the hon. member would give way, if we can just suspend for fifteen minutes and report progress, we can get the amendments copied

on the Xerox machine and everybody can have one to look at. Is the other side agreeable to a motion that we report progress and ask for leave to sit again?

I beg to move that Your Honour do now report progress and ask for leave to sit again.

Mr. ELLIOTT MOTTLEY: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. SPEAKER resumed the Chair and reported accordingly.

SUSPENSION OF SITTING

Hon. G. G. FERGUSON: Mr. Speaker, I beg to move that this sitting be now suspended for fifteen minutes.

Hon. R. StC. WEEKES: I beg to second that.

The question was put and resolved in the affirmative without division.

12.55 p.m.

On resumption

Mr. SPEAKER: When the sitting was suspended the House was in Committee; thereunto it now reverts.

Mr. SPEAKER left the Chair, and the House resumed Committee, Mr. YEARWOOD in the Chair.

Mr. CHAIRMAN: When the Committee was suspended, the Hon. Minister of Communications and Works was addressing the Chair.

Hon. G. G. FERGUSON: Mr. Chairman, Clause 3(1A) paragraph (d) (i) should read as follows: "the motor vehicle or any part thereof or property in or on the motor vehicle of the person insured".

Paragraph (d) (ii) should read: "property owned by or in the control of the persons or categories of persons insured", and in paragraph (d) (iii) substitute the words "due to the weight of or vibration caused by a motor vehicle" for the words appearing after the word "road" in the third line of this paragraph. I beg to move, Mr. Chairman, that clause 3 as amended stand part.

Hon. R. StC. WEEKES: I beg to second that.

Clauses 4 and 5 were called and passed.

The question was put and resolved in the affirmative without division.

On the motion of Hon. G. G. FERGUSON, seconded by R. StC. WEEKES, Mr. CHAIRMAN reported the passing of one Bill with amendments in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. G. G. FERGUSON, seconded by Hon R. StC. WEEKES, the Bill with amendments was read a third time and passed and its title read and agreed to.

Hon. G. G. FERGUSON: Mr. Speaker, I beg to move that Order No. 6 be the next Order of the Day.

Hon. R. StC. WEEKES: I beg to second that.

The question was put and resolved in the affirmative without division.

A BILL TO AMEND THE POST OFFICE
ACT, 1911

Hon. G. G. FERGUSON: Mr. Speaker, the purpose of this Bill is clearly set out in the Objects and Reasons. This Bill is to amend the Post Office Act, 1911 (1911-8) in order to vest in the Minister the power now exercisable by the Governor-General under section 43 of the Act to instruct the Postmaster General to open, detain or delay any postal packet. Many of these powers over several years have been vested in the Governor-General, but since we have got ministerial status and independence they have been conferred on the appropriate Minister, so it is nothing out of the ordinary. I beg to move that this Bill be now read a second time.

Hon. R. StC. WEEKES: I beg to second that.

Mr. HINDS: Mr. Speaker, we are well aware of the fact that independence brings with it much that is good as well as much that can be proven, as the years roll on, to be harmful. The Hon. Minister, in introducing the passing of this Bill, has tried to make it appear as if we must merely follow pattern in a matter of this sort; we have got to be ultra-cautious in this country, and my reason for saying so is that we are now concerning ourselves in this Bill with giving the power to a Minister that he can instruct the Postmaster General to detain, open or delay any postal packet.
1.25 p.m.

Sir, we must appreciate the fact that the world is becoming smaller and smaller through our communication system, and we must guard against the possibility of the enemy of the people invading the rights of the subjects of any nation through various ways and means. The Minister has not advanced any reason whatsoever to suggest to us that the security of the State is threatened, or has been threatened or is likely to be threatened; so why is it that we are merely told that because of Independence certain things must be done? We have been independent since 1966. What has happened between 1966 and now to cause the Minister to introduce this Bill today? Where does the necessity arise? Will the necessity arise in the foreseeable future to detain or delay a postal packet?

Mr. Speaker, during World War II, we in Barbados were shouting Wolf! Wolf! and certain practices were put into effect. I am in a position to say that much of the action taken in those days, has not been justified and cannot be justified even today but, nevertheless, some of the subjects residing in this country suffered as a result. It must mean, therefore, that we have to be very careful indeed in not

allowing the Minister, or anyone else for that matter, merely through some whim or fancy to exercise the right to detain somebody's letter for some reason for which there will be no explanation whatsoever. This, undoubtedly, will be classified as a security measure, and whatever is done in the name of security of the State will have to be accepted as being done in the interest of the security of the State whether that is true or otherwise.

We have seen, Mr. Speaker, that crimes have been committed, murders have been committed in this country, and an investigation would, eventually, reveal that everything was done in the interest of the State. This is a matter which must not be taken as lightly as it has been introduced by the Minister. It is a measure of some considerable importance and significance. There are no two ways about it.

Mr. Speaker, we agree that our Nationals and their interests - and for that matter anyone in this territory must be protected, and whatever means can be lawfully employed to ensure this, should be employed provided that nothing is done to create or bring about any difficulty in the daily life of any individual or group of individuals. Nothing should be done to prevent individuals from enjoying their rights.

Mr. Speaker, we appreciate the fact that under the Post Office Act, 1911 (1911-8), the Governor-General under section 43 had the power to instruct the Postmaster General to put certain decisions into action and to take certain steps in certain cases. We are now told that all they are asking for is that the Minister should do this rather than the Governor-General. What is the reason for this?
1.35 p.m.

Are we to tell ourselves that detaining a packet belonging to someone is not to occasion suffering perhaps to a number of hungry people unjustifiably? I must tell you, Sir, that I have had an experience where Government has been treating what they call top secret matters, that were hawked about around Harrison corner, Prince William Henry Street and about Broad Street and Swan Street; but nevertheless Government treats that same information as confidential, sealed in four and five envelopes. That is the kind of nonsense we are up against, and is the same type of thing that can very well cause somebody's postal packet to be unnecessarily detained. It might be a packet conveying food or the wherewithal to provide a meal or the school fees for somebody's child, and it is detained not because of any security of the State, but because the Government has been badly advised as to the true state of affairs in the country.

This detaining of postal packets and the like is more a war time measure than anything else. We cannot for the life of us see any reason for the change, bearing in mind that it is not a measure that is entirely new which is being introduced. Now, Mr. Speaker, if it were a case where the Minister is going to authorise the Postmaster General to detain a postal packet because he had reasons to suspect

that it contained forgeries of stamps of Barbados, it would be different. You know there are times when may be, a four cents or five cents issue may be in short supply and you may have to take the five cents issue and overprint it so as to keep the four cents issue going. That is exactly a situation which has occurred and that is what I am willing to hear the Minister on. If the Minister is going to authorise the Postmaster General to detain all postal packets in his Post Office at the moment or at some future date when he has reasons to suspect that they contain that type of forgery, that would be understandable. I have been warning this Honourable House time and again about the Government Printery and that the men at the Printery had been using the Government's time to work in their own interest, and the very Post Office forgery, that I am dealing with, involves the Government Printery in Barbados and undoubtedly printers employed at the Government Printery. This, Mr. Speaker, is a very serious matter when one realises that a result of the action as alleged of some of these people employed at the Government Printery - and we hope to see an honest investigation carried out - a Barbados four cents stamp is now being sold for as much as \$150 on the London market. We want the Minister to authorise the Postmaster General to detain postal packets containing that type of stuff. This is no idle matter. It is not a matter to be cast aside lightly at all. It is a matter which requires investigation by the experts because, as has been stated by the London newspaper, it is not the type of forgery that could be engaged in by fools. When I called on the Leader of the House to let us stop working at the time and move to the Government Printery, if action had been taken then we would have discovered a lot of what goes on at the Government Printery, but not the whole Government Printery and the Post Office are involved, and our four and five cents stamps as overprints are fetching \$150 on the London Market.

Mr. Speaker, we must feel somewhat involved because the Post Office here does have overprinting work done by the Government Printery on these stamps, and the Post Office is claiming that the plates were taken from the Printery at the end of each run and kept locked in a vault at the Post Office 1.45 p.m.

Whether or not that is true I am not in a position to say, but I want to say now that I do not trust the local Police in carrying out the type of investigation that is necessary to bring the offenders to justice. I do not trust them, I have absolutely no confidence in them in a matter of this sort. All this, Mr. Speaker, involves the taxpayers' purse in the long run. The Minister is coming here with a Bill for authority to detain a postal packet, somebody's little letter that somebody sent them \$10.00 to feed some hungry children or so; that is what he wants to detain, because it has not been declared on the form of declaration outside or some thing. That is what they want, but want the Post Office is involved in - and I am saying no novices in the Post Office, no novices at the Government Printery - What says the Minister on this? What action does the Minister

propose to take in a matter of this sort? Is the Minister content to proceed with a matter like this, giving him authority to do nothing in peace time, there is no war contemplated when all of this is at stake. How many thousand of stamps are involved in this racket? Who has got rich out of it?

Mr. Speaker, we cannot see why the Government in a situation such as this persists in merely touching the hem of the garment when the body of the carrier is palsied, for in this case the General Post Office and the Government Printery, the two combined, cannot escape the accusation of having involved this country in what we must call a gigantic fraud. It is a fraud of some magnitude, and in the face of this we would certainly like to hear what action the Minister proposes taking on it.

Mr. ELLIOTT MOTTLEY: Mr. Speaker, in the Objects and Reasons it is stated that this Bill would amend the Post Office Act 1911 in order to vest in the Minister the power now exercisable by the Governor-General under section 43 of the Act to instruct the Postmaster General to open, detain or delay any postal packet. Under the original Act the Governor-General had this power or authority to instruct the Postmaster General to open, detain or delay any postal packet, but in exercising this power he had to do so under an express warrant in writing, and it is interesting to see that originally the Legislature in its wisdom did not see fit to give the Governor-General power merely to do so, but they limited this power to an express warrant in writing, they did not merely limit it to a warrant or mainly to directions in writing, they went very far and put it on a very narrow path, that is, that the Governor-General could only act if there was an express warrant in writing. Perhaps the Minister in replying can tell us - no doubt he must be aware of what is meant by an express warrant in writing - of the form of that express warrant, whether or not in the express warrant it was not necessary to recite certain facts and give reasons why the Governor-General was going to instruct the Postmaster General to detain, delay or open any packet.

As I understand it - I could be wrong, but I think in this particular case that I am right - it was not something that could be done lightly, it was not something the Governor-General could do on his own whims and fancies, the Legislature gave him the authority to do it and they said he must do it by an express warrant in writing. As I said, I believe that in drawing warrants it would be necessary for the Governor-General to recite and state explicitly on the face of the warrant the purpose for which he is exercising his authority. It may be that he was delaying the packet because it was felt that it contained something on which duty should be paid, and this could be set out in the warrant. It may very well be that he may feel it contained something that should not be sent through Her Majesty's Postal Service, but at any rate, one would see if the Governor-General was going to exercise his authority under this section his reason for doing so, and that is the reason why the term "express warrant in writing"

is used. We are being asked at this stage to delete the words "express warrant in writing under the hand of the Governor-General" and to insert the words "a direction in writing signed by the Minister".
1.55 p.m.

In other words, if this amendment is passed, Section 43 will read-

"Provided that nothing herein contained shall extend to the opening or detaining of a postal packet in obedience to a direction in writing signed by the Minister".

It is terrifying to realise the significance of this amendment. When you analyse this amendment, you will find that it is giving the Minister power to direct the Postmaster General in writing to do certain things. It is not a warrant; it is an ordinary letter to the Postmaster General directing him to open or detain any packet belonging to any individual. I cannot agree with this.

Mr. Speaker, it would have been a different matter if the Minister were setting out his reasons in writing so that the Postmaster General would be in a position to know what is going on. If the Minister had sufficient evidence before him, he should state why he wanted certain action taken.

SUSPENSION OF SITTING

Mr. SPEAKER: I am afraid the time has expired and the automatic suspension to 2.30 p.m. becomes imperative. This sitting is now suspended until 2.30 p.m.

On resumption

Mr. SPEAKER: Mr. Clerk, let the bell be rung.

The bell was rung.

ADJOURNMENT

Mr. SPEAKER: A careful count of hon. members in their places does not disclose that there is a quorum present. Accordingly, as Standing Orders prescribe, this sitting is adjourned until Tuesday of next week at 12 o'clock noon.
2.35 p.m.