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REPORT OF THE SPECIAL SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY
APPOINTED TO CONSIDER THE AGRICULTURAL LOANS BILL, 1965 (NO. 21).

LEGISLATURE,
Public Buildings,
Georgetown.
1st October, 1965.

His Honour the Speaker,
Mr. A.P. Alleyne, M.H.A.,
House of Assembly,
Public Buildings,
Georgetown.

Your Honour,

On Wednesday, 21st July, 1965, we were appointed by the Committee of Selection of the House of Assembly to consider the Agricultural Loans Bill, 1965 (No. 21 of 1965).

2. Two Meetings of the Special Select Committee were held on Monday, 26th July, 1965 and on Wednesday, 4th August, 1965.

Copies of the relevant Minutes of these Meetings are attached.

3. At the abovementioned Meetings, the Bill was considered Clause by Clause and we now report as follows:-

Clause 1 - Short Title - was agreed to as printed.

Clause 2 - Interpretation:

(i) It was agreed that the following definition be inserted in Clause 2, subsection (1), before the definition of the expression "crop":-

' "the Committee" means the Agricultural Loans Committee to be constituted under the provisions of section of this Ordinance; '

(ii) It was also agreed that the following definition be inserted in Clause 2, subsection (1), after the definition of the expression "Registry":-

' "rules of good husbandry" means so far as practicable, having regard to the character and position of the land -

(a) the maintenance of the land, parapets, bed-heads and feet of beds, and meres thereon clean and free from bush and other obstacles;

(b) the abstention from throwing grass or other obstacles into the trenches abutting the land;

(c) such rules as are generally recognised to be necessary for good husbandry; '

/Clause 3 ..

Clause 3 - The words "co-operative society, company, corporation or industrial and provident society" were substituted for the word "person" in the first line.

Clause 3 (as amended) was re-numbered as Clause 3(1) and the following inserted as Clause 3(2):-

"The Minister may, from time to time, if he thinks fit, revoke the approval given to any person to be a lender."

Clauses 4 and 5 - were agreed to as printed.

Clause 6 - subsection (1) -

Commas and the words ", subject to the provisions of any regulations made by the Minister under the provisions of subsection (2) of section 20 of this Ordinance," were inserted between the words "may" and "make" in the second line.

Clause 6 - subsection (2) -

The words "any other person or persons or by" in the first and second lines were deleted.

Clauses 7 and 8 - were agreed to as printed.

Clause 9 - was agreed to as printed with the following amendment to subsection (1):-

The words "The Registrar shall, in the absence of any objection made to the application for the loan referred to in the loan notice, and on the expiration of 14 days after the date of publication of the said loan notice -" were substituted for the words "The Registrar shall on the expiration of fourteen days after the date of publication of the loan notice -", in the first and second lines.

Clause 10 - was agreed to as printed.

Clause 11 - subsection (2) -

Subsection (2) was amended to read as follows:-

"(2) A lien shall not be security for principal moneys at any one time outstanding (exclusive of interest and costs, expenses and other sums incurred in protection of the security or relating thereto) in excess of the amount stated in the loan certificate as the sum not to be exceeded at any one time, and a lien shall not be deemed to be discharged by reason only that the principal moneys owing ~~at~~ any one time on loan or current account under the loan certificate have been paid in full or that the current account has ceased to be in debt."

Clauses 12, 13, 14 and 15 - were agreed to as printed.

Clause 16 - subsection (1) -

Subsection (1) was amended to read as follows:-

"(1) Unless a lender has agreed to advance further moneys to a farmer upon the security of a loan certificate in the possession of the lender, the lender shall, upon repayment of the loan deliver the loan certificate to the person making payment after having endorsed on the loan certificate a receipt in form 4 set out in the first schedule to this Ordinance. "

Clauses 17 to 19 - were agreed to as printed.

Clause 20 - was re-numbered as Clause 20(1) and the following new subsections inserted:-

"(2) The Minister may, by regulations, prescribe the general conditions which shall be deemed to be incorporated in every sale contract and the said conditions may in like manner be amended, altered or varied:

Provided that no amendment, alteration or variation of the said conditions shall be of any force or effect to the extent that it may prejudice any security given by a farmer to any person or the rights of any person under a sale contract made prior to and subsisting at the time of such amendment, alteration or variation unless that person has consented thereto in writing.

(3) Regulations made under this section shall be laid before the House of Assembly within fourteen days after they are made, and if the House of Assembly, within a period of thirty days beginning with the day on which the regulations are laid before it, resolves that the regulations be annulled, they shall be thereby annulled, and the regulations so annulled shall thenceforth become void and of no effect but without prejudice to the validity of anything previously done under the regulations or the making of new regulations. "

Clauses 21 and 22 - were agreed to as printed.

First Schedule - Form I of the First Schedule was amended as follows:-

The words "of the loan of \$..... to be made to me/us by the Lender" were deleted and the words "of the principal moneys not exceeding at any one time the sum of \$..... to be advanced to me/us from time to time by the Lender (on loan or current account)" substituted therefor.

Forms 2, 3, 4 and 5 were agreed to as printed.

Second and Third Schedules - were agreed to as printed.

We have the honour to be,

Your obedient servants,

C. M. Llewellyn John

C.M. Llewellyn John
Chairman

J. Budhoo
J. Budhoo

H. Prashad
H. Prashad

B.H. Benn
B.H. Benn

D.C. Jagan
D.C. Jagan

Members.

E.V. Viapree

E.V. Viapree
Secretary.

Note:-

This Report was sent to Mr. B.H. Benn and Mr. D. Jagan (Members of the Select Committee) for their signature, but they both refused to sign it.

E.V. Viapree

Secretary,
Special Select Committees.

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MINUTES of the First Meeting of a Special Select Committee of the House of Assembly appointed to consider the Agricultural Loans Bill, 1965 (No. 21 of 1965) held in the Chamber of the Legislature

at 2.00 P.M.

on

MONDAY, 26TH JULY, 1965

PRESENT:

1. The Honourable L. John, Minister of Agriculture - Chairman
2. Mr. J. Budhoo
3. Mr. H. Prashad
4. Mr. B.H. Benn
5. Mr. D. Jagan

with Mr. E.V. Viapree, Clerk of the Legislature, Secretary.

Selection of Chairman

On a motion by Mr. Benn, the Honourable L. John, Minister of Agriculture, was unanimously elected Chairman of the Committee, in terms of Standing Order No. 72(2).

Quorum

Three members constituted the quorum in terms of Standing Order No. 74(4).

Attendance of Member of the Law Officers Department

On a suggestion by the Secretary, it was agreed that a member of the Attorney-General's Office should be permitted to attend the meetings of the Committee to advise on any legal points which might arise and also to draft amendments which might be proposed by Members during consideration of the Bill.

Mr. H.P. Ramkelawan, acting Parliamentary Counsel, of the Attorney General's Office, was, therefore, invited to be present.

Consideration of the Agricultural Loans Bill (No. 21 of 1965)

Clause 1 - Short Title - agreed to as printed.

Clause 2 - Interpretation.

- (i) It was agreed that the following definition be inserted in Clause 2, subsection (1), before the definition of the expression "Crop":-

' "the Committee" means the Agricultural Loans Committee to be constituted under the provisions of section of this Ordinance; '

/and (ii)...

and (ii) It was also agreed that the following definition be inserted in Clause 2, subsection (1) after the definition of the expression "Registry":-

' " rules of good husbandry" means, so far as practicable, having regard to the character and position of the land -

- (a) the maintenance of the land, parapets, bed-heads and foot of beds, and meres thereon clean and free from bush and other obstacles;
- (b) the abstention from throwing grass or other obstacles into the trenches abutting the holding;
- (c) such rules as are generally recognised to be necessary for good husbandry; '.

Clause 3

(i) Mr. Budhoo moved the substitution of the words "co-operative society, company, corporation or industrial and provident society" for the word "person" in the first line of Clause 3.

(ii) Mr. Benn moved the substitution of the words "co-operative society" for the word "person" in the first line of Clause 3.

After discussion, the following Members voted in favour of Mr. Benn's amendment:

- (i) Mr. Benn
- and (ii) Mr. Jagan,

while the following Members voted in favour of Mr. Budhoo's amendment:-

- (i) Mr. Budhoo
- (ii) Mr. Prashad
- and (iii) Mr. John.

Mr. Budhoo's amendment was, therefore, carried.

Mr. Jagan moved that Clause 3 (as amended) be re-numbered as Clause 3(1) and that the following be inserted as Clause 3 (2):-

"The Minister may, from time to time, if he thinks fit, revoke the approval given to any person to be a lender."

Mr. Jagan's amendment was agreed to.

Clauses 4 and 5 - were agreed to as printed.

At this stage, the Committee decided to consider Clause 20 and agreed as follows:-

the re-numbering of Clause 20 as Clause 20(1) and the insertion of new Clauses 20(2) and 20(3) viz:

"(2) The Minister may, by regulations, prescribe the general conditions which shall be deemed to be incorporated in every sale contract and the said conditions may in like manner be amended, altered or varied:

Provided that no amendment, alteration or variation of the said conditions shall be of any force or effect to the extent that it may prejudice any security given by a farmer to any person or the rights of any person under a sale contract made prior to and subsisting at the time of such amendment, alteration or variation unless that person has consented thereto in writing.

(3) Regulations made under this section shall be laid before the House of Assembly within fourteen days after they are made, and if the House of Assembly, within a period of thirty days beginning with the day on which the regulations are laid before it, resolves that the regulations be annulled, they shall be thereby annulled, and the regulations so annulled shall thenceforth become void and of no effect but without prejudice to the validity of anything previously done under the regulations or the making of new regulations".

Clause 6 - subsection (1)

Mr. Budhoo moved the following amendment:-

The insertion of a comma and the words ",subject to the provisions of any regulations made by the Minister under the provisions of subsection (2) of section 20 of this Ordinance," between the words "may" and "make" in the second line.

Mr. Budhoo, Mr. Prashad and Mr. John voted for the amendment.

Mr. Benn and Mr. Jagan voted against the amendment.

The amendment was, therefore, carried.

Clause 6 - subsection (2)

Mr. Jagan moved the deletion of the words "any other person or persons or by" in the first and second lines.

Mr. Benn and Mr. Jagan voted for the amendment.

Mr. John voted against the amendment.

Mr. Budhoo and Mr. Prashad abstained from voting.

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The amendment was, therefore, carried.

Clause 7

Mr. Jagan moved the deletion of subsection(3) of Clause 7.

Mr. Benn and Mr. Jagan voted for the deletion of the subsection.

Mr. Budhoo, Mr. Prashad and Mr. John voted against the deletion of the subsection.

The amendment was, therefore, negatived.

Clause 8 - was agreed to as printed.

Clause 9 - subsection (1)

Mr. Jagan moved the substitution of the words "The Registrar shall, in the absence of any objection made to the application for the loan referred to in the loan notice, and on the expiration of 14 days after the date of publication of the said loan notice - " for the words "The Registrar shall on the expiration of fourteen days after the date of publication of the loan notice - ", in the first and second lines of subsection(1)of Clause 9.

Committee agreed to the substitution of the words.

Termination of Meeting

At 4.00 p.m. the Meeting terminated, until 2.00 p.m. on Wednesday, 4th August, 1965.

Confirmed this day of August, 1965.

Chil Leallep John
.....
Chairman

E. V. Viapree
.....
Secretary

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MINUTES of the Second Meeting of a Special Select Committee of the House of Assembly appointed to consider the Agricultural Loans Bill, 1965, (No. 21 of 1965) held in the Chamber of the Legislature

AT 2.00 P.M.

on

WEDNESDAY, 4TH AUGUST, 1965

PRESENT:

The Honourable L. John, Minister of Agriculture - Chairman
Mr. J. Budhoo
Mr. H. Prashad
Mr. B.H. Benn
Mr. D.C. Jagan
with
Mr. E.V. Viapree, Clerk of the Legislature, Secretary.

Mr. H.P. Ramkelewan, Acting Parliamentary Counsel of the Attorney-General's Office was in attendance as was agreed by the Committee at the previous Meeting held on Monday, 26th July, 1965.

CONFIRMATION OF MINUTES

On a motion by Mr. Prashad seconded by Mr. Budhoo, the Minutes of the Meeting held on Monday, 26th July, 1965, which were printed and circulated, were confirmed.

CONSIDERATION OF THE AGRICULTURAL LOANS BILL, 1965
(No. 21 of 1965) RESUMED.

The Committee resumed consideration of the Agricultural Loans Bill, 1965.

Clause 10 - Subsection (1)

Mr. Jagan moved the following amendment:-

Insertion of the words "at four per cent" between the words "interest" and "thereon" in the third line.

Mr. Budhoo moved that the Clause be passed as printed.

Thereafter, Mr. Jagan's amendment was put and negatived, the voting being as follows:-

For the Amendment

Mr. Jagan

Against the Amendment

Mr. Prashad
Mr. Budhoo

Mr. Budhoo's motion was then put and carried, with Mr. Prashad and Mr. Budhoo voting for the motion.

At this stage of the proceedings Mr. Benn arrived.

/...

Mr. Jagan informed the Chairman that he had other amendments to propose to Clause 10, but the Chairman stated that as Mr. Prashad's motion that Clause 10 be passed as printed had been carried, he did not propose to accept further amendments.

Mr. Benn and Mr. Jagan then left the meeting.

Clause 11 - was passed as under:-

Subsection (1) - was agreed to as printed.

Subsection (2) - was deleted and the following substituted therefor:-

"(2) A lien shall not be security for principal moneys at any one time outstanding (exclusive of interest and costs, expenses and other sums incurred in protection of the security or relating thereto) in excess of the amount stated in the loan certificate as the sum not to be exceeded at any one time, and a lien shall not be deemed to be discharged by reason only that the principal moneys owing at any one time on loan or current account under the loan certificate have been paid in full or that the current account has ceased to be in debit."

Clauses 12, 13, 14 and 15 - were agreed to as printed.

Clause 16 - was passed as under:-

Subsection (1) - was deleted and the following substituted therefor:-

"(1) Unless a lender has agreed to advance further moneys to a farmer upon the security of a loan certificate in the possession of the lender, the lender shall, upon repayment of the loan deliver the loan certificate to the person making payment after having endorsed on the loan certificate a receipt in form 4 set out in the first schedule to this Ordinance."

Subsections (2) and (3) were agreed to as printed.

Clauses 17 to 19 - were agreed to as printed.

Clause 20 - Vide Minutes of the previous meeting.

Clauses 21 and 22 - were agreed to as printed.

First Schedule - Form I of the First Schedule was amended as follows:-

The words "of the loan of \$..... to be made to me/us by the Lender" were deleted and the words "of the principal moneys not exceeding at any one time the sum of \$.... to be advanced to me/us from time to time by the Lender (on loan or current account)" substituted therefor.

Forms 2, 3, 4 and 5 were agreed to as printed.

Second and Third Schedules - were agreed to as printed.

TERMINATION OF MEETING

There being no further business, the Meeting terminated at 2.45 p.m.

Confirmed this 6th day of October, 1965

(Sgd) C.M. LLEWELLYN JOHN
CHAIRMAN

E.V. VIAPREE

Secretary.

Note: These minutes were sent to Mr. B.H. Benn and Mr. D. Jagan (Members of the Select Committee) for confirmation but they both refused to confirm them.

E. V. Viapree
Secretary,
Special Select Committees

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BRITISH GUIANA

HOUSE OF ASSEMBLY - FIRST SESSION

MINUTES of the Second Meeting of the Committee of Selection held in the Speaker's Office at 4.00 p.m. on Wednesday, 21st July, 1965.

PRESENT:

His Honour the Speaker, Mr. A.P. Alleyne - Chairman
The Hon. W.O.R. Kendall, Minister of Trade and Industry.
The Hon. J.H. Thomas, Minister of Economic Affairs.
Mr. G. Bowman
Mr. H. Prashad
Mr. C.F. Chan-A-Sue

with

Mr. E.V. Viapree, Clerk of the Legislature - Secretary, and
Mr. F.A. Narain, Assistant Clerk of the Legislature (Ag.)

Absent

Mr. C.V. Too-Chung - on leave.

Purpose of Meeting

The purpose of the meeting was to nominate Members to serve on the Special Select Committee to consider the Agricultural Loans Bill, 1965 (Bill No. 21/1965), in pursuance of a motion passed earlier that day by the House of Assembly that the Bill be committed to a Select Committee.

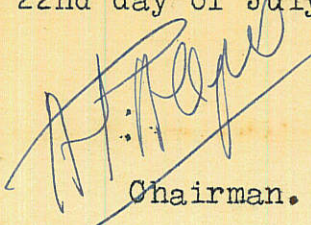
Nomination of Members to serve on Special Select Committee to consider Agricultural Loans Bill

The Committee of Selection considered the motion passed by the House of Assembly and nominated the following Members to serve on the Special Select Committee to consider the Agricultural Loans Bill:

1. The Hon. L. John, Minister of Agriculture
2. Mr. J. Budhoo
3. Mr. H. Prashad
4. Mr. B.H. Benn
5. Mr. D. Jagan

There being no further business, the Meeting terminated at 4.05 p.m.

Confirmed this 22nd day of July, 1965.


Chairman.