

LEGISLATIVE COUNCIL

THURSDAY, 8TH NOVEMBER, 1951

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. J. Gutch, O.B.E.**

The Hon. the Attorney-General, **Mr. A. C. Brazao (Acting).**

The Hon. the Financial Secretary and Treasurer, **Mr. W. O. Fraser (Acting).**

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

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

The Hon. **T. Lee** (Essequibo River).

The Hon. **V. Roth, O.B.E.** (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** (Eastern Berbice).

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 Clerk read prayers.

The Minutes of the meeting of the Council held on Friday, the 2nd of November, 1951, as printed and circulated, were taken as read and confirmed.

PRESENTATION OF REPORTS AND DOCUMENTS.

The **Financial Secretary and Treasurer** laid on the table the Minutes of the Meeting of Finance Committee held on the 25th of October, 1951.

GOVERNMENT NOTICES

ADDITIONAL EXPENDITURE, 1950.

The Financial Secretary & Treasurer: I beg to give notice of the introduction and first reading of the following Bill which was published in the *Gazette* on the 6th November, 1951, and a copy of which was circulated to hon. Members. It is my intention to move, with the Council's consent, that this Bill be taken through all its stages tomorrow:—A Bill intitled—

“An Ordinance to allow and confirm certain additional expenditure incurred in the year ended the thirty-first day of December, 1950.”

INACCURATE NEWSPAPER REPORTS

Dr. Nicholson : Before we proceed to the Order of the Day, I should like to bring to the attention of this Council a matter of some moment to hon. Members. Reporters from the Press come here and make reports of the proceedings, and while these reports must necessarily be very much abbreviated, when they are made in such a manner as is likely to bring hon. Members into disrepute, or to hold them up to public ridicule because of their inaccuracy, I think it is time for this Council to sit up and take notice. I feel that hon. Members should be afforded some protection and, if necessary, certain members of the Press should be asked to withdraw from the Chamber.

I want to bring to the notice of the Council a report of last Friday's debate on the Antibiotics Bill, as appearing in the *Daily Chronicle* of the 6th November. It begins in this manner:

"Following a 25-minute speech by Dr. Harold Fernandes, antibiotics and chest specialist, the Legislative Council on Friday passed the motion for the second reading of the Bill seeking to restrict the administration of anti-biotic drugs only by medical practitioners, dentists, veterinary surgeons and authorised Government dispensers and nurses."

It goes on to say a little more of what Dr. Fernandes said, and while I would not have cared if it had left me out altogether, this is what it says about me:—

"Hon. Dr. J. A. Nicholson displayed a bottle of penicillin lozenges as well as some literature and told the House that it was not a 'be-all, end-all.'"

It is in this respect that I make this complaint, because this certainly holds me up to ridicule and contempt. In the first place, the report is inaccurate because I did not have penicillin lozenges in my hand. I produced a copy of the Jamaica law on the subject of control of these drugs, and I had some literature from the well-known firm of Parke, Davis and Coy.

from which I read as an authority to show what was the proper procedure as regards administration. To say that I "displayed a bottle of penicillin lozenges as well as some literature and told the House that it was not a be-all, end-all", is the kind of inaccuracy that holds one up to public ridicule. Indeed, as a medical man and a representative of the public in this Council, persons might very well hold that it was a very unworthy attempt on my part to make a contribution to the debate.

Mr. Roth : I would like to support the remarks made by the hon. Member.

The President : I would ask the Press to take notice of what has been said, and to remind them that Standing Rule and Order of the Council, No. 5 (b), reads as follows:—

"5. (b) If there should be published in any newspaper an unfair or misleading report of anything which has transpired at a meeting of the Council, the Council may direct that no representative of the newspaper may be permitted to attend the sitting of the Council for such period as the Council may determine."

The newspaper representatives should be aware of the privilege granted in being permitted to attend the meetings of the Council, and it is their duty to see that no unfair or misleading report is made of the proceedings of the Council. I must draw their attention to what the hon. Members have said, since it has been brought to the notice of the Council.

UNESCO AID FOR ADULT LITERACY
CAMPAIGN

Mr. Debidin : With your permission, sir, I should like to refer to a matter of very great public interest in this Colony of British Guiana. During last week it was disclosed in an International News Bulletin, heard over the air, that the United Nations Organisation is planning to spend the sum of \$20,000,000 (U.S. currency) for the

liquidation of adult illiteracy in various parts of the world. The bulletin went on to say that about six stations will be established in various centres in order to provide the necessary staff and equipment for the campaign. This, to my mind, is one of the finest bits of news that has reached British Guiana for a long time, because in this Colony, as we know, the percentage of illiteracy is very high indeed. I wish, therefore, to appeal to the Government of this Colony to make the necessary enquiries with a view to finding out whether this Colony could be provided with financial assistance from this source, so that in the interest of humanity we might endeavour to make some progress in tackling adult illiteracy. I do not know whether it is necessary to move a motion to that effect in this Council, or whether you, sir, will take the necessary steps in view of what is being done by UNESCO at the moment. The matter is one of tremendous interest to this Colony, and it is obvious that grants are being made to other countries.

The President : I cannot tell the hon. Member or this Council whether we have received any official notification of the grants to which the hon. Member has referred. I have not, but I will make enquiries to see what it is all about—what the money is intended for. I cannot do more than that; Government will look into the matter. Council will now proceed to the Order of the Day.

ANTIBIOTICS BILL, 1951.

The Attorney-General : I beg to move that Council resolve itself into Committee to consider, clause by clause, the Bill intituled—

“An Ordinance to regulate the importation, storage, distribution, sale and use of antibiotics.”

Dr. Nicholson seconded.

Mr. Debidin : Before this motion is put I should like to speak on the Bill proper and to say that I am

against it for the reason that although we have had a very full discussion on it and have even had a full explanation by an expert on antibiotics—Dr. Fernandes—it seems to me all the more important that this Bill should be re-considered by Government and the necessary amendments made in the light of the discussion which has taken place. If that is done it is probable that something more acceptable would be put before this Council.

Today we might have to go into matters which those Members who are not in the legal profession may find very technical, and we all know that the Attorney-General has had the advice of the Medical Department in drafting the Bill. I have read in the newspapers most of what took place when Dr. Fernandes addressed the Council in relation to this Bill, and I find that a compromise is necessary. I have also found that most of what we have said ourselves can come within the compromise. I agree that some control is necessary, but I do not think that the proposals contained in the Bill are quite appropriate. I ask that a vote be taken on the motion.

Mr. Roth : The hon. Member who has just taken his seat having admitted that some control is necessary, surely we can decide in the Committee stage how it should be done, and what changes should be made.

The President : I will put the motion.

Motion put and agreed to.

COUNCIL IN COMMITTEE

The President : The Council will go into Committee.

Clause 2 — Interpretation.

The Attorney-General : I would like to move an amendment to this clause for the purpose of clarification. The expressions “registered medical practi-

tioner, dentist or veterinary surgeon," are used in various clauses of the Bill without qualification as regards dentist or veterinary surgeon, and I think myself that a definition clause as regards these three types of practitioners would be advisable so as to make it clear that only registered persons—medical practitioners registered under the Colonial Medical Service (Consolidation) Ordinance, dentists similarly registered, and veterinary surgeons registered under the Animal Diseases Ordinance, are intended. I therefore beg to move that the full stop at the end of clause 2 be deleted and a semicolon substituted therefor, and that the following be inserted:—

"dentist" means a person registered as a dentist under the Colonial Medical Service (Consolidation) Ordinance;

"medical practitioner" means a person registered as a medical practitioner under the Colonial Medical Service (Consolidation) Ordinance;

"veterinary surgeon" means a person registered as a veterinary surgeon under the Animals Diseases Ordinance, 1936."

Mr. Fernandes : I should like to have some clarification of this amendment, because we know that there are two types of dentists in this Colony. We are anxious to see that these drugs do not fall into the hands of persons who are not qualified to handle them, and when we speak of "dentists" I would like to know whether dentists who are not qualified would be allowed to do so.

The Attorney-General : The object of this is to make it clear that only dentists registered under the Colonial Medical Service (Consolidation) Ordinance would be entitled to handle these drugs.

Mr. Fernandes : I think the Attorney-General should say that only dentists who are registered would be allowed to do so. We know that there are two types of dentists in this Colony, and therefore we should make it

clear that the right would only go to men properly qualified as dentists—men who have been properly trained. It might be argued that if a dentist is registered in the Colony he is a dentist in the opinion of the public and therefore you cannot prevent him. I ask that the point be definitely settled.

The Chairman : Section 39 of the Ordinance—Chapter 186—reads:—

"39. Anyone who is registered or entitled to be registered as a dentist in the United Kingdom under any Act for the time being in force, or holds a certificate granted in a British possession or foreign country, for the time being recognised by the Board as affording a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of dentistry and entitling the holder to practice dentistry in the possession or country in which it was granted, shall on payment of a fee of twenty-four dollars be entitled to be registered as a dentist under this Ordinance,....."

Dr. Gonsalves : We spoke last week of the apparent danger in allowing these drugs to be handled by dentists, dispensers, and other persons not suitably trained to do so, and I still think the right should only be given to people who are better trained. There are two classes of dentists in this Colony, and when Chapter 87 speaks of men properly registered I do not think it could mean men who are not properly qualified.

The Chairman : I think if a man is qualified under the section of the Ordinance I have just read that would meet the case.

Dr. Gonsalves : We would be doing an injustice to the class of dentists who are properly trained and qualified to handle these drugs, if we give the right to locally-trained men. In other words, if we are restricting druggists who have been locally trained as regards the use of these drugs, then surely we cannot allow dentists who have been similarly trained to have the full right.

The Chairman : I am saying that if we act under section 39 of the Col-

onial Medical Service (Consolidation) Ordinance, it would meet the case. Is that all right?

Dr. Gonsalves : I think it would meet the point in view of the fact that the word "qualified" is used.

The Attorney-General : I believe what the hon. Member is getting at is the fact that certain persons were admitted to the register of dentists by reason of certain special legislation passed in 1939 or 1940, and that by virtue of their admission to the register they are allowed the full practice of dentistry, and it seems to me that it would be difficult to exclude them from the use of these drugs in the practice of their profession without placing restrictions on them which would of necessity curb their practice and deprive them of the full benefit of registration. I am advised that those persons should be sufficiently competent, from the experience they may have gained, to handle these drugs in a manner which would be beneficial to the public in general.

Mr. Debidin : I wanted to say the same thing. While I sympathize with the point made by the hon. Member for Eastern Berbice (Dr. Gonsalves) I must say that when we were debating the second reading of this Bill my stand was that we should afford the rural districts of the Colony some extension of the opportunities for the use of drugs which would be beneficial. It is true that many dentists have been given special registration, and some of them are chemists and druggists with long practice. Some of those persons are in the River districts of the Colony, and if they have had experience to justify their admission to the register of dentists I agree with the hon. the Attorney-General that they should be competent to handle antibiotics. I feel that I am consistent when I say that they should be given that right. Although I am reluctant to oppose the views of my friend I feel that chemists and druggists ought to be given the privilege of handling antibiotics, and that this

Bill is certainly striking very dangerously at the question of medical services for the rural population in a manner which has been sufficiently explored during the debate on the second reading of the Bill.

But this point must be borne in mind. I am supporting the suggestion of the hon. the Attorney-General, but it does show that if we can give a certain class of persons permission to handle antibiotics, why the objection to the class for whom we have been clamouring? It is not consistent at all, and when the Bill is passed, even with my support, it is going to be a contradiction in itself. I move the deletion from the definition clause the words: "and any other antimicrobial substance which the Governor in Council may from time to time by Order published in the *Gazette* declare to be an antibiotic to which this Ordinance shall apply." We have been reluctant (at least some Members) to place such great restrictions on the use of antibiotics, yet by this particular provision the Governor in Council is going to be permitted, without any further discussion in this Council, to introduce by the mere publication of an Order, additional substances for this tremendous restriction and control under this Bill which may be passed today. I say it is not right, for as it stands now we are preventing a large number of persons from handling these drugs for the benefit of the community.

It is true that much argument has been advanced on the other side as regards immunity being brought about by the indiscriminate use of these drugs. Accepting that argument as correct, we are not only restricting the distribution and use of these drugs but the source from which they are imported. In addition to that we are giving the Governor in Council the power to add other antimicrobial substances behind the backs of Members of this Council.

The Chairman : I do suggest to the hon. Member that he is entirely wrong. These compounds are being discovered every month in the year as far as I know. It is only within the last few years that these drugs were discovered, but they are experimenting with them and producing new compounds from time to time. It is only after extensive experimentation over a year or two that they put these compounds on the market. If hon. Members desire corroboration of what I have said I would ask Dr. Fernandes to speak again.

Mr. Debidin : I would be very glad for that. I am basing my argument and objection to this provision on the ground of what I have described as a generic term which will embrace every type of drug which has to do with microbes or germs. The term "antimicrobial substance" would seem to embrace any type of drug which is used against germs.

The Chairman : May I ask Dr. Fernandes to explain to the hon. Member? We cannot go on arguing about these things indefinitely.

Dr. Fernandes : I should be very glad to do so, Sir. An antibiotic is really a fungus, that is a microbe producing a substance which has been found in medicine to be of value, and occurring naturally. There are things, like penicillin, which were discovered in that way as a fungus, but they can be manufactured synthetically. Penicillin is an antibiotic because it is a microbe occurring naturally, from which a substance was found that was beneficial to the human being, and it can be manufactured synthetically. The sulpha drugs are not antibiotics; they are chemical compounds made artificially by man in a laboratory from the very beginning. Take, for instance, M & B 693, which is so named because it took 693 attempts to evolve the drug which could be used in the human being without producing very serious or poisonous results, and from that particular period all the other sulpha drugs have evolved that are less

poisonous. So that sulpha drugs are not antibiotics.

I consider it necessary to have some sort of control in the sense that somebody should be authorized to say which antibiotic is dangerous and which is not, and I would advise that we follow the modern trend in the use of antibiotics. There are lots of new antibiotics now undergoing trial, among them terramycin and neomycin. They are more powerful drugs than streptomycin and the other antibiotics. They are very powerful antibiotics, but at the present time far too dangerous to be used even by medical men, and manufacturers are trying to change the chemical composition of the structure to place them in the hands of medical men. Surely then, if we do not restrict the use of antibiotics there would be nothing to stop an individual importing those drugs and using them now. I do not think it is intended to have a drug which is perfectly harmless placed under any restriction at all, but it is necessary to do so in the case of penicillin, terramycin, neomycin and other antibiotics.

Mr. Carter : With all respect to Dr. Fernandes I do not think his explanation quite answers the point made by the hon. Member for Eastern Demerara (Mr. Debidin) who wants to delete the last five lines of clause 2. As I understand the position, the words "antimicrobial substance" would include such things as Nixoderm and Dettol which are both antimicrobial substances, and I believe that the Trinidad and Jamaica legislation provides a certain limitation in the clause. What I would recommend is not the deletion of those words but some clarification of the words "antimicrobial substance." I have not seen the Trinidad or Jamaica legislation but I understand that there is a limitation of those words, so that only antibiotics in the true sense are included in the definition.

Mr. Fernandes : I heartily agree with the contention that the words

"antimicrobial substance" can mean anything, and I am certain that in the very near future, under pressure from the medical profession, all sulpha drugs will be included in the definition. In view of the fact that at the previous meeting Dr. Fernandes said he recommended sulpha drugs to the ordinary layman in the bush rather than penicillin, I think that Members of the Council would like to feel sure that when they pass this Bill they will not wake up one morning to find that the sulpha drugs have also been put into the class of antibiotics.

Before the debate on the second reading of the Bill began I had intended to move an amendment to clause 2 for the deletion of the words "penicillin, all compounds of penicillin, and all medicinal preparations containing penicillin" so as to have the term "antimicrobial substance" straightened, but one is never too old to learn. I did feel a lot better when Dr. Fernandes explained to us how serious the administration of antibiotics can be if done in the wrong way. I am always open to be convinced when my way of thinking is wrong, and I was convinced beyond a doubt that it would be safer to have the antibiotics named in the Bill controlled. Of course Dr. Fernandes went a little further and convinced me that some of these antibiotics, particularly streptomycin, would be dangerous in the hands of perhaps 60 or 70 per cent. of the general medical practitioners, and perhaps an even greater percentage of dentists. Therefore I shall have my say when the relevant clause is reached.

I am going to accept penicillin in this group in view of what I have been told. I have no desire to set up drug-resisting germs which may lead to trouble. Speaking for myself I still have some qualms of conscience about including the compounds of penicillin in this clause, but I am going to let it pass and follow it carefully to see what effect it will have. Opposition to the

control of these antibiotics might increase Government in considerable increased expenditure at a later stage. We have been told that Trinidad has already passed a similar Bill. I hope that when my motion on the Order Paper comes up tomorrow or next week Members will adopt the same attitude by thinking of what Trinidad has done in that matter. We have also been told that in the United Kingdom there is not only control of these drugs but of other drugs which we allow to be sold freely in this Colony, but I would like to say that that argument does not hold, because in the U.K. any ordinary person, however poor, can call on a doctor 24 hours a day absolutely free of cost. What is more, he would not want to buy such drugs except on a doctor's prescription, for if he did he would have to pay for them. On a doctor's prescription drugs were supplied free of cost in England, at least up to a short time ago, but there has been some suggestion that people should contribute to the cost.

I am going to accept almost everything in this Bill, and I shall watch it very closely to see what effect it will have. One last point on Dr. Fernandes' visit to this Council. I would recommend very strongly that when Bills of a technical nature, such as this one is, are to be put before this Council Government should not wait until they are presented for second reading to put the facts before Council, but before the first reading is taken Members should have the benefit of the experience of the experts at Government's command. Had that been done in this case I venture to say that half of the time spent on the debate on the second reading would not have been spent, and perhaps the Bill might have been taken through all its stages by now. Anyway I would still like to thank Government for having brought Dr. Fernandes here to enlighten us on the proper use of these drugs. It appalled me to hear how freely

drugs of this kind are being used throughout the Colony. I would never have believed that persons other than doctors would have attempted to give injections of drugs like streptomycin. The fact that these things have happened should convince Government that they should go even further than controlling the drugs under this Bill. Government should take the necessary steps to see that that sort of illegal practice is stopped in order to avoid endangering people's lives.

Dr. Gonsalves : I am sorry to take up so much time in this matter but other speakers have taken me away from the point I was trying to make. I respectfully disagree with the hon. the Attorney-General. The point has been made that the mere fact that certain persons have been registered gives them sufficient knowledge to be permitted to handle these drugs. I beg to differ from that view. An untrained person who has been permitted to register and practise as a dentist cannot be said to be competent to handle these dangerous drugs. I am asking the Council to be very cautious in this matter. I think I have had a reasonable amount of training in dentistry but I would not attempt to handle some of these drugs without consulting a physician who is more experienced in the use of them. It is only in certain cases that penicillin is injected, and one has to know when to use it. If a person is trained as a chemist and druggist and is licensed to practise dentistry it means that there will be three groups of persons to be allowed to handle these drugs. Even some dentists are not capable to handle these drugs.

The Attorney-General : The hon. Member for Georgetown South (Mr. Carter) has told us that in the Trinidad Ordinance the residuary power in the definition clause with regard to declaring other substances to be antibiotics is more elaborate than the one proposed in this Bill. That matter has been under careful consideration by the advisers to Government with respect to

this Bill, and the words which actually appear in the Trinidad Ordinance were omitted because of the fact that in recent times antibiotics as such have been produced not only from living organisms but synthetically. The definition as appears in the Trinidad Ordinance reads as follows:

"and any other anti-microbial organic substance produced by living organisms, which may be declared by the Governor in Council by Order published in the *Royal Gazette* to be an antibiotic to which this Ordinance shall apply."

If those words were to be put in and some qualification of them were not put in also, then the synthetically-manufactured antibiotics of the penicillin and streptomycin group would escape the provisions of this Bill. In order to meet that case, however, I have had further consultation with the experts, and I think that these words "and any other antimicrobial substance"—should be deleted, and that there should be substituted therefor, without the possibility of bringing in iodine or anything of the kind, the words—

"and any other antimicrobial organic substance produced by living organisms or synthetically with the same structural formula as the natural product of the organism."

That, I have been advised, will cover the fears of hon. Members as to whether sulpha drugs will be admitted to control by this Ordinance. Sulpha drugs, I am advised, never had their origin in microbial substances, so that that distinction would complete the bar of any other antibiotics coming into the market after this Bill is enacted. As regards the question raised by the hon. Member for Eastern Berbice, I find myself in this difficulty. It is clear that dentists in their general practice use antibiotics to a very limited extent, and the full practice of dentistry is secured to those persons who, as the hon. Member has indicated, are not merely exempted from the provisions of the Ordinance, but under a special Ordinance had to satisfy examin-

ers as to their ability to practise their profession of dentistry because of their long apprenticeship to registered dentists. I feel it would be difficult to say at this stage and make exceptions as to the tools with which these dentists should practise their profession. I do not think the inclusion of such persons into the class of those who may be allowed to administer antibiotics should create the situation which the hon. Member for Eastern Berbice anticipates.

Mr. Debidin : We have had a very long substitute for the words "and any other antimicrobial substance," but it seems to me that the word "organic" is what is likely to remove any doubt as to what type of antimicrobial substance should be considered. There is one thing that amused me, and because of that I would like to know if the Attorney-General can tell us whether a substance that is produced synthetically can still be considered to be organic. From my little study of chemistry I do not think that can be so. If we get any such case I think it is going to produce some hardship. One would say that a substance might be synthetic but not organic or microbial, although used as much.

There must be a certain amount of objection to this clause because the Governor in Council is going to decide as to the particular substance outside this Council. It would not be a difficult matter, if this Bill is passed, to introduce subsequent legislation amending the Schedule to the Food and Drugs Ordinance, or any other Ordinance affected by it. In matters of this kind which affect the public so widely, we should consider carefully what need there would be for subsequent legislation. In my opinion, opposition to measures of this kind should not be considered by the Executive Council, since we would be transferring more and more power to that body, and that would mean less and less responsibility for this Council. That is important and, to my mind, a somewhat constitutional objection which I repeat again today.

The Chairman : Perhaps the hon. Member would not have the same objection under the new Constitution; he might have just the reverse.

Mr. Debidin : The Executive Council, under the new Constitution, will be elected from among the Members of the Legislature; something that is not being done at present.

Mr. Roth : I cannot say whether I am blessed or cursed with a sense of humour, but I cannot be a party to lawyers and laymen arguing and discussing such a very deeply scientific subject as antibiotics. I bow to the hon. Member for Eastern Demerara when it comes to matters of law, and it is interesting to recall that when we first started this debate the hon. Member asked us what are antibiotics. He thought they referred to "M & B" tablets, but now—today—he is telling us all about antibiotics. I bow to the hon. Member for Georgetown Central also in his knowledge of commercial matters, but when it comes to this question of antibiotics I say let us listen to those who know what they are talking. It is a very difficult and scientific matter, and if we listen to the experts I think a lot of time and trouble will be saved.

Mr. Fernandes : To a point of information: For the benefit of the hon. Member who has just taken his seat I will say that is just what I have done. I was enlightened by what I heard from the experts, and if they had been listened to a great deal of time would have been saved.

Mr. Roth : To a point of correction: The hon. Member, when he first spoke in this debate, said he had never heard that penicillin was injurious.

Mr. Fernandes : I am not going to cross swords with the hon. Member, but I said just now that I was enlightened considerably by what was said by Dr. Fernandes. I think the hon. Member should be satisfied that I have admitted I learnt something new.

Mr. Roth: I admit that with pleasure.

The Chairman: Is the hon. Member for Eastern Demerara pressing his amendment?

Mr. Debidin: No, sir; I accept the amendment moved by the Attorney-General.

The Chairman: I will put the amendment that the definition "antibiotics" be amended, as stated by the Attorney-General,

Amendment put and agreed to.

Clause 2, as amended, passed.

Clause 4—*Restriction on importation of antibiotics.*

Mr. Roth: I shall be very grateful if Government gives us some information as to the reason for this clause. Why should the importation of the drugs be controlled if they are only going to be administered by qualified persons?

The Attorney-General: If I may be allowed to explain, this is merely to ensure that antibiotics manufactured by reputable firms who are already exporting the drugs to this country would be admitted, and there should be power to exclude importations from firms which I may call hybrid firms, which manufacture such substances and whose products, in the opinion of the medical authorities in this country, should not be allowed entry. There would be no danger, I understand, with respect to importation from firms which have been sending these drugs to the Colony in the past.

Mr. Roth: I thank the hon. the Attorney-General for the explanation.

Mr. Debidin: The hon. Nominated Member (Mr. Roth) anticipated me because, during the debate on the second reading of the Bill, I indicated that I regarded this particular clause

as something of which we would not be proud in future. Lawyers are accustomed to the principle which says that anything that restricts trade is against public policy, and here is something which restricts the manufacture of antibiotics in other parts of the world. I am not saying that this provision is harmful or harmless, but I am saying that it is not right to have it in this particular legislation because we have in the following clause the words—

"5. No person shall import any antibiotic into the Colony unless he is the holder of a licence granted by the Board to store such antibiotic."

There is nothing to show why a person would be refused permission to import. It is not pointed out, for instance, that if a person wants to import the drugs from Sweden or Greenland the Board will say "We are not going to permit you." I think that our chief sources of importation are the United States of America and the United Kingdom, and I cannot see any difficulty appearing in the way of the Control Authorities if this particular clause is deleted. If it is retained it will give rise to suspicion outside this Council to the effect that this Government is giving preference to certain firms. There may be firms in the United Kingdom or elsewhere which would secure a right to freedom of exportation to this country, and eventually we might find other manufacturers of antibiotics flooding the Licensing Authority with all kinds of literature on the subject, so much so that the Medical Board might need extra staff to deal with the situation.

The Chairman: How are you going to control antibiotics if you do not know who is importing it?

Mr. Debidin: The Licensing Authority will control that.

Dr. Singh: There are certain drug manufacturers in England who have earned an excellent reputation in this

and other countries, but if any new firms spring up to supply similar drugs I do not think they would be denied the privilege of exporting.

Mr. Debidin : If a representative of the firm of Parke Davis and Coy. comes to this Colony and says he went to the Director of Medical Services and also to the Control Board but found that antibiotics were only being allowed to be imported from England, what would be his opinion?

Mr. Roth : To a point of order: It has been held many times that the calling of names in such a manner should not be encouraged in this Council.

The Chairman : I think the hon. Member is wrong. I do not think it is improper to suggest that a representative of Parke Davis and Company might go to the Director of Medical Services and then to the Control Board about any matter relating to this Ordinance.

Mr. Debidin : I am glad for the way Your Excellency has put it. That appears to be precisely what I am trying to explain. We must protect the Government Departments and protect the Colony also. This clause, 4, is not necessary when we have a Licensing Authority to grant licences for the importation of these drugs. Why should we need to have a list to show which firms are going to be excluded and which included as the sources of importation? This is the sort of control that exists only in certain other parts of the world, and we should not lend ourselves to it.

Clause 4 passed, as printed.

Clause 7—*Appointment of licensing Officer.*

Mr. Debidin : Here again I have to express my fears. We have been shown in this Council the necessity for having a Board and various Ordinances for the carrying out of functions

similar to this. We have recently passed legislation whereby a Board comprised of Members of this Council will be appointed to grant licences to drug stores for the sale of dangerous drugs and so on.

Mr. Roth : To a point of inquiry: Was that not done on the suggestion of the hon. Member himself?

Mr. Debidin : If the hon. Member was not so impatient he would have heard that I am not denying that. I am saying that as we have Boards appointed already for doing similar things, we should not appoint another for this particular function.

The Colonial Secretary : To a point of correction: It is the Board that is the Licensing Authority. The Licensing Officer is only an Officer who will function as Secretary and sign the licences.

The Chairman : If the hon. Member looks at the other clauses, including clause 9, he will see that it is the Board that will be the Authority.

Mr. Debidin : Then this clause is unnecessary.

Clause 7 passed as printed.

Clause 10—*Restriction of sale of antibiotics, or transfer.*

The Attorney-General : I beg to move an amendment by the deletion of the word "registered" before the words "medical practitioner," in view of the amendments made to other parts of the Bill.

Amendment put and agreed to.

Clause 10, as amended, passed.

Clause 11—*Right of entry on premises to ensure compliance with provisions of Ordinance.*

Mr. Fernandes : I would like to suggest a small amendment to this

clause in view of a recent incident. I would suggest that the words "forfeited by the Board" which appear at the end of the clause be substituted by the words, "may be forfeited by His Majesty." I make the suggestion because, in a recent case, one firm found itself prosecuted in connection with a consignment of goods not exceeding the value of \$2,000. It was not a serious offence, but I think that where an employee of a firm makes a small omission in this case a firm might lose a large quantity of antibiotics. To make the situation as difficult as it would be under the Ordinance relating to malt liquor would, I think, be a little too thick. No matter how slight the offence is a seizure would be made and the firm would suffer terrific loss, because it would be held possible for the act of its employee. If we leave the clause as it is, we might find that some firms would not worry to import antibiotics at all, because of the danger of losing a large sum of money through forfeiture. I am afraid that if it is left like that we may find some of the larger firms deciding not to handle antibiotics at all.

Mr. Roth : I support the hon. Member's suggestion.

Mr. Fernandes : My amendment would be the substitution of the words "may be forfeited by the Magistrate." I take it that these will be summary offences and will be tried by a Magistrate.

Mr. Debidin : I think the usual way in which such a provision is framed is "shall be forfeited to the Board, unless the Magistrate otherwise orders." To use the words "may be forfeited" may lead to a great deal of confusion, because some lawyers do argue that "may" means "must."

The Attorney-General : I have been trying to ascertain how this par-

ticular point was dealt with in the other two Colonies which have passed similar Bills. In Trinidad the provision is that the substance shall be forfeited to the Committee which takes the place of the Board here. In Jamaica, however, the words are "shall be forfeited to the Crown, and shall be dealt with as the Governor may direct." I think the reason for the insistence on forfeiture is the fact that where an offence has been found to have been committed it may be found on analysis that the antibiotic should no longer be used. If such is the case then there should be forfeiture to the Crown as the Governor may direct. Application may be made for the return of the antibiotic if it is still in a useable condition, or the Governor may direct its destruction if it is not fit for further use. However, I cannot see much point in opposing the amendment moved by the hon. Member for Georgetown Central, (Mr. Fernandes) that forfeiture should not be automatic but left in the discretion of the Court on representations made by the prosecution. I think the amendment moved by the hon. Member for Eastern Demerara, (Mr. Debidin) might meet the case. He proposed that the clause should remain as it stands with the addition of the words "unless the Court otherwise orders."

Mr. Fernandes : If the facts are put before the Court that the stuff should be forfeited in the interest of the community I cannot imagine any Magistrate not ordering its forfeiture. I was hoping that the hon. the Attorney-General would not leave it to the discretion of the Governor or the Governor in Council, because that would be a confession that there was not sufficient confidence in a Magistrate to decide the issue.

Mr. Debidin : It is only upon conviction that the question of forfeiture comes in, and wherever there is a conviction it is open to the defence to make an application to the Magistrate,

but forfeiture will only be avoided upon good cause being shown. There is similar provision for forfeiture under the Motor Vehicles Ordinance. The Magistrate has to make a specific order so as to avoid forfeiture, and for that reason it is very essential that an application should be made.

Mr. Fernandes: The forfeiture referred to under the Motor Vehicles Ordinance is the forfeiture of a motor car or property. We are talking about forfeiture of articles that may be worth thousands of dollars.

Mr. Debidin: The analogy is the same.

The Chairman: I think if we add the words "if the Court so orders" that would meet the case. It has to be decided by the Court.

Clause 11, as amended, agreed to.

Clause 13.—*Further restriction on issue of antibiotics.*

The Attorney-General: I move the deletion of the word "registered" in the third line of clause 13.

Clause 13, as amended, agreed to.

Clause 14.—*Administering of antibiotics.*

The Attorney-General: I propose to move the amendment listed in my name with respect to the proviso to this clause. It reads as follows:—

"Provided that where a case of emergency arises in any area of the Colony in which a Government dispenser or registered nurse is stationed, and the services of a medical practitioner are not immediately available, such dispenser or nurse may administer penicillin, a compound of penicillin or any medicinal preparation containing penicillin."

Mr. Debidin: The point which I wish particularly to stress is that there are only certain districts in this Colony served by Government dispensers. I would like to ask the hon. the Attorney-

General whether he is satisfied that there would be sufficient opportunity for penicillin reaching areas of the Colony far removed from a Government dispenser or public hospital? As I see it, it is only in an emergency that a Government dispenser or registered nurse would be able to administer this particular drug. One cannot find chemists and druggists in all parts of the Colony storing antibiotics. For the storage of antibiotics a person must have a special licence, and he can only supply those drugs on a prescription by a medical practitioner. This provision is going to create a vacuum so far as the rural areas are concerned, and the blessings of these modern discoveries would be screened from the ordinary people in the rural areas.

For this reason I have suggested that the Bill might be considered more carefully by the Medical Department. I am still hoping that this particular provision might be deferred for consideration of the question of licensing certain persons in the rural areas for the handling of these drugs under certain conditions controlled by the Medical Department, so that in the case of an emergency the drugs would be at hand. I am not satisfied that this proviso will be of any benefit at all. Where are the Government dispensers? For instance I only know of one at Canal No. 1. I know of none at Mahacony. It is useless to say that Government dispensers would be allowed to administer penicillin in an emergency. I would suggest that the proviso be enlarged to include chemists and druggists in the rural areas.

Dr. Singh: I would like to put the hon. Member's mind at ease. In the case of an emergency in a rural district the patient would either have to go to the G.M.O. or that officer would have to go to the patient. In any case the G.M.O. would have a certain quantity of penicillin always at hand. He has to keep a certain supply for emergency. Where the services of a G.M.O. are not available a Government dispenser or a regis-

tered nurse would be able to deal with the emergency. I hope dispensers and qualified nurses will be trained to administer penicillin in cases of emergency.

Mr. Debidin : What is a qualified nurse?

Dr. Singh : A person who has been trained at a hospital to administer injections. We will not find chemists and druggists in the rural areas; they confine themselves to the cities. In the rural areas we may find dispensers.

Mr. Debidin : Chemists and druggists are to be found all along the country districts.

Dr. Singh : There may be one or two chemists and druggists but they have had no training whatever to administer penicillin. They do not even know the method of sterilizing. A dispenser is the only fit and proper person to administer penicillin in the rural areas; not a chemist and druggist. For that reason outlying districts are provided with dispensers and nurses where there are no medical officers.

Mr. Lee : In several districts in my constituency there are no Government dispensers or registered nurses. I do not know whether there is a Government dispenser in the Potaro.

Mr. Roth : There is a registered nurse.

Mr. Lee : Is she a registered nurse employed by Government, or simply a registered nurse? I am concerned with the question of penicillin being permitted to be administered in the rural areas where there are no Government dispensers or registered nurses. I feel that some provision should be made for penicillin to be administered in cases of emergency.

The Chairman : By whom?

Mr. Lee : Certain persons should be registered to administer the drug.

For instance, if an accident occurred at Meamu in the Mazaruni district it would take a day and a half to get the injured person to the Government dispenser at Kamakusa.

Mr. Roth : The hon. Member for Demerara-Essequibo (Dr. Singh) said he hoped that Government dispensers and nurses would be trained in the use of antibiotics. I agree that Government should see that those persons receive the necessary training.

With regard to the remarks of the last speaker I may tell him that the Mining and Forestry Ordinances require that anyone who employs more than 50 persons in the interior must provide the services of a qualified dispenser, but the law does not specify that he must be a Government dispenser. In the circumstances I suggest that there should be a further amendment to insert the words "a qualified dispenser" so as to bring it into line with what the law provides for the interior. I also think that such dispensers should be permitted to administer antibiotics.

Mr. Fernandes : The whole trouble about this Bill, as I see it, is due to the fact that penicillin has not been separated from the other antibiotics. If it were removed I would recommend that not even Government Medical Officers who have not had special training should be permitted to administer the other antibiotics. We have to be very careful, because whenever we widen the law we widen it with respect to all antibiotics, and I think there should be room for widening the powers of administering penicillin and penicillin preparations in the outlying districts, but I do not think it would be wise to permit the administering of the other antibiotics listed here, for the reason that they are very dangerous.

The Chairman : The amendment excludes everything.

Mr. Fernandes : There is one other point I want to make. I would

like an interpretation of the words "under the direction of a medical practitioner." Under direction can mean anything. A doctor could sit in Georgetown and have penicillin administered in the Rupununi under his direction. For instance he could give directions over the radio-telephone that it should be administered. I would like to know whether that is what is meant. If so it would remove quite a lot of the hardships as I see them.

Mr. Phang : I have listened very carefully to all that has been said, and it seems to me that the North-West District would be deprived of the benefit of penicillin and the other antibiotics, simply because we have no dispensers within a reasonable distance of Mabaruma. There are large numbers of men in the gold fields where there are no dispensers, nurses or anybody who would be authorized to administer antibiotics.

The Chairman : Are there any "river dispensers", as they call them, in the North Western District? I am sure there are some travelling dispensers there who travel by boat.

Mr. Phang : Yes, sir; but they can only be at one place at a time.

Mr. Debidin : If I understand this amendment rightly, I think the hon. Member for Georgetown Central will be relieved in mind when he sees that only penicillin can be administered by a dispenser or a nurse. I am thinking, however, of the point made by the last speaker—that an emergency might arise — and the whole of this proviso deals with the question of an emergency. The travelling dispenser might be 20 miles away from the scene of an emergency, but it seems to me that there can be a compromise in the matter, and that in certain areas where there are chemists and druggists they can acquire the necessary knowledge to administer penicillin. I was surprised to hear the hon. Member for Essequibo River say that the training of chemists

and druggists is not equal to that of sicknurses and dispensers, because we know that chemists and druggists have to spend some time in a Government hospital before they qualify, and are in a better position to study the composition of the drug than the dispenser himself.

It seems to me that only a little time is necessary for them to be able to administer the drug, and in some of the river districts certain people, like midwives and nurses, should also be trained to do so. That is something that should be organised by the Medical Department. I think we should follow the suggestion of the hon. Member for Essequibo River and delete the word "nurses" and substitute therefor the words "such other persons as approved of by the Board." The Board will see that no person who is incapable of administering these antibiotics is permitted to do so. If that is done it would remove many of the difficulties we have been discussing during the last two sittings of this Council as regards these drugs which were intended to be a blessing to mankind. I think there should be an amendment of this clause.

The Colonial Secretary : I think it is a great pity that certain Members, including the hon. Member who has just taken his seat, were not here last Friday to hear Dr. Fernandes on the subject of antibiotics. If the hon. Member was here he would certainly not have made the statement he has made about permitting chemists and druggists to administer these drugs. Dr. Fernandes was very particular to point out that if permission to administer these drugs is given as widely as the hon. Member suggests, we would be exposing the members of his constituency and the other inhabitants of the Colony to very grave danger indeed. I can say "grave danger" because, from what Dr. Fernandes has told me, there is not the slightest possibility of the Board permitting anybody else to administer these antibiotics.

Mr. Debidin : I am rather pleased at the acceptance of the amendment, but I am rather surprised at the outburst of the Colonial Secretary. I said earlier this afternoon that I had read Dr. Fernandes's address but my opinion had not changed. I also said that in so far as the drugs were concerned the Board would not easily allow anyone to administer them. The personnel of the Board, as suggested by the amendment, is not one, however, which would remove the great fear there is about the use of antibiotics. My constituents would be glad to know that they would not be deprived entirely of the use of these drugs.

Dr. Singh : Lest there be any misunderstanding, I want to explain that when I said "chemists and druggists" I meant what the name indicates—persons qualified to deal with drugs and chemicals. Dispensers do not deal so much with pharmaceutical matters, but they are familiar with the use of such things as a syringe and a needle. Usually, a dispenser becomes a chemist and druggist and establishes himself in a country district. Not only can these people administer drugs as chemists and druggists but they can always render first-aid to the sick and needy. I think we should not differentiate between chemists and druggists on the one hand, and sicknurses and dispensers on the other.

Mr. Debidin : I would like to add to what the hon. Member has just said. On the Indian ship which left here with repatriates for India some time ago, it was a chemist and druggist who was administering penicillin to the people on board, but now they are to be powerless under this Ordinance to administer the drug.

Mr. Roth : To a point of correction: Wasn't there a registered medical practitioner on board the ship to which the hon. Member referred?

Mr. Debidin : I have the greatest confidence in the ability of our

chemists and druggists to administer the drug. That is my point.

Dr. Singh : The voyage the hon. Member for Eastern Demerara referred to was made by the s.s. "Orna" (?), and the hon. Member also made the trip to India. The man he referred to was a registered sicknurse and dispenser, and not a chemist and druggist. Government would never appoint a chemist and druggist to such a post, because he would not know how to do dressings and things of that kind.

Dr. Nicholson : So far as this amendment is concerned, I think we are travelling on dangerous ground because a sicknurse and dispenser or a registered nurse is not quite capable of determining a case of emergency. How would they determine that a particular case needs penicillin? After what this Council was told last Friday about the indiscriminate use of penicillin, I think this Bill should have an easy passage. I know of a particular case where a person contracted pneumonia and was given a large dose of penicillin. The person died and it was put forward subsequently that the reason why he died was because he was suffering from a bad heart and, therefore, penicillin should not have been given in that case. How is a dispenser or a nurse going to determine which particular case should be given penicillin? I cannot understand what is meant by "cases of emergency." If a person becomes gravely ill how is a nurse or a dispenser to know that that is a case for penicillin? If we add other persons to the list we would be defeating the object of the Bill, and that is to prevent the indiscriminate use of penicillin.

Capt. Coghlan : I had no intention of speaking, because I believe that every man should stick to his own last and should be content to hear the opinions of people familiar with the subject. But, as an ex-Coroner, I can give some of my own experience. I remember that some years ago there was a case in which a strong dose

of penicillin was administered and, as a result, a policeman died. The reason was because a sicknurse and dispenser did not know how to administer the drug. I have also known a case where a sicknurse and dispenser gave an injection and within 48 hours the patient died. I am only saying this as a warning that it may be dangerous to give *carte blanche* to sicknurses and dispensers the right to use a needle and give these injections indiscriminately. A medical man will tell you that there are different kinds of injections and that some are given in the veins. It was disclosed in evidence that whoever gave the injection, instead of putting the needle into the vein, drove it through to the other side, and the result was that a big lump was formed necessitating the attention of a doctor. As far as antibiotics are concerned, I can only say that I know nothing about them.

The Attorney-General: If I may reply briefly to one or two of the objections raised to these amendments, I think hon. Members should realise that the primary object of this Bill is that on account of the dangerous nature of the drugs concerned, their use should be confined to persons qualified to do so. A concession has been made in this respect because it has been realised that in certain circumstances a Government or a registered nurse who, as the hon. Nominated Member (Mr. Roth) has pointed out, has had some sort of direction or training from the proper authorities, would be able to administer penicillin as such, and not any other antibiotic. It means, purely, what is said here; that is, "in cases of emergency"—not for the continuous treatment of the patient who has been given the emergency dose, but the treatment called for at the particular moment, until the patient can be either brought down for medical attention or medical attention obtained for him. Further, the concession is not intended for people living on the coastal belt of the Colon, and within easy reach of a medical practitioner. So far as this

Bill is concerned, I believe that when it was first published a deputation of dispensers met the Director of Medical Services, but none of them suggested that they should be permitted to administer penicillin; so that efforts made by any hon. Member on their part would be purely gratuitous and not in the interest of the objects which this Bill is intended to carry out.

I will ask hon. Members to accept the amendment as it stands and not to press for any variation. The authorities have satisfied me that in most cases the use of sulpha drugs, either in powder form or in capsules or liquid form, would go a long way towards relieving an emergency which may arise, and in cases in which these drugs were used before antibiotics came into the picture. It is recognised that in the majority of cases the sulpha drugs could be resorted to first. As it is today, in the majority of cases sulpha drugs are used as anti-toxins, instead of penicillin, by Government Departments. I think this amendment goes as far as this Council should be prepared to allow it to go.

Mr. Debidin: When I spoke today I made it plain that I was never consulted by any chemist and druggist in this matter.

Mr. Roth: To a point of order: The Attorney-General having replied, I do not think the hon. Member should be permitted to make a further speech.

The Chairman: We are in Committee. I do not think, however, the Attorney-General suggested that the hon. Member for Eastern Demerara had been consulted.

The Colonial Secretary: He said that the hon. Member's representations were gratuitous.

The Chairman: I think the hon. Member should carry on.

Mr. Debidin: I have been thinking of the plight of the people in the

rural districts, and I do say that the proposals I have put to the Council are expressly reasonable, notwithstanding the speech made by the hon. Member for Georgetown North.

As regards the point made on behalf of the North Western District, I myself cannot see why a man who has had some training as a dispenser in a hospital, but has not taken his final examination, should not be permitted to use the drug. He can be called to Georgetown and given a few months' instruction, and then sent back to his district to do some good work. I am not saying that there should be a flood of such people, but I think the few that may be found should be given a "let out". I might say that the people in this Colony will be very apprehensive as regards the use of these drugs if my amendment is not accepted. Some 90 per cent. of them would never be able to come to Georgetown for medical attention, and if they are not given suitable medical facilities in their respective districts they would not receive the benefits of penicillin and other antibiotics.

The Chairman : I will now put the amendment moved by the hon. the First Nominated Member (Mr. Roth).

The Attorney-General : I think that if that amendment is accepted it would be opening the door rather wide, because there are qualified dispensers stationed in the coastal areas of the Colony to whom this proviso is not intended to apply. If the words "government dispenser" are deleted, I think that the words "registered dispenser" or words saying that the Medical Board approves of them for this particular purpose, should be included in the amendment. I would ask the hon. Member whether he would accept the words "a registered dispenser or registered nurse approved by the Board for the under-mentioned purpose."

Mr. Roth : I will accept that. In all these cases approval will have to

be given before the emergency arises. I think that all employers of dispensers and nurses in the interior will seek to get them registered for this purpose, so that they would know whether they are entitled to administer these drugs.

Mr. Roth : In the case of the B.G. Consolidated Goldfields, for instance, the nearest Government dispenser is at 108 Miles. Many cases of emergency arise there.

The Attorney-General : I would suggest that it might read "a registered dispenser or a registered nurse."

Mr. Debidin : When reference is made to a dispenser or nurse being stationed, doesn't that imply a Government dispenser or nurse?

Mr. Roth : The Balata Co. have their own dispensers who are stationed at Apoteri.

Mr. Debidin : I am thinking of a registered nurse who may be living in the district but not stationed there by Government or any Company. Is this proviso intended to embrace a registered nurse living in any place?

Mr. Roth : Instead of "stationed" I would suggest the words "is available."

Mr. Debidin : I have one objection and that is to the words "provided he has written permission to do so." The words "to do so" will relate to the particular emergency, and a dispenser would not have the time to get a written permission.

The Chairman : It is presumed that he would be given a written permission beforehand.

Mr. Debidin : I would suggest that it might read "provided he has a written permission from the Board to render assistance in emergencies."

The Chairman : The Board would give permission to render assistance in cases of emergency.

Mr. Debidin : Can we say where the nurse or the dispenser is to procure penicillin to administer in these emergencies? If they are to administer penicillin in an emergency, or in the absence of a doctor, doesn't that presuppose that they would be persons who would be permitted to store penicillin?

The Chairman : They would have a licence under the law.

Mr. Debidin : Then we have to be precise by stating that it refers to such persons who have the right to store penicillin and to administer it in an emergency.

Dr. Nicholson : I feel that the amendment as it stands means nothing, because dispensers and nurses in remote areas will not be allowed to keep penicillin. Where are we going with our amendments?

The Attorney-General : Where it is considered that an emergency as contemplated in this Bill may arise, that is in areas of the Colony where doctors are not available, then in order to make this proviso work a licence to store would be applied for and issued under the provisions dealing with such licences, and it is anticipated that in the case of a Company where a dispenser is stationed, a licence to secure a certain amount of penicillin would be issued to the firm or dispenser to store penicillin. That would be done under the provisions of clause 10 of the Bill.

The Colonial Secretary : I think it should be put this way : "such dispenser or nurse may, provided he is the holder of a licence by the Board to do so, administer penicillin." I am suggesting the same phraseology as in clause 6.

Mr. Debidin : The words "to do so" can only relate to the particular emergency and not to a general emergency which may arise from time to time.

The Chairman : I would suggest "provided he has been previously authorized by the Board to do so."

The Colonial Secretary : I am not a lawyer but I think it would restrict it to the particular instance.

Mr. Debidin : I would suggest the words "authorized to administer penicillin in cases of emergency."

The Chairman : Perhaps the Attorney-General would like to think it over.

The Attorney-General : Yes, sir. It is an important part of the Bill.

Mr. Debidin : I trust that my amendment will be considered when the clause is being re-drafted.

Clause 14 deferred for further consideration.

Clause 15.—*Identification marks or numbers on containers.*

The Attorney-General : I move the deletion of the word "registered" before the words "medical practitioner" in the third line of clause 15.

Clause 15, as amended, agreed to.

Clause 17.—*Examination of records.*

The Attorney-General : I move the insertion of the words "to import antibiotics" between the words "licence" and "under" in the third line of clause 17 to correspond with a similar phrase in the previous clause.

Clause 17, as amended, agreed to.

Clause 20.—*Regulations.*

The Attorney-General : There is no provision for punishment for any breach of the Ordinance. I therefore move the insertion of the following new paragraph (d) :

"(d) providing the punishment for any breach of any regulation made under this section."

Clause 20, as amended agreed to.

Clause 22.—*Penalty.*

Mr. Fernandes : It does seem that this clause prescribes a fine of \$500 for any offence under this Bill. It is a definite fine no matter how trivial the infringement may be.

The Attorney-General : There is provision in the Summary Jurisdiction Ordinance that any fine for an offence is a maximum fine, and a Magistrate has the power to impose a minimum or no fine at all, unless a minimum is expressly provided. This is not a case of a minimum fine; it is a maximum fine.

Clause 22 agreed to.

New Clause 23.—*Commencement of Ordinance.*

The Attorney-General : I move the insertion of a new clause 23 which deals with the commencement of the Ordinance. It reads:

"23. This Ordinance shall come into operation on the first day of March, nineteen hundred and fifty-two."

Clause 23 agreed to.

Council resumed.

The President : Council will now adjourn and will resume consideration of clause 14 tomorrow. I propose that the Council should adjourn until 2.30 p.m. tomorrow. There will be a function in the Town Hall to which I think all hon. Members have been invited. So we will assemble at 2.30 p.m. tomorrow instead of 2 o'clock.