

**NATIONAL ASSEMBLY OF THE SECOND SESSION OF
THE EIGHTH PARLIAMENT OF GUYANA (2002 – 2006)**

**INTERIM REPORT OF
THE SPECIAL SELECT COMMITTEE
ON THE
NEEDS ASSESSMENT OF THE
GUYANA NATIONAL ASSEMBLY**

Presented to the National Assembly

By

The Chairman of the Committee

On

23rd January, 2006.

**REPORT OF THE SPECIAL SELECT COMMITTEE ON THE NEEDS
ASSESSMENT OF THE GUYANA NATIONAL ASSEMBLY**

Appointment of a Special Select Committee

On the 27th October, 2005, the National Assembly passed Resolution No. 80 which reads as follows -

WHEREAS on the 4th August, 2005 the Needs Assessment of the Guyana National Assembly Report of the Commonwealth Senior Parliamentary Staff Advisor to the Guyana National Assembly and Addendum of the Needs Assessment of the Guyana National Assembly dated 18th February, 2005 and 18th May, 2005 respectively, were laid in the National Assembly;

AND WHEREAS the said Report makes recommendations in connection with the functioning of the National Assembly,

RESOLVED,

That the National Assembly accepts in general the recommendations of the said Report;

FURTHER RESOLVED,

- (a) That a Select Committee be appointed to make recommendations to the National Assembly on the implementation of the said recommendations after considering prioritization, methodology and the advisory papers by James Pender;
- (b) That the said Select Committee report to the National Assembly by January 31, 2006.

Constitution of the Special Select Committee

2. Acting on this Resolution, the Committee of Selection met on the 2nd November, 2005, and nominated the following persons to comprise the Select Committee:

Members of the People's Progressive Party/Civic (6)

The Hon. Dr. Leslie S. Ramsammy, M.P.

The Hon. Manzoor Nadir, M.P.

Mrs. Indranie Chandarpal, M.P.

Mr. Odinga N. Lumumba, M.P.

Mrs. Pauline R. Sukhai, M.P.

Dr. Moti Lall, C.C.H., M.P.

Members of the People's National Congress/Reform (4)

Mr. Winston S. Murray, C.C.H., M.P.

Mrs. Clarissa S. Riehl, M.P.

Mr. E. Lance Carberry, M.P., Chief Whip

Dr. Carl Max Hanoman, M.D., M.P.

Members of the Rise, Organise and Rebuild (1)

Mr. Ravindra Dev, M.P.

First Meeting of the Committee – Election of Chairman

3. The Select Committee held its first meeting on 7th November, 2005, and elected the Hon. Leslie S. Ramsammy, M.P., to be its Chairman.

Other Meetings of the Committee

4. At the submission of this Interim Report the Committee met on five other occasions.

Procedure of the Committee

5. After considering the scope of its work at its second meeting, the Committee decided on the following procedure:
 - (i) Compare and contrast the recommendations in Sir Michael Davies' Report on the Needs Assessment of the National Assembly dated 18th February, 2005, with those in his Addendum to the Needs Assessment dated 18th May, 2005;
 - (ii) Identify those recommendations that referred to administrative issues and recommend to the National Assembly that they be channelled to the appropriate officer or body for implementation;
 - (iii) Submit an interim report to the National Assembly on (ii), and thereafter
 - (iv) Consider the remaining recommendations which treated mainly with the Standing Orders of the National Assembly.

Consolidation of Recommendations

6. In comparing and contrasting the recommendations in Sir Michael Davies' Report and Addendum the Committee noted that the following twenty-six (26) recommendations in the Report and the Addendum are similar:

Similarity of Recommendations in Report dated 18th February and Addendum dated 18th May, 2005:

<p>1. Parliament Office should draw up a strategic plan.</p> <p>2. Capacity building for MPs and staff should be arranged this year and should be arranged on a regular basis in the future. The International Community should support capacity building for the National Assembly. The CPA workshop is an example.</p> <p>3. The Order Paper should no longer be sent outside the Parliament building to any member of the Government until it is finalized.</p> <p>4. The notice for questions should be reduced to no more than 14 days.</p> <p>5. Amendments to legislation should be tabled in advance so that they can be circulated. Manuscript amendments should be discouraged.</p> <p>6. The concept of Opposition time one day a month should be agreed. The Opposition should be encouraged to use the opportunities that already exist to question the Government.</p>	<p>7. A procedural manual as an aid to understanding the Standing Orders should be written once the changes to the Standing Orders have been made.</p> <ul style="list-style-type: none"> • Procedural training should be arranged with other Parliaments • The Deputy Clerk should become familiar with all procedures of the National Assembly <p>The Registry should keep procedural precedents and other statistics concerning the work of the National Assembly.</p> <p>8. The National Assembly should insist by means of a Resolution on a new Standing Order that Reports of the PAC are responded to within, say, three months. The Committee Clerk should draft reports of the PAC.</p> <p>9. Guidelines should be agreed between the Government and the National Assembly about the questioning of Public Servant by Committees.</p> <p>10. While recognizing that the annual turnover of sectoral committee chairpersons was a political compromise, consideration should be given to allowing greater continuity so as to enhance the performance of the committees.</p>
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<p>11. Changes to the Standing Orders should be implemented by reference to Mr. James Pender's advisories.</p> <p>12. The problems over the production of the verbatim report should be vigorously tackled and an Editor of Debates appointed.</p> <p>An Editor of Debates (or other suitable title) should be appointed.</p> <p>13. A Table Office should be created to assist the Clerk procedurally. Members could go the Table Office to table questions, motions and amendments to Bills.</p> <p>A legislation office should be considered in the future, if the work of receiving and processing amendments becomes too much for the Table Office.</p> <p>14. Consideration should be given to reaching agreement with the University on internships.</p> <p>15. Salary payments in cash should be ended except for lower staff who have no bank accounts.</p>	<p>16. Mock Parliaments in which school children participate should be held.</p> <p>17. In order to reach out to the public and the private sector, some "open days" might be arranged where MPs could meet representatives of NGOs and the business community.</p> <p>18. Agreement should be reached on giving the National Assembly the authority to manage its own budget and a start should be made in establishing a Finance Office with the necessary expertise to manage the finances of the Assembly.</p> <p>The International Community should consider supporting this as part of capacity building.</p> <ul style="list-style-type: none"> • The Budget should be submitted to the Minister of Finance by the Speaker and the Minister of Parliamentary Affairs after it has been agreed to by a Special Committee established for this purpose. • A new Finance Office should be established to estimate for, control, monitor and account for all expenditures • Training for staff • The Clerk should be the Accounting Officer <p>The Office should be computerized.</p>
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<p>19. Agreement should be reached on establishing an independent Parliamentary cadre with a professional human resources office to manage the new responsibilities.</p> <ul style="list-style-type: none"> • Consideration should be given to altering working hours in order to conform more with parliamentary hours • Staff handbook should be prepared • The Clerk of the National Assembly should become the employer and should have complete control over all aspects of employment • Personnel training should be arranged with the support of the donor community <p>Training budget should be prepared.</p> <p>20. A review of the staffing structure of the Parliament Office should be undertaken so as to ensure that staffing matches the needs of the National Assembly.</p> <p>21. A Document Centre convenient for Members should be created.</p> <p>22. The making available Bills etc at Post Offices or other public places should be agreed.</p>	<p>23. All the National Assembly's documents should be placed on the website.</p> <p>24. The establishment of a library which is pleasant to work in, with a relevant book collection and a modest research capability.</p> <p>International donor support should be pursued.</p> <ul style="list-style-type: none"> • A qualified Librarian should be employed in a new post as Head of Research and Library Services • A catalogue collection should be created • Improved infrastructure • A Parliamentary Librarian should be invited to give further advice. <p>Newspapers should be kept in internet archive or kept as microfilm documents.</p> <p>25. The appointment of a Public Information Officer.</p> <p>26. Broadcasting of proceedings.</p>
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7. The Committee also noted that the following twelve recommendations are found only in the Needs Assessment Report of 18th February, 2005:

Recommendations in Report of 18th February only

1. The government should answer written questions within a reasonable time or explain why it is not possible.
2. A settled parliamentary calendar should be observed and sittings held on a regular basis.
3. Time should be allowed for the proper scrutiny of legislation and bills should be presented to the Assembly before publication.
4. There should be two weeks between publication of a Bill and its Second Reading.
5. The Standing Orders should be amended to prevent Ministers moving that bills be considered in committee "forthwith".
The Standing Orders should not allow for Bills to be taken through all their stages in one day.
6. Committees should begin to work on a much more regular basis, choosing subjects for inquiry which are focused and capable of being completed within two or three months.
7. Specific time should be set aside for debates on Committee Reports and on Government's response to them.
8. Committees should recognize that they are bodies in which party differences should be largely forgotten. To begin with, they should choose subjects for investigation which give rise to as little political controversy as possible.
9. The Government should be more co-operative in dealing with the committees. Government's response should be prompt and should provide the necessary documentations required by the Committees.

10. Government backbenchers should be encouraged to participate in question time and table their own questions.

11. Assent (or refusal of Assent) to Bills should be given immediately after they are sent to the President and the Assembly should be notified.

12. The National Assembly should consider the employment of a qualified lawyer to assist Members in the preparation of amendments and support legal advice to the Speaker and the Clerk.

Identification of Recommendations on Administrative Issues

9. The Committee examined the recommendations as outlined at paragraphs 6 and 7 above and identified those that dealt with administrative issues and which did not impinge on the Standing Orders of the National Assembly.
10. It agreed that an interim report should be submitted to the National Assembly on the recommendations as identified as dealing with administrative issues and advise the Assembly how they were to be treated.
11. However, before this could have been accomplished, on 15th December, 2005, the National Assembly passed Resolution No. 85 which reads as follows:

WHEREAS on the 27th day of October, 2005 the National Assembly adopted a motion accepting, in general, the recommendations of the Needs Assessment of the Guyana National Assembly Report and its Addendum by the Commonwealth Senior Parliamentary Staff Advisor to the Guyana National Assembly, Sir Michael Davies;

AND WHEREAS the recommendations of the said Report have been referred to a Select Committee of the National Assembly;

AND WHEREAS under the Public Sector Technical Assistance Credit (PSTAC) a Guyana Fiduciary Oversight Project was commissioned;

AND WHEREAS the strengthening of Fiduciary Oversight was considered under the study of that Project;

AND WHEREAS the recommendations under study 1 almost exclusively relate to Parliamentary Fiduciary Oversight;

AND WHEREAS thirty (30) recommendations have been accepted by the Government for implementation, twenty (20) of which relate to Fiduciary oversight by the National Assembly;

AND WHEREAS there is a high degree of similarity between many of the recommendations in Study 1 of the Guyana Fiduciary Oversight Project and the Needs Assessment of the Guyana National Assembly Report and its Addendum,

AND WHEREAS under the Fiscal and Financial Management Programme Draft Revised Standing Orders have been prepared;

AND WHEREAS it would be prudent that the Draft Revised Standing Orders be considered by the Special Select Committee already established by the National Assembly on the 27th October, 2005, in order to avoid any inconsistencies in recommendations.

RESOLVED,

- 1. That this National Assembly refers the recommendations in Study I of the Guyana Fiduciary Oversight Project Report (The Bradford Report) and the Draft Revised Standing Orders to the Select Committee already established by the National Assembly on 27th October, 2005;*

2. *That the twenty (20) recommendations relating to Parliament Fiduciary Oversight and identified in the action plan for implementation be approved by the National Assembly;*

FURTHER RESOLVED,

That the said Committee in considering the Needs Assessment of the Guyana National Assembly Report and its Addendum, the recommendations in Study I of the Guyana Fiduciary Oversight Project Report (The Bradford Report) and the Draft Revised Standing Orders ensures that all recommendations relating to the rules, procedures and Standing Orders of the National Assembly be comprehensively considered in the light of the aforesaid reports and reported on to the National Assembly by January 31, 2006.

12. The Committee, adopting its new mandate proceeded to identify the areas of similarity between the recommendations in Study 1 of the Guyana Fiduciary Oversight Project and the Needs Assessment of the Guyana National Assembly Report and its Addendum.
13. After careful consideration of the documents the Committee decided that the interim report submitted to the National Assembly should indicate –
- (i) what action has been taken so far with regard to its mandate, and
 - (ii) what specific action should be taken with regards to those issues raised and which have been identified as of a purely administrative nature including those in the Bradford Report.
14. The matrix below captures what has so far been accomplished by the Committee and contains the following:
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|------------------------|---|
| <u>Column 1</u> | 12 recommendations from The Davies First Report and 26 recommendations from his Addendum |
| <u>Column 2</u> | the recommendations in The Bradford Study 1 indicated by #, and Bradford Final Framework and Guidelines Report Volumes 1 and 2 indicated by () which relate to The Davies Report and addendum. |
| <u>Column 3</u> | the Committee's recommendations on those issues considered by it. |

Matrix of the Davies Report & Bradford Recommendations

No.	Davies First Report Recommendations	No.	Bradford Recommendations (Study 1)	Committee's Recommendations
1	The Government should answer written questions within a reasonable time or explain why it is not possible.	#3 (4)	Ministers should be required to respond in writing to Written Questions within 14 sitting days.	The Committee recommends that Ministers should respond in writing to written questions within 21 days. If they are unable to do so they are to explain this in the National Assembly within the 21 days deadline, and the answer must then not be delayed for more than 7 additional days. The Committee further recommends that this recommendation be referred to the Standing Orders Committee for implementation.
2	Committees should begin to work on a much more regular basis, choosing subjects for inquiry which are focused and capable of being completed within two or three months.	#17 (20)	The Committees should use their enquiry powers to undertake in depth investigations of government matters, with the requirement they report to Parliament within 6 months of commencing investigation.	The Committee notes that this is declaratory and recommends that the National Assembly adopt it and refer it to the P.M.C.
3	Specific time should be set aside for debates on Committee Reports and on Government's response to them.		-	The Committee recommends that the National Assembly adopt this recommendation and refer it to the Speaker and Clerk for implementation.
4	Committees should recognize that they are bodies in which party differences should be largely forgotten. To begin with, they should choose subjects for investigation which give rise to as little political controversy as possible.		-	The Committee notes that this Recommendation is declaratory and recommends that the National Assembly adopt it and refer it to the PMC for implementation.
5	The Government should be more cooperative in dealing with the committees. Government's response should be prompt and should provide the necessary documentations required by the Committees.	#8 (25)	Ministers and officials should be required to respond to requests for information by the committees in a timely manner, and if they do not, the committee chair should report this formally to the House.	The Committee recommends that the National Assembly adopt this recommendation and refer it to the PMC, Speaker and Clerk for implementation.
6	Government backbenchers should be encouraged to participate in question time and table their own questions.		-	The Committee notes that this recommendation is declaratory and refers it to the National Assembly for adoption.

7	Assent (or refusal of Assent) to Bills should be given immediately after they are sent to the President and the Assembly should be notified.	#4 (7)	Bills passed by Parliament should be given Presidential Assent immediately.	The Committee recommends that Bills passed by the National Assembly should be given Presidential assent in accordance with the Constitution and where he does not assent he must follow the prescriptions of the Constitution.
8	The National Assembly should consider the employment of a qualified lawyer to assist Members in the preparation of amendments and support legal advice to the Speaker and the Clerk.		-	The Committee recommends that the National Assembly adopt this recommendation with the omission of the word "qualified" and refer it to the Speaker and Clerk for implementation.
Addendum (Summary)				
1	Parliament Office should draw up a strategic plan.		-	The Committee noting that the Strategic Plan refers to Parliament Office recommends that the National Assembly adopt this recommendation and refer it to the Speaker and Clerk for implementation.
2	Capacity building for MPs and staff should be arranged this year and should be arranged on a regular basis in the future. The International Community should support capacity building for the National Assembly. The CPA workshop is an example.	#14 (9)	Key Members of Parliament should be given training in how to undertake Fiduciary Oversight Role.	The Committee recommends that the National Assembly adopt this recommendation and refer it to the Parliamentary Management Committee, the Speaker and Clerk and arrange regularly (at least annually) for building the capacity of MPs and Staff.
3	A procedural manual as an aid to understanding the Standing orders should be written once the changes to the Standing Orders have been made. <ul style="list-style-type: none"> • Procedural training should be arranged with other Parliaments • The Deputy Clerk should become familiar with all procedures of the National Assembly • The Registry should keep procedural precedents and other statistics concerning the work of the National Assembly. 		-	The Committee recommends that the National Assembly adopt this recommendation and refer it to the Speaker and Clerk for implementation.

4	<p>The National Assembly should insist by means of a Resolution on a new Standing Order that Reports of the PAC are responded to within, say, three months.</p> <ul style="list-style-type: none"> The Committee Clerk should draft reports of the PAC. 	<p>#13 (35)</p> <p>#9 (26)</p>	<p>The Executive should report to Parliament not later than 6 months after the Auditor General's report is tabled and approved in Parliament on action taken on particular recommendations made by the Auditor General.</p> <p>Following an oversight Committee Report to Parliament which has recommendations for action, the Executive must report in writing to Parliament within 3 months the action it proposes to take or reasons why action has not or cannot be taken.</p>	<p>The Committee notes that the provision of Treasury Memorandum in response to the report of the Public Accounts Committee, has superceded the Bradford's recommendation, nonetheless the Committee recommends that the National Assembly adopt it.</p>
5.	<p>Guidelines should be agreed between the Government and the National Assembly about the questioning of Public Servants by Committees.</p>	<p>#7 (24)</p> <p>#8 (25)</p>	<p>The Committee should use their powers to call officials and Ministers, as well as witnesses outside government, before them to question any matter. Ministers and officials should be required to attend, and if not submit their reasons in writing expeditiously to the chair of the committees.</p> <p>Ministers and officials should be required to respond to requests for information by the committees in a timely manner, and if they do not, the committee chair should report this formally to the House.</p>	<p>The Committee recommends that the National Assembly adopt this recommendation and refer it to the PMC to draft the guidelines for approval of the National Assembly.</p>
6.	<p>The problems over the production of the verbatim report should be vigorously tackled and an Editor of Debates appointed.</p> <ul style="list-style-type: none"> An Editor of Debates (or other suitable title) should be appointed. 			<p>The Committee recommends that an Editor (or other suitably titled officer) should be appointed to ensure the timely production and distribution of the records of proceedings of the National Assembly of verbatim reports on the basis of contract and that the National Assembly adopt this recommendation and refer it to the Speaker and Clerk for implementation.</p>

7.	<p>A Table Office should be created to assist the Clerk procedurally. Members could go to the Table Office to table questions, motions and amendments to Bills.</p> <p>A legislation office should be considered in the future if the work of receiving and processing amendments becomes too much for the Table Office.</p>			<p>The Committee recommends that the National Assembly adopt this recommendation and refer it to the Speaker and Clerk for implementation.</p>
8.	<p>Salary payments in cash should be ended except for lower staff who have no bank accounts.</p>			<p>The Committee recommends that the National Assembly refer this matter to the Clerk for consideration and that the Clerk should take into consideration the preference of employees.</p>
9.	<p>Mock Parliaments in which school children participate should be held.</p>			<p>The Committee notes that such mock parliaments are being held and that the practice continue and recommends that the National Assembly adopt this recommendation and refer it to the Speaker and Clerk to continue the programme.</p>
10.	<p>Agreement should be reached on giving the National Assembly the authority to manage its own budget and a start should be made in establishing a Finance Office with the necessary expertise to manage the finances of the Assembly.</p> <p>The International Community should consider supporting this as part of capacity building.</p> <ul style="list-style-type: none"> • The Budget should be submitted to the Ministry of Finance by the Speaker and the Minister of Parliamentary Affairs after it has been agreed to by a Special Committee established for this purpose. • A new Finance Office should be established to estimate for, control, monitor and account for all expenditures • Training for staff • The Clerk should be the 	#1 (1)	Parliament must be in control of own budget.	<p>The Committee recommends that the National Assembly adopt this recommendation and refer it to the Parliamentary Management Committee, Speaker and Clerk for implementation.</p>

	<p>Accounting Officer</p> <ul style="list-style-type: none"> • The Office should be computerized. 			
11.	<p>Agreement should be reached on establishing an independent <i>Parliamentary cadre</i> with a professional human resources office to manage the new responsibilities.</p> <ul style="list-style-type: none"> • Consideration should be given to altering working hours in order to conform more with parliamentary hours • Staff handbook should be prepared • The Clerk of the National Assembly should become the employer and should have complete control over all aspects of employment • Personnel training should be arranged with the support of the donor community • Training budget should be prepared 			<p>The Committee recommends that the National Assembly adopt this recommendation and refer it to the PMC, Speaker and Clerk for implementation.</p>
12.	<p>A review of the staffing structure of the Parliament office should be undertaken so as to ensure that staffing matches the needs of the National Assembly.</p>			<p>The Committee recommends that the National Assembly adopt this recommendation and refer it to the PMC, Speaker and Clerk for implementation.</p>
13.	<p>A Document Centre convenient for Members should be created.</p>			<p>The Committee recommends that the National Assembly adopt this recommendation and refer it to the Parliamentary Management Committee and the Clerk for implementation.</p>
14.	<p>The making available of Bill etc at Post Offices or other public places should be agreed.</p>			<p>The Committee noted that Bills, Notice Papers, Order Papers were already made available to the public and recommends that future use be made of Post Offices and other public places. The Committee, therefore, recommends that the National</p>

				Assembly adopt this recommendation and refer it to the Clerk for implementation.
15.	All the National Assembly's documents should be placed on the website.	#5 (12)	Debates, OQs and written questions and answers, accountability documents, reports from the Auditor General and Ombudsman, Committee reports and reports should be posted on the Parliamentary website.	The Committee notes that the National Assembly documents were being placed on the Website and recommends that the practice continue.
16.	<p>The establishment of a library which is pleasant to work in, with a relevant book collection and a modest research capability.</p> <p>International donor support should be pursued.</p> <ul style="list-style-type: none"> • A qualified Librarian should be employed in a new post as Head of Research and Library Services • A catalogue collection should be created • Improved infrastructure • A Parliamentary Librarian should be invited to give further advice <p>Newspapers should be kept in internet archive or kept as microfilm documents.</p>			The Committee notes that these issues pertaining to the Library were ongoing and recommends that the National Assembly adopt this recommendation and refer it to the PMC, Speaker and Clerk for implementation of measures to attract international Donor Support.
17	The appointment of a Public Information Officer			The Committee recommends that the National Assembly adopt this recommendation and refer it to the Parliamentary Management Committee and the Clerk for immediate implementation.
18	Broadcasting of proceedings.			The Committee notes that there are delayed broadcast of proceedings and recommends that the National Assembly adopt this recommendation and refer it to the Parliamentary Management Committee for action.

Report of the Select Committee

15. At its meeting held on 18th January, 2006, the Special Select Committee agreed that this Interim Report should be submitted to the National Assembly.
16. The Report is accordingly hereby submitted to the National Assembly for adoption.

Verbatim Reports

17. The Verbatim records of proceedings of the meetings can be seen at Parliament Office.



Hon. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health,
Chairman, Special Select Committee on the
Needs Assessment of the Guyana National Assembly.

*Committees Division,
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19th January, 2006.