

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

**REPORT OF THE
SPECIAL SELECT COMMITTEE**

OF THE

**NATIONAL ASSEMBLY ON THE
MUNICIPAL AND DISTRICT COUNCILS
(AMENDMENT) BILL 2005**

BILL NO. 9/2005

PRESENTED TO THE NATIONAL ASSEMBLY

BY THE

CHAIRMAN OF THE COMMITTEE

ON

6TH APRIL, 2006

#976

**REPORT OF THE SPECIAL SELECT COMMITTEE OF THE
NATIONAL ASSEMBLY ON THE MUNICIPAL AND DISTRICT
COUNCILS (AMENDMENT) BILL 2005 BILL NO. 9/2005**

Publication of the Bill

1. The Municipal and District Council (Amendment) Bill 2005 – Bill No. 9/2005 which seeks to amend the Municipal and District Councils Act, Chapter 28:01, was published on 20th June, 2005.

Introduction and First Reading

2. The Bill was introduced in the National Assembly and read for the first time on 23rd June, 2005.

Debate and Second Reading in the National Assembly

3. The Bill was debated in the National Assembly and read the second time on 7th July, 2005.

Committal to Select Committee

4. Following its second reading the Bill was committed by the Assembly for consideration by a Special Select Committee.

Members of the Special Select Committee

5. At a meeting held on 24th November, 2005 the Committee of Selection nominated the following Members to comprise the Special Select Committee on the Municipal and District Councils (Amendment) Bill 2005 Bill No. 9/2005:

From the People's Progressive Party/Civic (5)

- (i) The Hon. Clinton Collymore, M.P.
- (ii) Mr. Cyril Belgrave, M.P.
- (iii) Mr. Heeralall Mohan, M.P.
- (iv) Mrs. Philomena Sahoye-Shury, M.P.
- (v) Mr. Zulfikar Mustapha, M.P

From the People's National Congress/Reform (4)

- (i) Mr. Ivor Allen, M.P.
- (ii) Mr. Vincent Alexander, M.P.
- (iii) Mr. Basil Williams, M.P.
- (iv) Ms. Sandra Adams, M.P.

6. At the 18th Meeting of the Committee of Selection held on 16th March, 2006 Mrs. Shirley Edwards, M.P. was nominated to replace Mr. Zulfikar Mustapha, M.P. on the Committee.

First Meeting of the Committee – Election of Chairperson

7. The first meeting of the Committee was held on Monday, 19th January, 2006 for the purpose of electing a Chairperson. There was an equality of votes for the Hon. Clinton Collymore and Mr. Vincent Alexander for the office.

8. At its meeting held on 31st January, 2006 the Committee elected the Hon. Clinton Collymore to be its Chairman.

Other Meetings of the Committee

9. The Committee met on six (6) other occasions. At the first of those meetings the Committee agreed as follows:-

- (a) to examine the Bill clause by clause at 2 or 3 meetings of duration of one to one and a half hours with the last meeting being longer;
- (b) with the assistance of the Attorney General's Chambers, the Secretariat was to circulate to the Members copies of the District Councils Act (1969/70) Chapter 28:01 to be examined in conjunction with the amendments to the Bill;
- (c) members of the public were not to be invited;
- (d) the Committee was scheduled to meet on Fridays at 1.00 p.m.;
- (e) decisions to be made by consensus, as far as possible;

Consideration of the Clauses of the Bill

10. **Clauses 1 and 2 were agreed to as printed.**

SCHEDULE:

The following amendments were made:

Provisions

Committee's Amendments

Section 8

8A: General Duties of City Councilors

In the proposed new section 8A the following was substituted for paragraph (b)

“(b) To contribute to the development and evaluation of policies and programme for the Municipality.”

Section 31 (2)

Deletion of the proposed amendment.

Section 33B

Substitution of the words “Town Councils” for the words “Town Councillors” in the first line

Section 68 (3)

Deletion of the proposed amendment

Section 80 (1)(a)

For the word “twenty-one” substitute the word “eighteen”

Section 149 (d)

For the words “two thousand” substitute the words “twenty thousand.”

11. The Committee decided that the *status-quo* of those **sections** under Provisions of the Schedule which were deferred by it were to remain as presented in the Bill. It further decided that those issues should be revisited after the reform process on the Electoral System on Local Government.

Report of the Special Select Committee

12. At its meeting held on 29th March 2006 the Special Select Committee on the Municipal and District Councils (Amendment) Bill 2005 agreed that this Report on its consideration of the Bill be presented to the National Assembly.


13. The Report is accordingly hereby submitted to the National Assembly.

Minutes

14. The Minutes of the meetings of the Committee are at Appendix I.

Verbatim Records

15. Verbatim Recordings of the Proceedings of meetings of the Committee have been prepared and can be seen at the Parliament Office.


CLINTON C. COLLYMORE, M.P.
**MINISTER OF LOCAL GOVERNMENT
AND REGIONAL DEVELOPMENT**
Clinton C. Collymore
*Minister within the Ministry of Local Government
and Regional Development*
*Chairman - Special Select Committee on the
Municipal and District Council (Amendment) Bill 2005*

**Committee Division
Parliament Office
Public Buildings
Georgetown**

29th March, 2006

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

**MINUTES OF THE
1ST MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 4.05 P.M
ON THURSDAY, 19TH JANUARY, 2006
IN THE SPEAKER'S CHAMBER
PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

Chairman

The Hon. Hari N. Ramkarran, S.C., M.P., Speaker
(As Presiding Officer for the election of the Chairperson)

MEMBERS OF THE COMMITTEE (9)

From the People's Progressive Party/Civic (5)

Nominated by the Committee of Selection on 15.12.05

The Hon. Clinton Collymore, M.P.
Minister in the Ministry of Local Government & Regional Development

Mrs. Philomena Sahoye-Shury, M.P.

Mr. Zulfikar Mustapha, M.P. - (Absent)

Mr. Cyril Belgrave, M.P.

Mr. Heeralall Mohan, M.P.

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 15.12.05

Mr. Vincent Alexander, M.P.

Mr. Basil Williams, M.P.

Mr. Ivor Allen, M.P.

Ms Sandra Adams, M.P.

Officers

Mr. Oscar E. Moore - Clerk of Committee
Ms. Sherene Warren - Assistant Clerk of Committee.

ITEM 1: CALL TO ORDER

- 1.1 The Hon. Speaker in the capacity of Presiding Officer for the election of a Chairperson of the Committee called the meeting to order at 4.05 p.m.

ITEM 2: ELECTION OF CHAIRPERSON OF THE MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005 – BILL NO. /2005

2.1 Nominations

- 2.1.1 The Speaker called for nomination of a Chairperson of the Committee.
- 2.1.2 Mr. Cyril Belgrave proposed and Mrs. Philomena Sahoye-Shurry seconded the nomination of the Hon. Clinton Collymore.
- 2.1.3 Thereafter Mr. Basil Williams proposed and Mr. Ivor Allen seconded the nomination of Mr. Vincent Alexander.
- 2.1.4 The Presiding Officer informed the Committee that since there were two nominations, he would have to put the issue to a vote.
- 2.1.5 He further stated that in his capacity as Presiding Officer he was not qualified to vote.
- 2.1.6 A division was then called:-

Those in favour of the Hon. Clinton Collymore were:

The Hon. Clinton Collymore
Mrs. Philomena Sahoye-Shurry
Mr. Cyril Belgrave
Mr. Heeralall Mohan

Total	<u>4</u>
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Those in favour of Mr. Vincent Alexander were:

Mr. Vincent Alexander

Mr. Basil Williams

Mr. Ivor Alen

Ms. Sandra Adams

Total 4

2.1.7 There being a tie in the votes, the Presiding Officer suggested that the two nominees might wish to consider working on a Chair and Deputy Chair alternative. This was not agreed to by the nominees.

2.1.8 Thereafter the Presiding Officer for the nomination of Chairperson, declared the election "null and void" and informed Members that a another date would need to be fixed for the holding of new elections.

ITEM 3: ANY OTHER BUSINESS

3.1 Next Scheduled Meeting

3.1.1 It was agreed that the Hon. Speaker would communicate with the Clerk of the National Assembly with regard to the notification of Members as to the date of the next election.

Adjournment

At 4.07 p.m the meeting was adjourned *sine die*.

Confirmed this ^{17th} day of ^{February} ~~January~~, 2006

.....
Chairman.

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

**MINUTES OF THE
2nd MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 4.35 P.M
ON TUESDAY, 31ST JANUARY, 2006
IN THE SPEAKER'S CHAMBER
PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

Chairman

The Hon. Hari N. Ramkarran, S.C., M.P., Speaker
(As Presiding Officer for the election of the Chairperson)

MEMBERS OF THE COMMITTEE (9)

From the People's Progressive Party/Civic (5)

Nominated by the Committee of Selection on 15.12.05

The Hon. Clinton Collymore, M.P.
Minister in the Ministry of Local Government & Regional Development

Mrs. Philomena Sahoye-Shury, M.P.

Mr. Zulfikar Mustapha, M.P.

Mr. Cyril Belgrave, M.P. - (Absent)

Mr. Heeralall Mohan, M.P.

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 15.12.05

Mr. Vincent Alexander, M.P. - (Absent)

Mr. Basil Williams, M.P. - (Absent)

Mr. Ivor Allen, M.P.

Ms Sandra Adams, M.P. - (Absent)

Officers

Mr. Oscar E. Moore - Clerk of Committee
Ms. Sherene Warren - Assistant Clerk of Committee.

ITEM 1: CALL TO ORDER

- 1.1 The Hon. Speaker in the capacity of Presiding Officer for the election of a Chairperson of the Committee called the meeting to order at 4.35 p.m.

CONFIRMATION OF MINUTES OF THE 1ST MEETING HELD ON 19TH JANUARY, 2006

- 1.2 The confirmation of Minutes was deferred to the next meeting

ITEM 2: ELECTION OF CHAIRPERSON OF THE MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005 – BILL NO. /2005

2.1 Nominations

- 2.1.1 The Speaker called for nomination of a Chairperson of the Committee.
- 2.1.2 Mrs. Philomena Sahoye-Shurry proposed and Mr. Zulfikar Mustapha seconded the nomination of the Hon. Clinton Collymore.

There was no other nomination.

- 2.1.3 As a consequence the Presiding Officer declared the Hon. Clinton Collymore the duly elected Chairman of the Committee.

The Hon. Clinton Collymore expressed gratitude to the Members for his election

ITEM 3 ANY OTHER BUSINESS

There was no other business

Adjournment

At 4.45 p.m. the meeting was adjourned *sine die*.

Confirmed this ..17th... day of Feburary, 2006

.....*B. Bullington*.....
Chairman.

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

**MINUTES OF THE
3RD MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 2.40 P.M
ON FRIDAY, 17TH FEBRUARY, 2006
IN THE PARLIAMENTARY LIBRARY, PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

MEMBERS OF THE COMMITTEE (9)

Chairman(1)

From the People's Progressive Party/Civic

Nominated by the Committee of Selection on 24th November, 2005

Elected by the Committee on 31st January, 2006

The Hon. Clinton Collymore, M.P

Minister in the Ministry of Local Government & Regional Development

From the People's Progressive Party/Civic (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Cyril Belgrave, M.P

Mr. Heeralall Mohan, M.P - (Absent)

Mrs. Philomena Sahoye-Shury, M.P - (Absent)

Mr. Zulfikar Mustapha, M.P. - (Absent)

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Ivor Allen, M.P

Mr. Vincent Alexander, M.P.

Mr. Basil Williams, M.P. - (Absent)

Ms Sandra Adams, M.P.

Officers

- Ms. Debra Cadogan - Assistant Head of Committees Division
- Mr. Oscar E. Moore - Clerk of Committee
- Ms. Deborah Gray - Assistant Clerk of Committee.

Legal Advisor

- Mr. Fung-A-Fat - Deputy – Chief Parliamentary Counsel

ITEM 1: CALL TO ORDER

- 1.1 The Chairman called the meeting to order at 2.20 p.m. He explained that the PPP/C Members had intimated to him that they were likely to be late, because of other previous assignments. He also welcomed those present to the 1st working meeting of the Committee.

ITEM 2: CIRCULATION OF DOCUMENTS

- 2.1 The following documents were circulated prior to the meeting:
 - Notice dated 14th February, 2006 to attend meeting on 17th February;
 - Minutes of the 1st and 2nd meetings held on 19th and 31st January, 2006.
- 2.2 The following document was circulated at the meeting:
 - Explanatory Memorandum re Municipal and District Councils(amendment) Bill 2005

ITEM 3: CONFIRMATION OF MINUTES OF THE 1ST AND 2ND MEETINGS HELD ON 19TH AND 31ST JANUARY, 2006 RESPECTIVELY

- 3.1 The Minutes of the 1st meeting were confirmed, without correction, on a motion moved and seconded by Mr. Alexander and Ms. Adams, respectively.
- 3.2 The Minutes of the 2nd meeting were confirmed, without correction, on a motion moved and seconded by Mr. Allen and Ms. Adams, respectively.

**ITEM 4: CONSIDERATION OF A WORK PROGRAMME,
METHODOLOGY AND PROCEDURE TO BE APPLIED**

- 4.1 The Chairman mentioned that he had no experience in chairing a Special Select Committee and therefore would be seeking guidance during the consideration of the Bill.
- 4.2 He, therefore, asked the Committee for suggestions with regard to an appropriate methodology to be applied.
- 4.3 After discussion among Members, the following decisions were made:
- The Committee would examine the bill over a period of 2 to 3 meetings of duration of one to one and a half hours. The last meeting could be longer;
 - With the assistance of the Attorney General's Office, the Secretariat would circulate to Members, copies of the District Councils Act(1969/70) Chapter 28:01 to be examined in conjunction with the amendments in the Bill at the next meeting;
 - Members of the Public would not be invited;
 - The Committee would meet on Fridays at 1.00 p.m;
 - Decisions would be by consensus as far as possible.
- 4.4 Members agreed that they would be unable to do any substantive work at that meeting without the District Councils Act, and it was agreed that detailed discussions would begin at the next scheduled meeting.

Adjournment

At 2.55 p.m the meeting was adjourned to 1.00 p.m on Friday 24th February, 2006.

Confirmed this 24. day of February


.....
The Hon. Clinton Collymore, M.P
Chairman

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

**MINUTES OF THE
4TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 1.10 P.M
ON FRIDAY, 24TH FEBRUARY, 2006
IN THE PARLIAMENTARY LIBRARY, PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

MEMBERS OF THE COMMITTEE (9)

Chairman(1)

From the People's Progressive Party/Civic

Nominated by the Committee of Selection on 24th November, 2005

Elected by the Committee on 31st January, 2006

The Hon. Clinton Collymore, M.P

Minister in the Ministry of Local Government & Regional Development

From the People's Progressive Party/Civic (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Cyril Belgrave, M.P

Mr. Heeralall Mohan, M.P - Excused

Mrs. Philomena Sahoye-Shury, M.P

Mr. Zulfikar Mustapha, M.P. - Absent

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Ivor Allen, M.P

Mr. Vincent Alexander, M.P. - Excused

Mr. Basil Williams, M.P.

Ms Sandra Adams, M.P.

Officers

Ms. Debra Cadogan - Assistant Head of Committees Division
Mr. Oscar E. Moore - Clerk of Committee
Ms. Deborah Gray - Assistant Clerk of Committee.

Legal Advisor

Mr. Charles Fung-A-Fat - Deputy Chief Parliamentary Counsel

ITEM 1: CALL TO ORDER

- 1.1 The Chairman called the meeting to order at 1.10 p.m and welcomed the Members. Special welcome was extended to Mr. Williams who was attending the Committee for the first time.

ITEM 2: ANNOUNCEMENTS

- 2.1 The Chairman announced that Mr. Alexander had asked to be excused from the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

- 3.1 The following documents were circulated prior to the meeting:
- Notice dated 21st February, 2006 to attend 4th meeting on 24th February, 2006;
 - Minutes of the 3rd meeting held on 17th February, 2006.

ITEM 4: CONFIRMATION OF MINUTES OF THE 3RD MEETING HELD ON 17TH FEBRUARY, 2006

4.1 Page 2, paragraph 3.2

- 4.1.1 The Minutes were corrected to reflect that the Motion confirming the Minutes of the 2nd meeting was seconded by Mr. Alexander and not Mrs. Adams.

- 4.1.2 Thereafter, the Minutes of the ^{3rd} 2nd meeting were confirmed on a motion moved and seconded by Ms. Adams and Mr. Allen respectively.

ITEM 5: MATTERS ARISING

5.1 Page 3, paragraph 4.3

5.1.1 The Chairman informed the Committee that his office had circulated copies of the Municipal and District Councils Act (1969/70) to three Members and promised to secure another copy for Ms. Adams.

5.2 Page 3, paragraph 4.4

5.2.1 The Chairman referred to the Explanatory Memorandum which was circulated to Members at the previous meeting for the purpose of facilitating their preparation.

ITEM 6: COMMENCEMENT OF CONSIDERATION OF THE CLAUSES OF THE MUNICIPAL AND DISTRICT COUNCILS AMENDMENT BILL, 2005(BILL NO. 9 OF 2005) IN CONJUNCTION WITH THE RELEVANT CLAUSES IN THE PRINCIPAL ACT, CHAPTER 28:01

6.1 Approach:

6.1.1 The Committee agreed to examine the Bill in conjunction with the Principal Act and the explanatory Memorandum.

6.2 Section 2: Objects of a Municipality

6.2.1 **General Amendments:** The amendment *was accepted as presented.*

(ii) The Committee *agreed to defer the amendments to the definition in paragraphs (c) and (d).*

(iii) The Committee *accepted the amendment to the definition of "Commission" as presented.*

6.2.2 Section 2A *was accepted as presented.*

6.3 Section 8: General Duties of City Councillors

6.3.1 The Committee agreed to *defer subsection(2) for further consideration.*

6.3.2 Section 8A, *paragraph (a) was accepted as presented.*

6.3.3 The Committee agreed to substitute the following for paragraph (b):

“To contribute to the development and evaluation of policies and programmes for the municipality”.

Thereafter, *paragraph (b) was accepted as amended.*

6.3.4 Paragraph (c) was *accepted as presented.*

6.3.5 Paragraph (d) was *accepted as presented.*

6.3.6 Paragraph (e) was *accepted as presented.*

6.3.7 Paragraph (f) was *accepted as presented.*

6.3.8 Paragraph (g) was *accepted as presented.*

6.3.9 Paragraph (h) *was accepted as presented.*

6.4 Section 23(3)

6.4.1 The Chairman indicated that he would seek the necessary advice with regard to this Section, before the next meeting.

6.4.2 The Committee, therefore, agreed *to defer the amendment for further consideration.*

6.5 Section 29: General duties of Town Councillors

6.5.1 Subsection (2) was *accepted as presented.*

6.5.2 Section 29(A) was *accepted as presented.*

6.6 Section 33(B): General duties of Town Councils established under section 33

6.6.1 The Committee agreed *to defer the amendment for further consideration.*

6.7 Section 31(2)

6.7.1 The Committee *agreed to delete the amendment.*

6.8 Section 33A(2)

6.8.1 Section 33A(2) *was accepted as presented.*

6.9 Section 36

6.9.1 The Committee agreed *to defer the amendment for further consideration*

6.10 Section 38(3)

6.10.1 The Chairman informed Members that he needed to seek advice with regard to the proposed amendment.

6.10.2 The Committee thereafter, *agreed to defer the amendment for further consideration.*

6.11 Section 68(3)

6.11.1 The Committee *agreed that the amendment should be deleted.*

6.12 Section 79: Instructions by the Minister

6.12.1 Mr. Williams expressed the PNC/R's disagreement with the amendment, which he considered to be dictatorial and autocratic. The Chairman, however, stated that the Joint Task Force had examined the issue and the Government was not inclined to change its position.

6.12.2 The Committee *deferred the amendment for further consideration.*

6.13 Section 80(1)(a)

6.13.1 The Committee *agreed that the words "eighteen" and "twenty-one" should be transposed.*

6.13.2 Thereafter, *Section 80(1)(a) was accepted as amended.*

6.14 Section 81(2)

6.14.1 Section 81(2) *was accepted as presented.*

6.15 Section 84: Power of Minister to resolve difficulty

6.15.1 The Committee *deferred Section 84 for clarification.*

6.16 Section 87(1) and (2)

6.16.1 Section 87(1) and (2) *was accepted as presented.*

6.17 Section 95: Constitution

6.17.1 The Committee *deferred Section 95 to the next meeting.*

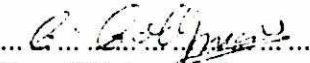
6.18 The Committee *agreed to defer the following Sections for consideration at the next meeting:*

Sections 96,98,105,107, 108, 109, 112, 115(1), 116(1) and 117(1), and 120(2).

Adjournment

At 3.55 p.m the meeting was adjourned to 1.00 p.m on Friday, 3rd March. 2006.

Confirmed this 3rd day of March, 2006


The Hon. Clinton Collymore, M.P
Minister of Local Government and Regional Development
Chairman

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

**MINUTES OF THE
5TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 1.05 P.M
ON FRIDAY, 3RD MARCH, 2006
IN THE PARLIAMENTARY LIBRARY, PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

MEMBERS OF THE COMMITTEE (9)

Chairman(1)

From the People's Progressive Party/Civic

Nominated by the Committee of Selection on 24th November, 2005

Elected by the Committee on 31st January, 2006

The Hon. Clinton Collymore, M.P

Minister in the Ministry of Local Government & Regional Development

From the People's Progressive Party/Civic (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Cyril Belgrave, M.P

Mr. Heeralall Mohan, M.P

Mrs. Philomena Sahoye-Shury, M.P

Mr. Zulfikar Mustapha, M.P.

- Absent

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Ivor Allen, M.P

Mr. Vincent Alexander, M.P.

- Excused

Mr. Basil Williams, M.P.

Ms Sandra Adams, M.P.

Officers

Ms. Debra Cadogan - Assistant Head of Committees Division

Legal Advisor

Mr. Charles Fung-A-Fat - Deputy Chief Parliamentary Counsel

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 1.05 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Welcome**

2.1.1 Special welcome was extended to Mr. Mohan who was attending the Meeting for the first time owing of late notification and unavailability of the relevant documentation for meetings.

2.2 **Excuses**

2.2.1 The Chairman announced that Mr. Alexander had asked to be excused from the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:

(i) Notice dated 1st March, 2006 to attend 5th meeting on 3rd March, 2006;

(ii) Minutes of the 4th Meeting held on 24th February, 2006.

3.2 The following documents were circulated at the meeting:

(i) Copy of the Official Gazette dated 25th May, 1990 – Legal Supplement B;

(ii) Municipal and District Councils (Amendment) Act 1997 Act No. 27 of 1997;

(iii) The Laws of Guyana Revised Edition Chapter 28:01 Municipal and District Councils.

ITEM 4: CONFIRMATION OF MINUTES OF THE 4TH MEETING HELD ON 24TH FEBRUARY, 2006

- 4.1 The Minutes of the 3rd Meeting held on 24th February, 2006 were confirmed, without correction, on a motion moved and seconded by Mr. Williams and Mr. Allen, respectively.

ITEM 5: MATTERS ARISING

5.1 **General Comments**

- 5.1.1 The Chairman informed the Committee that he had circulated three documents, one of which included previous amendments to the Principal Act, Chapter 28:01. The other documents were proposals made to the Urban Development Programme.

- 5.1.2 He said that although the documents were not approved he had distributed them since he felt that they would be helpful to the work of the Committee.

- 5.2 The Chairman informed the Committee that he was unable to seek advice as indicated at paragraphs 6.4, 6.10, 6.15 and 6.17 in the Minutes. He undertook to provide the Committee with the relevant information at its next meeting.

5.3 **Page 6, paragraph 6.18: Deferred Clauses**

- 5.3.1 The Committee continued to defer consideration of Sections 96, 98, 105, 107, 108, 109, 112, 115(1), 116(1), 117(1) and 120(2).

ITEM 6: COMMENCEMENT OF CONSIDERATION OF THE CLAUSES OF THE MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL, 2005 (BILL NO. 9 OF 2005) IN CONJUNCTION WITH THE RELEVANT CLAUSES IN THE PRINCIPAL ACT, CHAPTER 28:01

- 6.1 **Section 149 (d):** The following amendment was made:

“For the words “two thousand” substitute the words “twenty thousand”.

- 6.1.1 Thereafter, *Section 149 (d) was accepted as amended.*

- 6.2 **Sections 155 and 156:**
- 6.2.1 The Committee agreed to *defer Sections 155 and 156 for further consideration.*
- 6.2.2 It noted the comments of the members of the main opposition party that they would prefer to accept the deletion of those Sections as it would provide autonomy to the Councils.
- 6.3 **Section 170:**
- 6.3.1 Section 170 *was accepted as presented.*
- 6.4 **Section 204 (2):**
- 6.4.1 Section 204 (2) *was accepted as presented.*
- 6.5 **Section 209 (3):**
- 6.5.1 Section 209 (3) *was accepted as presented.*
- 6.6 **Section 255 (1)(a):**
- 6.6.1 Section 255 (1)(a) *was accepted as presented.*
- 6.6.2 The Committee decided that lands acquired for a specific purpose could not be applied for any other purpose.
- 6.6.3 The Committee agreed that in light of the above comments, *section 236 would have to be amended.*
- 6.7 **Section 275 (3):**
- 6.7.1 Section 275 (3) *was accepted as presented.*
- 6.8 **Section 285 (d):**
- 6.8.1 Section 285 (d) *was accepted as presented.*
- 6.9 **Section 300 (4):**
- 6.9.1 Section 300 (4) *was accepted as presented.*

- 6.10 **Section 304:**
- 6.10.1 Subsection (4) *was accepted as presented.*
- 6.10.2 Subsection (8) *was accepted as presented.*
- 6.10.3 Section 304A *was accepted as presented.*
- 6.11 **Third Schedule:**
- 6.11.1 The Third Schedule *was accepted as presented.*
- 6.12 **Seventh Schedule:**
- 6.12.1 The Seventh Schedule *was accepted as presented.*
- 6.13 **Eight Schedule:**
- 6.13.1 The Eight Schedule *was accepted as presented.*
- 6.14 **Appendix:**
- 6.14.1 The Appendix *was accepted as presented.*

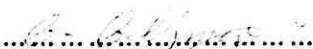
ITEM 7: ANY OTHER BUSINESS

- 7.1 **Request to be Excused from the Next Meeting**
- 7.1.1 Ms Adams informed the Committee that she would be otherwise engaged on Friday, 10th March and as such would like to be excused from the meeting.

Adjournment

At 2.15 p.m the meeting was adjourned to 1.00 p.m. on Friday, 10th March, 2006.

Confirmed this 16. day of March, 2006


The Hon. Clinton Collymore, M.P
Minister of Local Government and Regional Development
Chairman

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

**MINUTES OF THE
6TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 1.15 P.M
ON FRIDAY, 10TH MARCH, 2006
IN THE PARLIAMENTARY LIBRARY, PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

MEMBERS OF THE COMMITTEE (9)

Chairman(1)

From the People's Progressive Party/Civic

Nominated by the Committee of Selection on 24th November, 2005

Elected by the Committee on 31st January, 2006

The Hon. Clinton Collymore, M.P

Minister in the Ministry of Local Government & Regional Development

From the People's Progressive Party/Civic (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Cyril Belgrave, M.P

Mr. Heeralall Mohan, M.P

Mrs. Philomena Sahoye-Shury, M.P - Excused

Mr. Zulfikar Mustapha, M.P. - Absent

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Ivor Allen, M.P - Excused

Mr. Vincent Alexander, M.P.

Mr. Basil Williams, M.P.

Ms Sandra Adams, M.P. - Excused

Officers

- Mr. Oscar Moore - Clerk of Committee
Ms. Deborah Gray - Assistant Clerk of Committee

ITEM 1: CALL TO ORDER

- 1.1 The Chairman called the meeting to order at 1.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 **Excuses**

- 2.1.2 The Chairman announced that the following persons had asked to be excused from the meeting:

- Mrs. Sandra Adams, M.P
- Mr. Ivor Allen, M.P
- Ms. Philomena Sahoye-Shury

ITEM 3: CIRCULATION OF DOCUMENTS

- 3.1 The following documents were circulated prior to the meeting:

- (i) Notice dated 6th March, 2006 to attend 6th meeting on 10th March, 2006;
- (ii) Minutes of the 5th Meeting held on 3rd March, 2006.

ITEM 4: CONFIRMATION OF MINUTES OF THE 5TH MEETING HELD ON 3RD MARCH, 2006

- 4.1 The Minutes of the 5th Meeting were confirmed on a motion moved and seconded by Mr. Williams and Mr. Belgrave respectively.

ITEM 5: MATTERS ARISING

5.1 Page 3, paragraph 5.2

- 5.1.1 The Chairman informed the Committee that he had been unable to secure the information as promised. He, however, stated that he would present a proposal in that regard before the end of the meeting.

5.2 Page 4, paragraph 6.2.1 – Sections 155 and 156

- 5.2.1 The Chairman indicated that for administrative purposes Sections 155 and 156 could not be deleted.

- 5.2.2 Mr. Williams, however, requested that the reservation of the main Opposition on such a decision be noted.

He stated that it was inconsistent with the proposal for autonomy to be given to the council. He further proposed a re-formulation of the Sections which would allow for consultation and requested that the *status-quo* remains pending the reform process.

- 5.2.3 The Chairman agreed, stating that there were no proposed fundamental changes to the Act.

ITEM 6: CONSIDERATION OF DEFERRED CLAUSES

6.1 Section 79: Instructions by the Minister

- 6.1.1 The Chairman announced that the Section would remain unchanged.
- 6.1.2 In response, Mr. Williams suggested that there was need for a comprehensive approach toward any amendment.
- 6.1.3 The Committee, thereafter, concluded its examination of the Municipal and District Councils (amendment) Bill.

6.2 Decisions

- 6.2.1 The Committee agreed that the Clerk of the Committee would proceed with the preparation of a draft Report after which, it (the Committee) would meet to discuss same.

Adjournment:

At 1.45 p.m. the meeting adjourned *sine die*.

Confirmed this ^{11th} day of 2006
.....
The Hon. Clinton Collymore, M.P
Chairman

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

**MINUTES OF THE
7TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 1.15 P.M
ON FRIDAY, 24TH MARCH, 2006
IN THE PARLIAMENTARY LIBRARY, PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

MEMBERS OF THE COMMITTEE (9)

Chairman(1)

From the People's Progressive Party/Civic

Nominated by the Committee of Selection on 24th November, 2005

Elected by the Committee on 31st January, 2006

The Hon. Clinton Collymore, M.P

Minister in the Ministry of Local Government & Regional Development

From the People's Progressive Party/Civic (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Cyril Belgrave, M.P - Excused

Mr. Heeralall Mohan, M.P - Excused

Mrs. Philomena Sahoye-Shury, M.P - Excused

Mrs. Shirley Edwards, M.P

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Ivor Allen, M.P

Mr. Vincent Alexander, M.P. - Excused

Mr. Basil Williams, M.P. - Excused

Ms Sandra Adams, M.P.

Officers

- Ms. Debra Cadogan - Assistant Head of Committees Division
Ms. Deborah Gray - Assistant Clerk of Committee

ITEM 1: CALL TO ORDER

- 1.1 The Chairman called the meeting to order at 1.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses:

- 2.1.1 The Chairman announced that the following persons had asked to be excused from the meeting

- Mr. Cyril Belgrave, M.P.
- Mr. Heeralall Mohan, M.P.
- Ms. Philomena Sahoye-Shury, M.P.
- Mr. Vincent Alexander, M.P.
- Mr. Basil Williams, M.P.

2.2 Replacement:

- 2.2.1 The Chairman welcomed Mrs. Shirley Edwards, whom he announced had replaced Mr. Zulfikar Mustapha on the Committee.

ITEM 3: CIRCULATION OF DOCUMENTS

- 3.1 The following documents were circulated prior to the meeting:

- (i) Notice dated 23rd March, 2006 to attend 7th meeting on 24th March, 2006;
- (ii) Minutes of the 6th Meeting held on 10th March, 2006;
- (iii) Copy of Committee's Draft Report.

ITEM 4: CONFIRMATION OF MINUTES OF THE 6TH MEETING HELD ON 10TH MARCH, 2006

4.1 Non-confirmation of Minutes:

- 4.1.1 The Members present at the meeting pointed out that none of the Members who was present at the previous meeting, was in attendance and, therefore, the Committee *could not follow the required procedure in confirming the Minutes.*
- 4.1.2 The Committee also noted the absence of key Members who it was felt could play a pivotal role in the discussion of its Draft Report. In view of this the Chairman sought suggestions with regard to a new meeting date.
- 4.1.3 The Committees Division was therefore requested to arrange a suitable date within the new week and so inform the Chairman. This was agreed to.

Adjournment

At 1.30 p.m the meeting was adjourned *sine die*.

Confirmed this.....day of March, 2006


The Hon. Clinton Gollymore, M.P
Minister in the Ministry of Local Government
Chairman

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

**MINUTES OF THE
8TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE
MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2005
HELD AT 11.00 P.M
ON WEDNESDAY, 29TH MARCH, 2006
IN THE PARLIAMENTARY LIBRARY, PUBLIC BUILDINGS, GEORGETOWN**

ATTENDANCE

MEMBERS OF THE COMMITTEE (9)

Chairman(1)

From the People's Progressive Party/Civic

Nominated by the Committee of Selection on 24th November, 2005

Elected by the Committee on 31st January, 2006

The Hon. Clinton Collymore, M.P

Minister in the Ministry of Local Government & Regional Development

From the People's Progressive Party/Civic (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Cyril Belgrave, M.P

Mr. Heeralall Mohan, M.P - Excused

Mrs. Philomena Sahoye-Shury, M.P

Mrs. Shirley Edwards, M.P

From the People's National Congress/Reform (4)

Nominated by the Committee of Selection on 24th November, 2005

Mr. Ivor Allen, M.P - Excused

Mr. Vincent Alexander, M.P.

Mr. Basil Williams, M.P. - Excused

Ms Sandra Adams, M.P.

Officers

- Ms. Debra Cadogan - Assistant Head of Committees Division
Ms. Deborah Gray - Assistant Clerk of Committee

ITEM 1: CALL TO ORDER

- 1.1 The Chairman called the meeting to order at 11.00 a.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses:

- 2.1.1 The Chairman announced that the following persons had asked to be excused from the meeting:

- Mr. Basil Williams, M.P.
- Mr. Heeralall Mohan, M.P.
- Mr. Ivor Allen, M.P.

ITEM 3: CIRCULATION OF DOCUMENTS

- 3.1 The following documents were circulated prior to the meeting:

- (i) Notice dated 28th March, 2006 to attend 8th meeting on 29th March, 2006;
- (ii) Minutes of the 7th Meeting held on 24th March, 2006;
- (iii) Copy of Committee's Draft Report.

ITEM 4: CONFIRMATION OF MINUTES OF THE 6TH AND 7TH MEETINGS HELD ON 10TH AND 24TH MARCH, 2006

4.1 Confirmation of Minutes of the 6th meeting:

- 4.1.1 The Minutes of the 6th meeting were adopted without correction on a motion moved by Mr. Belgrave and seconded by Mrs. Sahoye- Shury.

4.2 Confirmation of Minutes of the 7th meeting:

- 4.2.1 The Minutes of the 7th meeting were adopted without correction on a motion moved by Mrs. Edwards and seconded by Mrs. Adams.

ITEM 5: Discussion of Committee's Draft Report

5.1 Paragraphs 1 to 8

- 5.1.1 The Committee accepted paragraphs 1 to 8.

5.2 Paragraph 9

- 5.2.1 The following amendment was made:

"Substitution of "six(6)" for "five(5)" before the word "other" in line 1.

5.3 Paragraph 10: Schedule

- 5.3.1 Section 8 was *accepted as presented.*

Section 31(2) was *accepted as presented.*

- 5.3.2 Insertion of the following:

Section 33B - *Substitution of "Town Councils" for "Town Councillors".*

- 5.3.3 Section 68(3) was *accepted as presented.*

- 5.3.4 The following amendment was made:

Substitution of "Section 80(1)(a)" for "Section 30(1)(a)".

- 5.3.5 Section 149(d) was *accepted as presented.*

- 5.3.6 The following amendment was made:

"Deletion of Section 236(to be amended)"

Paragraph 10 was then accepted as amended.

5.4 Paragraph 11

- 5.4.1 Insertion of the “29th” before “March, 2006 in line 1.
- 5.4.2 In response to a query by Mr. Alexander, the Chairman advised that Sections 79 and 95, in addition to others, were deferred and the Committee had agreed that the *status-quo* of those sections would remain as presented in the Bill under Provisions of the Schedule.
- 5.4.3 The Chairman also stated that those issues would be re-visited after the reform process on the Electoral System on Local Government.
- 5.4.4 The Committee then agreed that the Report would reflect the comments made by the Chairman, accordingly.

Conclusion

At 11.55 a.m the meeting concluded.

(Unconfirmed)