

# Official Report

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2015) OF THE ELEVENTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN*

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16<sup>TH</sup> Sitting

Wednesday, 9<sup>TH</sup> September, 2015

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*The Assembly convened at 2.09 p.m.*

*Prayers*

*[Mr. Speaker in the Chair]*

## **PRESENTATION OF PAPERS AND REPORTS**

The following Paper was laid:

1. Minutes of Proceedings of the 1<sup>st</sup> Meeting of the Committee of Selection held on Thursday, 20<sup>th</sup> August, 2015. [*Speaker of the National Assembly and Chairperson of the Committee of Selection*]

## **MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE NATIONAL ASSEMBLY AND MOVED BY A MINISTER**

### **SUSPENSION OF STANDING ORDER NO. 54**

“BE IT RESOLVED:

That Standing Order No. 54 be suspended to enable the Assembly to proceed at its Sitting on Wednesday, 9<sup>th</sup> September, 2015, with the second reading and the remaining stages of the Local Authorities (Elections) (Amendment) Bill 2015 – Bill No. 9 of 2015.” *[First Vice-President and Prime Minister]*

**First Vice-President and Prime Minister [Mr. Nagamootoo]:** Mr. Speaker, I would like to move the following motion, that Standing Order No. 54 be suspended to enable the Assembly to proceed at the Sitting of today’s date, Wednesday, 9<sup>th</sup> September, 2015, for the second reading and the remaining stages of the Local Authorities (Elections) (Amendment) Bill 2015 – Bill No. 9/2015.

**Bishop Edghill:** Mr. Speaker, I rise to speak to this proposed motion by the Hon. First Vice-President and Prime Minister, asking this honourable House, this afternoon, to suspend Standing Order No. 54 to allow all the stages to be completed, as it relates to the passage of the Bill that is coming before the House this afternoon, the Local Authorities (Elections) (Amendment) Bill 2015.

Since the convening of the Eleventh Parliament, to my recollection, at least on three occasions, a motion of a similar nature was proposed to this House for the suspension of Standing Order No. 54. On the 26<sup>th</sup> June, 2015, that had to do with the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill – Bill No. 1/2015. On the 30<sup>th</sup> July, 2015, a similar motion was moved and the Customs (Amendment) Bill – Bill No. 6/2015 had all three stages - first, second and third readings – completed on the same day. On the 28<sup>th</sup> August, 2015, when we were here last, we had that same procedure being utilised for Bill No. 8/2015, which had to do with the Income Tax (Amendment) Bill, which was to give life and effect to a Budget measure that was discussed and agreed upon.

While it is clear, on the record, that a precedent was set for the suspension of Standing Order No. 54, in this Eleventh Parliament, for all three readings of the Bills to take place on the same day, today, however, there is a difference. There is a difference because of the nature of the Bill that is coming before us. The nature of the Bill that is coming before us, that this motion seeks to allow for all three readings, today, is a Bill that deals with a very sensitive issue in Guyana, elections, and, more so, Local government elections.

Standing Order No. 54, which we are asked to suspend, allows for some specific relief of which I would like to remind the honourable House. There is a time that is built in to this Standing Order that allows for a six-day period and time is important, I would like to offer, for some specific reasons. If the Hon. Minister of Communities has, in his bosom, the Local Authorities (Elections) (Amendment) Bill 2015, and then brings it to the House and expects that, today, all three stages of that Bill would be gone through and that a proposed 26 amendments of a significant nature would be agreed upon, I think we will be doing a great disservice to the people of Guyana, especially in the environment where almost half of this country has serious confidence issues as it relates to the Guyana Elections Commission (GECOM) and the conduct of elections in Guyana. This would be a serious injustice.

I think there is some amount of insensitivity here. For example, if we are going to debate this Bill today, time needs to be given for the consideration of this Bill. There are 26 amendments that are being proposed. When we left this honourable House on the 28<sup>th</sup> August, 2015, if I could remember exactly, I think a motion was moved for the adjournment of this House until the 10<sup>th</sup> October, 2015 and no other person but yourself, Sir, sought to clarify if our next sitting was the 11<sup>th</sup> October, 2015. That consideration was responded to in the affirmative by the Prime Minister. It was last week Friday, while we were attending a meeting of the Committee of Selection, that we learnt that there is going to be a sitting of the National Assembly today, Wednesday, 9<sup>th</sup> September, 2015.

We got notices on our Order Paper sometime late Friday night and a number of our Colleagues, because of how we represent the people of Guyana, are not urban based; they are all across the country. Many of our Colleagues actually got possession of these documents on Monday. If we are to really consider this very important piece of legislation, time is important for us to be able to consider these amendments.

When we do our work in this National Assembly, we do not only represent our views; we represent the views of the people who elected us to come here. In representing those views, time must be given for us to consult with the people of Guyana. When we look at the amendments that are proposed, should we go forward with all three stages of this Bill today, there are significant changes that are to be made - adjustments in the time for nominations day, the right of returning officers to refuse a recount, *et cetera*. And these are not issues that are strange to the

body politic of Guyana, where we are concerned about some of these very same issues. It requires that there be proper consultation with the people of Guyana.

If we are going to have a Bill, with 26 amendments, that is to be discussed, time must be given for the crafting and a proposing of amendments, should there be the need for amendments to that Bill. We need time to compare and contrast this Bill with the *Constitution of the Cooperative Republic of Guyana* and other laws to see if they are in conflict or if the Bill complements the laws. Rushing through a very important piece of legislation like this could very well be dangerous for the development of this country, as it relates to democracy. If we are going to vote, sensibly, on this Bill, this afternoon, as is being proposed, I am not sure that, in this honourable House, we would be able to say that there was a careful analysis, the proper research was done and the interest of the public is being served.

This proposal for the suspension of Standing Order No. 54 comes in a particular context and a particular environment that is happening in this Eleventh Parliament, which we are very concerned about. We, as a nation, were promised that the A Partnership for National Unity/Alliance For Change (APNU/AFC) Coalition Government will bring to Guyana new levels of transparency, accountability and good governance. And, if that is to be taken seriously, then these acts of altering, adjusting and whimsically changing conventions and norms in this country are dangerous for democracy.

Mr. Speaker, permit me just to highlight what I am talking about. Not so long ago, we had the debate here and the discussions were going as it relates to convention and practice, where and when, and how long does the Leader of the Opposition speak as it relates to the debate on the National Budget. That was changed. The *Standing Orders* tells us that we have up to seven days for the consideration of Estimates. A motion came to this House, where there is supposed to be the promotion of good governance, transparency and accountability, to adjust that time, it was cramped into three days.

2.19 p.m.

**Mr. Speaker:** Hon. Member, I believe that we are discussing the motion which is before the House.

**Bishop Edghill:** Mr. Speaker, we are discussing the motion but I am trying to put it in within a particular context. The context is that if we continue to adjust Standing Orders just to achieve specific objectives at a particular time, we will be doing a disservice to the people of Guyana.

In democratic governance, the executive derives – what might be called democratic legitimacy - from the legislative. It is here that accountability is worked out. The executive is accountable to the legislative. Here it is that the executive is bring us a Bill, this afternoon, ... **[Mr. Williams:** That is a new one.] That is the rule. **[Mr. Williams:** Which rule?] That is what is correct. You could differ with it. The executive works out its accountability here, in the National Assembly, and it derives its legitimacy here, in the National Assembly. If we are to proceed this afternoon, I think we would be in violation of that. This is a departure from the fundamental principles. As I indicated a bit earlier, we should not just be whimsically suspending the Standing Orders.

Since I am limited to speaking in the context of the motion, this motion is asking us, this afternoon, to forgo scrutiny, to forgo consultations and to forgo having the public interest served, and it is for us to have a piece of legislation in place, whether it serves the public interest or not, to achieve a particular end. I believe that that is contrary to the spirit and intent of parliamentary norms and practices and should not be allowed.

I am sure we all can agree that rushing through a piece of legislation affects the quality of the debate. Eventually, in a rush to get something done, we would probably have to be come back because we would have thought of it after and would have come to make changes. We have seen that happened before in this honourable House. The rush to get things done caused there to be omissions, and things of that nature.

I have heard a lot, talk and speeches in the debates about operationalising article 13 of the Constitution to ensure citizens participation, to ensure that the voices of citizens are being heard, and to ensure the voices of citizens are being reflected when we make laws and when we do things in the National Assembly. We are respectfully proposing that if the Government is serious – we believe it is serious – of having local government elections in the shortest possible time, let us treat with this piece of legislation in a proper manner. Give it the time that is needed for digesting and scrutiny; give the time that is needed for the proper amendments to be proposed and discussed and for dialogue to take place; give the time for us to have a piece of legislation

that could stand and be considered acceptable by the people of Guyana, because, as I have been emphasising, the interest of the people of Guyana must be served in this.

I am reminded that one of the reasons why this document is called the Standing Orders it is because, whether it is the Ninth Parliament, the Tenth Parliament or the Sixth Parliament, these Standing Orders do not change because the life of a parliament comes to an end. They are standing orders. They are rules that guide our procedure. If the Opposition or a private Member wants to bring a Bill to this House, 14 days' notice must be given. We just cannot show up and say that we would like to bring a particular Bill to the House. We have to give notice.

For a Bill to be brought today, where, in our belief the required time, the six-day notice, was not even observed, for it to be asked for it to go through all stages today, I think it is a display of the highest level of insensitivity on the part of the Government. We cannot be in agreement with the proposal that the motion be carried and that all three stages of the Bill to be done today. I know that there might be the thinking that whether "you agree or not, we have the majority." That is introducing us into a new level of operation in this country in which our people are being short-changed and where we could basically be talking about an approach in which the majority has its way.

The Standing Orders are established to protect minorities in parliaments. That is one of the reasons for the Standing Orders - to protect the minority interest. It is so that no government or no collection of parties with a majority could come to the parliament and exercise such control that the rights of minorities are disadvantaged at all times. That is why there are Standing Orders. I am asking this afternoon that there be a upholding of the Standing Orders.

We are saying that this motion should not be supported, and we cannot support it. This Bill should be sent to a Special Select Committee where the 26 clauses could be careful considered, the People's Progressive Party (PPP) would have adequate time to propose amendments and the people of Guyana would be able to participate in the discussions, because when we talk about elections, it affects this nation. In this particular time, when there is a crisis of credibility and a crisis of confidence as it relates to the conduct of elections in Guyana, at minimum, we should be more sensitive in ensuring that this Bill is not hurried through and that we take our time and deal with it.

I am hearing the famous line, “the fresh approach”. Is that “fresh approach” suggesting that these Standing Orders are no longer valid? Is that “fresh approach” suggesting that what was good for the goose is no longer good for the gander? We, on this side, were in Government and we brought important pieces of legislation to this House. We would like to let the research show when and under what circumstances we suspended Standing Order 54 to allow the three readings of a Bill to take place on the same day. We cannot allow the railroading, so to speak, of a very important piece of legislation such as this Bill.

I want to close by saying that we disagree with the altering of rules and regulations of the House; we disagree with the whimsical suspension and changes of Standing Orders; we disagree with the violation of conventions and time bound traditions of this House where things happen in a particular way. We are recommending that this motion not be supported and that this Bill be sent to a Special Select Committee for consideration so that the public interest and the public good can be served, that we could have a Bill for the local government elections in which the people of Guyana would have confidence that we would be able to get somewhere.

I thank you, Mr. Speaker. [*Applause*]

**Minister of Governance [Mr. Trotman]:** Mr. Speaker, may I, with your leave, respond briefly to comments made by the Member Bishop Edghill? That statement is probably the longest ever made on a motion of this kind. Normally, when a motion to suspend Standing Order 54 is moved it does not occupy the attention of the House beyond five minutes. In fact, that was the case for the last 23 years.

I wish to advert, the attention of the Hon. Member, to Standing Order 112 which states:

“Any one or more of these Standing Orders may, after notice, or with the leave of the Speaker, be suspended on a motion made by a Member at any sitting.”

Firstly, I wish to state that there is no violation and or *volation* of the Standing Orders of this House.

Secondly, the Hon. Member mentioned a few occasions in the Eleventh Parliament when Standing Order 54 was suspended, and indeed that is true. If we were to go through them, in July of this year, there was no Opposition. For the Government to have come with its own Bill,

waited six days to debate its own Bill, and give itself six days' notice would have been taking things to the realms of the ridiculous. Were there an Opposition in place, the six-day rule would have made greater sense. Having considered a Bill in Cabinet and elsewhere for longer than six days, we could not bring a Bill and then give ourselves six more days to consider our own matter.

Thirdly, in August of this year when the Minister of Finance moved a similar motion, it was as was done on every occasion when an Appropriation Bill was passed in the evening. Whenever there are supplementary Bills to be passed to support the budget measures, always in this House we suspend Standing Order 54 to allow those supplementary and other matters to accompany the Appropriation Bill. Nothing that has transpired, so far, violates the ethics, spirit or rules, as they are, of this House.

If we are to turn to the matter at hand, and without getting into the debate proper, which I believe an attempt is being made to avoid us going there, the people of Guyana have waited 18 years for local government elections. To be asked to go back to another committee to reconsider and to postpone, again... We have postponed for 18 years that which was due in 1997. We believe that, because the Standing Orders provide for it, because it has been the practice of this House, we can and should proceed with the debate on this Bill.

I believe, without taking tales out of school, that the Opposition, not only has the capability and the competencies to address this Bill – there are Hon. Member Mr. Ganga Persaud and others whom, I know, are quite capable of addressing all of the clauses that are proposed in this Bill and more – but it has recommendations which it wishes to make, today, to this Bill.

*2.34 p.m.*

A lot of what we heard were just filibustering, grandstanding and delaying tactics, to be placed in the grand theatre because television cameras are arrayed before us. We know it is a custom and practice of this House, when the exigencies of the situation require it, to suspend the Standing Orders; we know that the Standing Orders themselves provide for situations such as this; we know it has happened frequently in the past, and Government believed then, and Government believes now, that it has good reason for doing so; we know when the Prime Minister moved his motion at the end of August he said that we would go into recess from 10<sup>th</sup>



September to 10<sup>th</sup> October. The Prime Minister did not say the 1<sup>st</sup> September because it was anticipated that there was the likelihood of a sitting. We know that.

We note as well that the six-day rule came out of reform suggested by Sir Michael Davies. In fact, there was much debate and discussion on how many days' notice should be given. In those discussions - if the Hon. Member wishes to avail himself of the material - it is stated that there would be times when the time could be abridged or when the time could be expanded. That is contained in the report of Sir Michael Davies. For us to come and have this grand speech,... We believe that to delay further will be to delay what the people of Guyana have been demanding, and that is local government elections. We believe that the Opposition, with five days' notice, which is 24 hours short of what the Standing Orders state, is not immediate notice or notice got yesterday. There have been cases in this House in which Bills would have come within the 24 or 48 hours' notice, because the exigencies of the situation demanded or required that it be so. In this case it is five days as against six days. We believe that there are persons in the Opposition who are quite capable - we give them that credit this afternoon by saying they are quite capable - to debate. We know they are ready and even have suggested amendments which we are prepared to entertain and, if they find favour, we are prepared to even pass.

Let us get on with the business of the House and of the people.

Thank you. [*Applause*]

**Mr. Speaker:** I thank the Hon. Member for his statement.

Hon. Prime Minister, do you wish to speak?

**Mr. Nagamootoo:** Mr. Speaker, I think my learned colleague and Hon. Member Raphael Trotman has adequately addressed the questions raised. I ask that the question be put.

**Mr. Speaker:** Hon. Prime Minister, I understand there is a Member who wishes to speak. Would you allow that Member to speak or is the matter is closed now?

**Mr. Nagamootoo:** I asked that the question be put.

*Question put, and agreed to.*

*Motion carried.*

## **INTRODUCTION OF BILLS**

### **Presentation and First Reading**

#### **LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 2015 – Bill No. 9/2015**

A BILL intituled:

“AN ACT to amend the Local Authorities (Elections) Act.” [Minister of Communities]

## **PUBLIC BUSINESS**

## **GOVERNMENT BUSINESS**

### **BILLS – Second Reading**

#### **LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 2015 – Bill No. 9/2015**

A BILL intituled:

“AN ACT to amend the Local Authorities (Elections) Act.” [Minister of Communities]

**Minister of Communities [Mr. Bulkan]:** Mr. Speaker, I rise to move that the Local Authorities (Elections) (Amendment) Bill 2015, Bill No. 9 of 2015, be now read a second time.

The Bill before us seeks to amend, as we have heard, 25 sections of the principal legislation, that is, Local Authorities Elections Act, Chapter 28:03, and to insert one new section to this Act. Collectively these amendments seek to clear the way for the holding of local government elections. It was not my belief, when we would have this discussion, in this honourable House, here, this afternoon, that there would have been any contentious issue in this debate given the fact, I believe, that there is almost total consensus in our country that these local government elections, which have been delayed for about 17 or 18 years, should not be deferred or delayed any longer.

I do not intend to speak for long as there have been many debates, as way back as 1998, as to the importance of having a vibrant local government system. These debates have been extensive and, I believe, they have been exhaustive. In fact, my recollection is that I, myself, would have participated in at least eight such debates in the Tenth Parliament.

The Bill before us seeks to advance this process of local democracy, of the holding of local government elections and of the handing over of power to the people. We just heard the Hon. Member Bishop Edghill raised a number of concerns, having to do with the suspension of the Standing Orders, not to allow for all of the readings of this Bill to take place today. Had we or should we have acquiesced to that, it would have resulted in the delay of the process, given the fact that this House is due to go into recess very shortly for one month. It would have an impact the consequence of which would be the further delay of these elections. We do not believe the people would be kind to us if we agree to any further unreasonable delay in the holding of these elections, to deny the people the right to participate in local government elections and to enjoy local democracy.

Whilst, indeed, the proposed amendments in this Bill number 26, many of them are actually of minor importance and are not of significant consequence. I do not share the opinion of the Hon. Member, from the Opposition benches, who sought to suggest that a number of the proposed amendments are of great significance. Similarly, I do not agree with the contention being proposed that the nature of a number of these proposed amendments are sensitive. We, on this side, certainly reject any imputation or accusation that we are being insensitive in seeking to proceed with all the debates on this Bill in a manner of dispatch.

With that said, I will touch on what I believe are the main features of the Bill or of the proposed amendments. The first has to do with how the preliminary voters' list is extracted or presented. It is the case that under the legislation, to which I already referred, Guyana Elections Commission (GECOM) is only empowered to produce such preliminary voters' list from the 1992 Official List of Electors (OLE). Given the fact that the last local government elections were held since 1994, it is therefore a necessity that that clause or section in the legislation be amended to allow for GECOM to be legally empowered to proceed with the extraction and production of the preliminary voters' list for all of the local authority areas.

What this reminds us of is the fact that 17 years have passed since those elections, which were legally and constitutionally due to be held, were actually held. Prior to that, there was a period of 24 years during which local government elections were not held. It would not be unfair, therefore, to say that successive administrations were guilty of contributing to the present damage and degraded state of the system of local government. This is why we continue to say

that no unreasonable objection should be proffered to seek to delay these elections any longer. It has been a total of 40 years during which the people of this country were denied a constitutional their right to elect local leaders to manage the affairs of their respective communities. This administration is committed to breaking with that tradition. As far as local democracy is concerned, we are committed to a fresh approach.

Briefly, I am reminded of the weekly picketing exercise of A Partnership for National Unity (APNU) in front of the Office of the President, earlier this year. It was an exercise conducted over a period of more than two months, calling on President Ramotar to name a date for the holding of general elections. Those weekly protests and picketing activities were invariably led by none other than the then Leader of the Opposition Brigadier (Ret'd) David Granger. I recall, as well, that Brigadier (Ret'd) Granger publicly, on many occasions during those weekly protest activities, had declared that no future president, be it Brigadier (Ret'd) Granger or otherwise, should deny people their constitutional right. I believe that His Excellency the President, when he would have made that statement on many occasions earlier this year, did so mindful of the ill effects to the management of our communities all across our country, and the fact that it was of vital importance and necessity for the damaged and degraded system of local government, that the process of repair and rebuilding start as early as possible.

This Bill at clause 5 provides for the preliminary voters' list to be extracted from the National Register of Registrants, or the NRR, and not the 1992 OLE to which GECOM currently circumscribes, and which is the only legal provision. That is being remedied with the passage of this Bill.

I believe the next in order of priority, more important of the 26 proposed amendments in the Bill, which we are debating here today, has to do with the minimum period for the application for approval of symbols for candidates seeking to contest seats to become councillors in the respective local authority areas. Currently, under the existing legislation, the period provided for that is 21 day.

*2.49 p.m.*

However, under the provisions of the Bill before us, that period will be increased from 21 days to 71 days. There are two components that are responsible for this. First, it is the fact that 21 days

are now required between the application for the approval of symbols to be used by candidate and for determination to be made by GECOM. The second component has to do with the nomination of list in which the period is increased from the current 21 days to 50 days. It is this 50 and 21 days that now increase the period for the application of symbols to 71 days.

The question will be asked as to the reason for seeking to increase this period from 21 to 71 days. The reason, apart from the obvious which is that it provides for more time, is that there is a significantly new pioneering feature of these local government elections whenever they will be held. The feature, to which I refer, has to do with constituency representation. Under this feature our 71 local authority areas, namely our six municipalities and the 65 neighbourhoods or the 65 National Democratic Councils (NDCs) have been subdivided by the way of creation of geographic constituencies that allow for an individual to represent that constituency within that local authority area.

The impact and the effect of that have resulted in the creation of 585 constituencies. It means therefore that when it comes to the ballot papers which are to be used for these 585 constituencies, they will be 585 unique ballot papers. It is also the case that a person desirous of offering himself or herself to be a candidate for any one of these 585 constituencies the main qualification, which he or she has to satisfy, is for his or her candidacy to be supported by 15 electors or residents within that constituency, in the case of a NDC, or 20 such registered voters within that constituency, in the case of a municipality. What is meant, therefore, is that the way is open for not only political parties or civic groups seeking to contest to become the councillor for that constituency within that municipality or the neighbourhood, but it is that many such individuals would be able to meet the qualifying criteria. Therefore each of those 585 constituencies could potentially have many candidates. It increases and adds to the complexity of the burden that will be on GECOM to effectively scrutinise all of these lists and for all of the other logistical arrangements relating to the management, preparation, printing and distribution of all of those 585 unique ballot papers.

It is the case that in our general and regional elections that GECOM only has to deal with 10 ballot papers, given the fact that the ballot papers for our 10 respective regions are all different. Therefore GECOM would be aware as to how much time is needed to examine and to carefully scrutinise the list that would be submitted for general and regional elections of which it is only

required to address 10 ballot papers versus, what will be a new feature in these elections, 585 unique ballot papers. This is why the proposed amendments to the principal legislation was determined out of a consultative process with GECOM, with which the Opposition Commissioners, on that body, were also a part of. It is out of that consultative process, to ensure that such scrutiny can be done accurately and effectively, that the period of 50 days has been arrived at.

Mr. Speaker, when I got here this afternoon, I saw on the desk some proposed amendments tabled in the name of the Hon. Member Charles S. Ramson, Esquire, M.P., and seconded by the Hon. Member Mrs. Indranie Chandarpal. In one of the proposed amendments, which is being submitted by the Opposition, I note that it is being suggested that the period of increasing the minimum period for the submission of the list from 21 to 50 days should be reduced by 10 days and it should be 40 days instead of 50 days.

I believe that there is already due recognition that 21 days are insufficient and, I imagine, in the considered view of the Opposition Members that 40 days are needed. As I said, the proposed amendments and the amendments being proposed in the Bill before us have been arrived out of a process of consultation with GECOM. It is GECOM which has to determine that 50 days are necessary and this is why we maintain that we do not want to compromise the accuracy, effectiveness or the integrity of the process. This is why we are determined that GECOM should be given the amount of time that it has requested which is in the Bill.

I will briefly touch on the number of the other clauses in the Bill, or amendments in the Bill, and they are all listed in the Explanatory Memorandum of the Bill. As I said, already at the outset, collectively these amendments seek to clear the way for the holding of the long overdue local government elections.

Clause 2 of the Bill seeks to widen the definition of Election Officer to include the Deputy Chief Election Officer and a few other officers. It seeks as well to widen the definition of the identification card (ID) to include a card issued during the continuous registration process. I note that one of the amendments, which was handed to us here this afternoon, seeks to add the words “that identification cards issued after the year 2009”. It is a proposed amendment to which I see would pose no difficulty for us to agree to such amendment or such insertion. We are prepared to

be flexible and compromise. The Hon. Member Bishop Edghill, in his extensive response to the motion, spoke about the administration's professed commitment to proceeding in accordance with article 13 of our Constitution, which speaks of inclusionary democracy. I would like to ensure the Hon. Member that we are indeed commitment to such a principle and process.

We have heard about the very substantial nature of these amendments and of the very sensitive nature. If we turn our attention to clause 4, all it does is that it seeks to place a definition to a vagrant and it is determined that such a person is deemed not to be ordinarily resident anywhere. I do not believe that such a proposed amendment could meet the criteria being advanced by the Hon. Member.

Clause 5 of the Bill, I have already dealt with that, seeks to insert NRR instead of the OLE of 1992.

Clause 7 of the Bill removes a source document, namely baptismal certificate as a requirement for application to be registered, and it replaces that with a valid passport in addition to a birth certificate. Again, very minor and very inconsequential, it is suggested that it does not meet the test that we were treated to earlier.

Similarly, clause 8, very minor amendment, it has to do with adding a few persons who are authorised to enter polling stations.

Clause 9 replaces the subject Minister with the Guyana Elections Commission. If my interpretation was correct, I believe that one of the proposed amendments, which we were handed this afternoon, seeks to probably add what might have been indeed a minor oversight. I think, if my memory serves me correctly, it refers to article 161 of the Constitution, again, something that will not pose any difficulty.

Clause 10 of the Bill seeks to remove one of the reasons for disqualification of a candidate. It removes bankruptcy. Perhaps the Hon. Member Mr. Rohee might be interested, having spoken extensively about a particular company to which I shall not refer to. It seeks to remove bankruptcy as a disqualification for election as a councillor.

Clauses 11, 12, 13, 14 all the way to clauses 18, 21 and 23 seek to amend sections 41(1), 46(1), 47, 48(1), 49 and it goes up to section 65 of the principal legislation. Quickly, I will refer to a few of these.

Clause 11 relates to the submission of list for the nomination. I have already said that it increases the time from the current 21 days to 50 days.

Clause 12 of the Bill refers to the examination of the lists and the obligation to inform representatives of any defects in this Bill. With due allowance or provision being made, given the fact that we are increasing the period from 21 days to 50 days for the submission of the lists, it would have a subsidiary impact. I believe the lawyers are fond of using the term *mutatis mutandis* and therefore that period is increased now from 21 days to 49 days.

Similarly, clause 13 of the Bill has to do with corrections to the list that period, again, with due provisions for the increase of 50 days, now increases that section of the legislation to 47 days up, from 20 days.

Clause 14 of the Bill has to do with the application for the approval of symbols and the allocation of such symbols which, I have already said, is now 71 days as opposed to formally when it was 21 days which have catered for both the application of symbols as well as the minimum period for the submission of the lists. They are now two separate components, namely 21 days for the application of the symbols and 21 days minimum for the submission of the lists.

*3.04 p.m.*

Clause 15 of the Bill, again, all consequential to moving the 21 days to 50 days, has to do with the approval of lists. That period is now being increased to 46 days from 20 days.

Clause 16 has to do with an appeal against any refusal of the list. That is now being increased to 47 up from 20 days.

Clause 17 has to do with the publication of the list. The impact, it is being moving from 18 to 44 days. As we go through, most of the proposed amendments, of the 26 which we have heard, they are all of minor consequence.



Clause 19 of the Bill seeks to insert a new section to be numbered namely 53A, or big 'A', as some of us would say. It makes provision for the by-election of a councillor. This has become necessary because under the new feature of these elections whenever they will be held, and given the fact that, for constituency representatives, the person receiving the most votes or first-past-the post would become the councillor, representing that constituency in the event of resignation for whatever purpose. On the death of that councillor then a by-election would be necessary. That clause seeks to deal with such by-election, something that would not have been in the applicable at the time of the last elections in 1994. Given that this new feature only came into being in the year 2009, which, of course, arose out of the process that was identified in the Seventh Parliament, which was the question of local government reform and of that, legislation only becoming law or an Act in the year 2009.

Clause 20 of the Bill, again, a very minor proposed amendment, has to do with the question of proxy voting, which would apply to members of the disciplinary service or essential services of candidates, elections officers and staff, and or persons with disabilities, in which a person formally would be able to cast such proxy, or exercise such proxy, for three persons to reduce it to two. Again, I believe one of the amendments, being proposed by the Opposition, is to seek to reduce that to one. Two, of course, is not a great number for one person to be responsible for. I am not so sure. Perhaps, when the Hon. Members, across from us, speak on that particular amendment, which they have proposed, we would learn what the thinking was that has informed such a proposed amendment to the clauses in the Bill.

I think I will end here. As I said, the debate on the need to have local government elections started way back as 1998. It led to new provisions in our Constitution. Many Hon. Members, in this House, will recall, from the many debates, that it led to the establishment of a Special Select Committee. The establishment of a committee in December, 2001, a committee that laboured for almost 18 months and one that produced this report to the persons who had commissioned it, who at the time would have been President Jagdeo and the then Leader of the Opposition the late Mr. Hoyte, who had actually commissioned that committee on local government reform. By the time the report was submitted, I believe in May or June of 2003, Mr. Hoyte was no longer with us. He would have been replaced by the then Leader of the Opposition Mr. Corbin.

Since the year 2003 to now – if my maths is correct - at least 12 years would have elapsed. It is our belief, as I said, that we should not seek to have this process delayed or deferred any longer because of the serious and deleterious impact and effects it is having on the management of our communities, as a result of the fact that the majority of local democratic organs, or local authorities, have literally collapsed. As I have said, the capacity has been degraded significantly. It has been damaged and many of them are dysfunctional.

With these few words, I would like to end my presentation here and make way for the other speakers.

Thank you. [*Applause*]

**Mr. G. Persaud:** Mr. Speaker, permit me to thank the Hon. Minister of Governance for the kind words that he had spoken about me. It was not my intention to really go back in history but rather to get on with the business that is in front of us. Unfortunately, because of what was said, I have to take us back down memory lane for a while.

Mr. Speaker, I would be very brief, just responding to statements that were made.

**Mr. Speaker:** Do you anticipate the distance down memory lane that we will go?

**Mr. G. Persaud:** It is not too far, Sir.

**Mr. Speaker:** I just want to remind you of the purpose of this session on the Bill.

**Mr. G. Persaud:** Mr. Speaker, I do hear you. I will just make sure that I correct some statements which were made that may not truly reflect that part of our history.

We are here talking about local government elections not being held for more than 17 years since it was constitutionally due. If we go back to 1997, our problems started then. Local government elections were due in 1997, but because it coincided with the holding of national and regional elections, given the laws of our country, we had to give way to the holding of those. It was the aftermath of general and regional elections, 1997, created by the then Opposition, mayhem on the streets of Georgetown – burning, looting, assaulting, molesting and disrupting the peace of the society - that resulted in the establishment of the Constitutional Reform Committee emerging from the Herdmanston Accord. It was because of that, the Hon. Member Mr. Bulkan spoke to the

establishment of the task force by the then President Dr. Jagdeo and the Leader of the Opposition Mr. Hoyte.

I became a member of that local government task force and I know when that local government task force last met in 2008. It was nowhere local government elections could have been held from 1997 to 2008. That is the fact. There has been too much pointing of fingers, too much distortion of the facts and as we are nearing the holding of local government elections, all of us in this honourable House need to get the facts right and let history record it as it is.

In 2009, the Ninth Parliament would have sought to approve the Local Government Elections (Amendment) Act and that was signed on to by the then President Dr. Bharat Jagdeo on 13<sup>th</sup> September, 2009. That was Act 26 of 2009. Immediately, the then Government, the People's Progressive Party Civic (PPP/C), sought to go ahead with the holding of local government elections. The Guyana Elections Commission had already prepared a preliminary voters list and we were in the fields doing claims and objections, when the then Leader of the Opposition Mr. Corbin made contact with the then President Dr. Jagdeo and both of them, after discussions, agreed that we should bring that process to a halt, pending the complete reform process in local government.

That is the situation, as it is. What I had as my first bit was to say, on this issue of local government elections, fingers have been pointed on all sides, to each other and to everyone, seeking to gain political mileage, and sometimes to score cheap political points, as to who is responsible for it not being held in this dear land of ours.

I think if there is one commonality in this debate, that commonality is that both sides of this House are interested in having local government elections being held. That is where we should start from. It is from that that we should then seek to have, coming out of this process of discussions and debates, here today, and moving forward, a Bill and its amendment that will seek to be able to withstand time and scrutiny, so that whenever we go to the polls, all Guyanese will be extremely satisfied.

I say that because it is my humble view, as was stated by the Hon. Bishop Edghill, that going through this business of this Bill here today, and all three stages, may deprive us of a golden

opportunity to sit, to discuss and achieve the objective of the best legislative legal environment under which local government elections should be held.

I heard the Hon. Minister Mr. Trotman and the Hon. Minister Mr. Bulkan spoke about having waited for 17 years. I say, Sir, not to be pessimistic but very optimistic, waiting for a couple more days will not hurt us. The Leader of the Opposition clearly stated that we are willing, on this side of the House, to sit at the Special Select Committee, through this recess, to finish this Bill in the shortest possible time. We are saying that this National Assembly, this evening, today, can refer this Bill to a Special Select Committee with a specific timeline by which the work must be completed. We are willing, on this side of the House, Sir, to sit and burn the oil as we did through the budget debates, 18 hours and 19 hours. We are willing to do that to get the right Bill. We are ready to get that through, but it cannot be done here, today. There are too many cooks that can spoil the broth here today, Sir. We need time to sit quietly, to reflect and then bring it back to this body. That is my first bit.

I must refer to what seems to be - the Hon. Member Bishop Edghill would have referred to this, and I am saying this to the Government - this whole posture of fast-tracking everything once it means bringing something to the National Assembly. It is not the right the way to go in every instance, brakes up my good Comrades. Let us take time; let us analyse what we are doing. Let us make sure that we would have done can withstand the scrutiny of time. Let us bring the right pieces of legislation out.

I am happy that the Hon. Member – I will have to go in the sequence that he would have gone - Mr. Bulkan, Minister of Communities, would have identified that clause 10, the amendment proposed, has drawn a reaction from the People’s Progressive Party (PPP) and on this side of the House.

*3.19 p.m.*

The Bill contains 26 clauses. We would have identified a few that we think can be strengthened and, in the end, ultimately, bring the best possible legislation to the Guyanese public. We do not know why. We are seeking to remove that part of the Bill – clause 40(2)(b) which states:

“...has been adjudged insolvent or has made a composition or arrangement with his creditors”

I am of the view that our lawmakers, in all their wisdom would have recognised that if a person is running for public office then he/she ought to be a prudent credible individual. He/she ought to be able to manage his/her own affairs so that then he/she can manage other people's affairs.

Whether it is the electors who determine it or not we should not foster temptation onto people. I am saying that we should respect our lawmakers; respect their judgement in having clause section 40(2)(b) forming part of our legislation. I am not sure if this amendment was based on anyone's personal experience or their personal circumstance. Whatever it is, I think that we should leave it where it is and that is in the Principal Act.

The Hon. Member, Minister of Communities, spoke on clause 11, the amendment in the Principal Act. I find this amendment very strange for two reasons: One - I have listened to the Hon. Minister and the explanation that he gave with regards to extending or widening the processing time for nomination from 21 days to 50 days. But what bothered me was, the Guyana Elections Commission (GECOM), when they were deliberating on this clause and the proposed amendment, proposed moving it from 21 days to 25 days. There were a lot of discussions subsequently, to and from, and I believe persons started influencing and lobbying.

Finally, contrary to what the Hon. Member would have shared with us, it is my understanding that it was minuted in the Guyana Elections Commission that the proposal was for 40 days; that nomination days should be 40 days and not 50 days before E-Day. Some Members of the Guyana Elections Commission were surprised when they saw the 50 days. I do not think it is factual to say that this is what the Guyana Elections Commission came up with. This is worrisome.

If it is the Guyana Elections Commission that is responsible for the management of elections, and we have before this House legislative changes which have not had the full buy-in of the Guyana Elections Commission, I think we are really threading on dangerous grounds and are really in troubled waters. I am hearing that that is the fresh approach. Maybe the fresh approach is to disregard the recommendation and the laws of our country; recommendations from constitutional entities and the laws of our country.

I feel very passionate about this because I have been around the Guyana Elections Commission. Like you, Mr. Speaker, I have served there too, even though I served a little longer than you. It is my view that we should respect the Guyana Elections Commission's input in every piece of legislation. [Mr. Williams: It served well] No, Hon. Attorney General, it is not so. Clauses 13, 14, 15, 16, 17, 19 and 21 in this Bill were not discussed at the level of the Guyana Elections Commission at the Commission's meeting, Sir. [Mr. Williams: How do you know that?] Well everybody have their sources, prove me wrong. What was presented to the Guyana Elections Commission ...

*Mr. Speaker hits gavel on desk.*

**Mr. Speaker:** Hon. Members, I must ask you to contain your comments. We really would not hear what a Member is saying if we are having crossed-talks. Thank you.

**Mr. G. Persaud:** The Guyana Elections Commission had 18 amendments that they were proposing. I agree with the Hon. Member that some of these amendments are consequential. So once you would have adjusted one timeline, then you would have had to go down with the others. Still, it is our contention on this side of the House that, whatever would have been presented to this National Assembly as a Bill, should have had the complete blessings of the Guyana Elections Commission. We cannot have that guarantee here, that this Bill that is in front of us, has had the blessings of the body that is called the Guyana Elections Commission.

It is wrong for any individual to take upon themselves, the authority to speak and act on behalf of the Guyana Elections Commission on policies and issues like these dealing with elections. I think the full Commission should have been allowed to at least go through this Bill, clause by clause, and give their blessings before it was presented here.

If we look carefully at clause 48(1), what this Bill is seeking to do, as the Hon. Minister rightly said, it is to give 71 days as the commencement of the elections cycle and so to speak. We have all heard in this House that the Hon. Prime Minister, the Hon. Minister of Communities and all on the Government side would have made public pronouncements that elections will be held not later than 7<sup>th</sup> December, 2015. That 7<sup>th</sup> December, 2015 date, is because the law says that local government elections cannot be held later in that year, than the first Monday of December. Our lawmakers again were extremely wise, they did not want to rob this nation of all the joy and

happiness and all the festivities that would come with what is called “the tidings of joy” Christmas time. That is the reason why the 7<sup>th</sup> December was named.

If we just do a little bit of Math, if we count back now – 50 days before Nomination Day, it therefore means that we have to start checking 50 days from the 6<sup>th</sup> December counting backwards. That would take us to the 18<sup>th</sup> October. A further 21 days will have to take us back to the day for the application of symbols. That will give us the 26<sup>th</sup> September; still in 2015.

Today is the 9<sup>th</sup> September. The Guyana Elections Commission is waiting on this action of the National Assembly before they can say that they will start the Claims and Objections period. Before you can get that started you must get what is called a Preliminary Voters’ List. What this Government is not serious about is – they are not serious about having local government elections, held on or before the 7<sup>th</sup> December, 2015. It is an impossible task for the very reasons that I have given there. You are asking individuals, groups and political parties, as the Hon. Minister stated, to apply for symbols on 26<sup>th</sup> September, 2015 and they do not even know what the Voters’ List will be like; they do not even know who will be on which Preliminary Voters’ List; they do not even know whether they will be on the List.

Given all that it is, there is something sinister with this timeline and what is happening here. I am very confused. I am not a bright person and so it takes me a very long time to really assimilate things, unlike the Hon. Member, Ms. Ally. If I am at Prep B, then she is at Prep A. We know each other very well. We know our ability-range very well. We are not very bright people. So these things can be very confusing to us, but it is my humbled view that we are doing some trickery on this nation.

We have to level with the people. We must not look for an excuse here that whatever we are doing in this National Assembly would have caused us not being able to deliver elections before the 15<sup>th</sup> December. We are actually heading down a pathway that seems to be filled with some conspiracy; we are heading down that path. For the timelines given, it means, therefore, we cannot have these elections, if we are going ahead with this amendment. If we go back to the 21 day, we can have the elections, but when we bring this 71 days, it is not practicable, it is not possible.

That is the reality here, let us do the Math, it is right in front of us. So, why are we saying that we have a time constraint? In reality, this time constraint that we are imposing is a fallacy. It is a myth. It does not exist in reality. We do not have a time constraint that would prevent us from taking this Bill to select committee. Somebody has to really prove that we really have a time constraint because with the 71 days, we will be able to hold elections.

I am saying if we keep the 21 days and do not bother with these adjustments, then we will be able to hold the elections but the Guyana Elections Commission would have to tell us about their preparedness and their readiness.

I am saying to us, that I am convinced that this Bill and the amendments here, are all necessary, but some of the proposals can be strengthened and must be modified so that we can keep it in tune with other pieces of legislation. So, at the end of the day, having waited so long for local government elections, we can all go with confidence into the elections. We want to enhance transparency, we want to maintain democracy and we also want to cause total involvement of all of our people. This is what local democracy is all about. This imposed time constraint will not allow total involvement of people at the individual level and at the group level. While we are the political parties and we are here making the law, and sometimes people say “breaking the law”, we are better prepared. I do not think that anyone of us would have perceived that the contestants should only be the parties represented in this House, if we are going to local government elections.

The Guyana Elections Commission has not started, to my knowledge, a public awareness programme that will cause people out there to want to understand this new and complex process that the Hon. Minister would have spoken about. If the Guyana Elections Commission needs 71 days to do something that they would have done in 21 days, then tell me how many days the people out there, who will participate in this process, who will contest in this process will need.

*3.34 p.m.*

I say to us, and I am appealing to the Hon. Minister of Communities and all on the other side of this House, let us not try to create this impression that we are in any time bound plan and that we are constrained. We have the time. Let us take this Bill to the select committee. I am certain that we can resolve the few disagreements within a couple of days,



working at the select committee. Mr. Speaker, I thank you very much and I wish to ask you that this Bill be sent to the Select Committee. [*Applause*]

**Mr. Hamilton:** Just to begin by saying that, as I understand it, the Guyana Elections Commission made available 19 recommended amendments through the Minister of Communities. As I further understand it, after the amendments suggested by the Guyana Elections Commission would have been drafted by the Chief Parliamentary Council (CPC) and his team, the expectation was that the amendments would have been returned to the Guyana Elections Commission for its review, before coming to the Nation Assembly. Therefore, I would just like to place on record that the amendments are coming straight from the Government, through the Minister of Communities, to the National Assembly. These amendments that we are debating today, in the drafted form as presented, the Guyana Elections Commission did not have the opportunity to review them.

In the recommendations, the amendment to clause 26 that speaks to the issue of amending section 101 of the Principle Act, is amended by the section immediately after the word “practicable”, of the words “but no later than 15 days”. I would submit that, what is attempted here is that we are trying to institutionalise inefficiencies at the Guyana Elections Commission. I would say and my good Friend and Comrade Ganga Persaud would know that, when the discussions regarding GECOM submitting timely results to the nation, started sometime in the early 90’s, coming out of the 1992 Elections, going into the 1994 Local Government Elections, all the persons who were involve in those discussions, practicable time suggested to us that we were talking about a working week. That was some 20 years ago when the logistics of this nation were more difficult. Many of places that we can reach today and return with proper airstrips did not exist. Many of places today that we can drive over, like the Pakaraimas from north to south, did not have any roads and no telephone existed. Today, we can go Aishalton and, thanks to Digicel, we can call to Georgetown.

We have a situation, where at that time you are discussing practicable time. It is a working week; seven days with limited logistical resources at your availability. Hence, 20 years with an upgraded system and facility in all regard. The Minister of Communities is coming to this National Assembly to say, let us grant GECOM 15 days to declare the results of these elections. Instead of progressing we are regressing. The fundamental issue is not about how many days you

give GECOM to submit the results, it is fixing and restructuring the organisation. So, days will not help the lethargy, inefficiency and deficiency, I submit. It does not matter how many days.

The difficulties exist. The local government elections that we will be having some time very shortly are basically coastal elections - Regions 2, 3, 4, 5, 6 and 10. The only three places outside of what we will call the coastal construct is an NDC (Neighbourhood Democratic Committee) in Region 1 at Mabaruma, an NDC in Region 7 at Bartica, and an NDC in Region 9 at Lethem.

Therefore, I am submitting, why not five days? Why 50 days? Why do we want to give the Guyana Elections Commission 15 days to declare results of what I call coastal elections? It makes no sense. We could not, in good faith, support the amendment to allow for an outside date of 15 days for elections results to be declared in the local government elections. The Government, if it is serious, could not continue to propose this amendment. As I said, it would be doing the Guyana Elections Commission a disservice by creating this outside date of 15 days. I submit, again, that you would be saying to them that the inefficiencies, deficiencies, lethargies and all the things that exist, now you have enough time to go through the motion, whilst the nation suffers and wait for results to be made available to them. So that is the first point.

In this country, when we have elections, we must attempt at all times to ensure that the nation can depend on the constitutional body that is tasked with running elections in this country, to be able to, with urgency and dispatch, give us results of elections. That is what we should be working for. Therefore, I am saying that is the first difficulty that we have.

The second point is, which my Cde. Ganga Persaud spoke to, the intention via to amend clause 40(2)(b) and to expunge the issue of a person being insolvent. The Minister of Social Protection - both Ministers - should listen to this. Again, if we are serious, the consideration should be given not to expunging that clause, but the one below it, which speaks to disqualifying a person who might be receiving public assistance.

I dear say to this National Assembly for its information, the 2002 Census of Guyana indicated that we had some 67% of our citizens who are disabled - nearly 50,000 persons. The Census of 2012 would inform us that there are more persons. If we want to really do meaningful things, I am submitting to the Hon. Minister of Communities, to expunge clause 40(2)(c) to allow for our people with disability to be involved in the local democratic process. With this in the substantive

Act that we have, we are discriminating against about 50,000 Guyanese people, based on the last census. Most, if not all, of the persons who are disabled, there are the persons who receive public assistance. Many of those persons are more capable, able intellectually and have all the capacities to function as councillors and mayors, far better than many of us who are standing firmly on our two feet.

Therefore, I would urge the Hon. Minister of Communities to consider, whilst that is not as an amendment presented, I am presenting one on my feet, to consider the discrimination that continues. Mr. Patterson, it is a matter that is close to my heart. I have worked with it at the Ministry of Health and so I know the matter. Therefore, I am bringing it to the National Assembly that if we were not paying attention to that issue, we can pay attention to the issue of the discrimination that continues via laws, regulations and legislation that we have against persons who are disabled in our country. That is the reason why I am putting it that the consideration should be given to expunge clause 40(2)(c) because we would be discriminating against a large body of persons in a population of 750,000 persons or there about. We would be discriminating against about 50,000 citizens who are persons that receive disability.

[Ms. Ally]: Why did you not do anything when you were there? *Ya ya ya ya ya.* I do not respond to market people.

*3.49 p.m.*

*Mr. Speaker hits gavel on desk.*

**Mr. Speaker:** Hon. Member, let us keep our mind on what we are doing. Hon. Members on my right have not been helping. I must ask them to pull their weight in this matter. We cannot continue a debate discussion where there is heckling that disturbs the Speaker. It cannot be accepted. Please proceed Hon. Member.

**Mr. Hamilton:** The other matter that I need to raise is, we would note that the Minister of Communities, the one who brought this Bill to the National Assembly, spoke about the Bill and several other things. We would note that he had studiously stayed far away from speaking to the matter about when local government elections will be held. The Minister, over the period, is a known pontificator on this matter, always giving dates and deadlines. Today, I was shocked that in your presentation Sir, you stayed clear away from enlightening us. I would hope that you do it

when you winding up; you stayed clear from enlightening the nation. Over the several months, every time the Minister of Communities spoke on this matter, he gave us a timeline of when elections will be held. We would hope that, today, you inform us and the nation, based on the adjustments that my Cde. Ganga Persaud spoke about, truthfully, when all things being equal, between yourself and the Guyana Elections Commission, the likelihood of when local government elections will be held in the Cooperative Republic of Guyana. We will be very much appreciative if that could be done.

As I said, we could not and will not support attempts to institutionalise inefficiency at the Guyana Elections Commission, by giving them an outside date of 15 days to submit results to this nation for local government elections that basically, as I said, is coastal plain elections. I have proffered five days, it makes more sense than 15 days, to ensure that GECOM...

The second point, before I take my seat, I reiterate, is the issue of the Minister and the Government considering expunging clause 42(c) of the Principal Act because, as I stated and restate, from my point of view, this piece of legislation is a legislation that is discriminatory and it excludes a large percentage of persons who can properly participate in local government.

The third point is that, I and all of us would be grateful if the Minister can enlighten us as to all things being equal, when is the earliest date by which we could have local government elections held. Thank you very much, Sir. [*Applause*]

**Mr. Speaker:** Hon. Members, my attention has been drawn to the time, which is 10 minutes to four o'clock. It is fast approaching the time when we should have a break. It is also the case that there are the elections of chairpersons and vice-chairpersons of the Committees which should take place at this time in this Chamber because of space constraints. So, if Members agree, I would suggest that we do not lose this time, but that we suspend at this time and proceed, immediately, into considering the questions of the chairpersons and vice-chairpersons of the various committees, so that, at the end of the day, we still would be able to return here at 5 o'clock. So we would now, perhaps for two minutes, allow everyone to stretch and then immediately plunge into that. I thank you.

*Sitting suspended at 3.56 p.m.*

*Sitting resumed at 6.03 p.m.*

*6.03 p.m.*

**Mr. Neendkumar:** Mr. Speaker, over the past 45 years, this country only had local government elections two times. During the Government of the People's National Congress (PNC), there was one rigged local government election in 1970. During the PNC's 28 years in government, all that the Guyanese people knew about were rigged elections and paramountcy of the PNC party, which had ruined the country. We must note that the only local government election held under the PNC was boycotted by all of the political parties in 1970.

**Mr. Speaker:** Hon. Member, we are discussing the second reading of the Bill. Let us try to keep to what we are required to do.

**Mr. Neendkumar:** I am keeping to the debate on the Bill, Cde. Speaker. In 1992, with the dawn of a new era, the People's Progressive Party/Civic (PPP/C) won the general and regional elections and, within two years, held free and fair local government elections. At that election in 1994, the PPP/C won more than 75% of the NDCs and more than 50% of the municipalities. The PNC, at those elections, was reduced to nothing in the eyes of the NDCs, but the elections, it must be noted, were free and fair.

I would like to put into perspective the genesis of the whole local government elections issue. Local government elections were due in 1997. However, with the democratic PPP/C in Government, it was agreed by all of the political parties that the completion of the local government reform was a national prerequisite for the holding of local government elections. It is for that reason that, under the PPP/C Government, this National Assembly has continuously postponed the holding of the elections since 1997.

In 2000, a Constitutional Reform Commission was set up to revise the *Constitution of the Co-operative Republic of Guyana*. In 2001, President Bharrat Jagdeo and Opposition Leader, Mr. Desmond Hoyte, set up a bipartisan task force to reform the local government system. The mission statement of that task force stated:

“We will set up a joint task force, within two weeks, to undertake the task of implementing the local government reform legislation. This should be completed within

12 months. We also agree that local government elections should be held as speedily as possible thereafter. To this end, we will consult with the Guyana Elections Commission to alert them to this possibility.”

The then Opposition, the People’s National Congress/Reform (PNC/R), recognising the tremendous transformation and development in the country, frustrated the work of the task force so that the local government elections could not have been held. The general terms of reference (TOR) of the task force were: generally to ensure the conclusion of the constitutional reform process and give effect to the new constitutional provisions regarding local democracy; specifically to monitor and guide the drafting, passing and implementation of legislation to give greater autonomy to local democratic bodies, including the establishment of the local government commission, the formulation and the implementation of objective criteria for the purpose of the allocation of resources and the garnering of resources by the local governing organs; to recommend measures for the continuous education programmes on the new local government system; and to recommend to the local government commission mechanism to monitor the work and function of all established local government institutions and bodies.

The terms of reference had been enacted to appropriate amendment to the Constitution. The constitutional amendments include article 72 (3):

“Municipalities, neighbourhood democratic councils and such other subdivisions shall be provided under paragraph (1), including village and community councils, where there is the need for such councils and where the people request their establishment, shall be vital organs of local democratic power.”

Article 73A states:

“Each local democratic organ shall elect one of its councillors to serve as a member of the local democratic organ immediately above the first mentioned local democratic organ and Parliament shall prescribe the procedure for such election and such other matters as may be necessary in connection therewith.”

Article 75:

“Parliament shall provide that local democratic organs shall be autonomous and take decisions which are binding upon their agencies and institutions, and upon the communities and citizens of their areas.”

Article 77A:

“Parliament shall by law provide for the formulation and implementation of objective criteria for the purpose of the allocation of resources to, and the garnering of resources by local democratic organs.”

Article 78A:

“Parliament shall establish a Local Government Commission, the composition and rules of which empower the commission to deal with as it deems fit, all matters related to the regulation and staffing of local government organs and with dispute resolution within and between local government organs.”

Article 78B:

“The electoral system in respect of local democratic organs below the regional democratic councils shall provide for the involvement and representation of individuals and voluntary groups in addition to political parties and accountability to the electors.”

After eight long years of deliberations in the task force, which included visits to communities nationwide, including Amerindian communities in the hinterland, the PNC/R Members having recognised that they could not have faced the populace, refused to come to a consensus in the task force.

In 2009, under the astute leadership of co-chairman Mr. Clinton Collymore, all of the Bills emanating from the task force were checked by the Chief Parliamentary Council, Mr. Cecil Dhurjon, and tabled in this National Assembly by the then Minister of Local Government, Mr. Kellowan Lall.

The PPP/C Government, to ensure professionalism, made sure that both the eminent Mr. Dhurjon and his deputy, Mr. Fung-a-Fatt, sat on the task force as *ex-officio* members, specifically to offer

guidance in the drafting of the legislation. I am sure that Mr. Basil Williams would agree with this.

In 2010, the PPP/C indicated that it was ready to have local government elections. One Bill was enacted and assented to by the President. In 2011, there were national and regional elections. The Bills were all brought back to the National Assembly and were sent to a special select committee, like they were sent in the Ninth Parliament. With the one seat majority, the Opposition took control of the committees and bulldozed the parliamentary committees.

In respect to the committee on the local government Bills, it was shamelessly done. The word consensus was removed from the English Oxford Dictionary, as the Chairman of the local government committee at that time, the Hon. Basil Williams, railroaded the committee and used his position as Chairman to use his casting vote to pass the bills.

**Mr. Speaker:** Hon. Member, I wonder whether we are dealing with the same issue here. I wonder whether you want to look at what we are to be doing here. I have been very lenient in my approach to your presentation, but I do believe that you should try to get back to the merits of the Bill and whatever parts of the Bill you would like to comment on. Please try to do that.

**Attorney General and Minister of Legal Affairs [Mr. Williams]:** Mr. Speaker, I rise on a Point of Order. I would like to ask that the Hon. Member withdraw that remark which imputes improper motive against this Hon. Member. It is against the rules. If he is saying that I railroaded the proceedings, I am challenging that. I reject it. The rules state that a Member cannot impute improper motive to another Member.

**Mr. Speaker:** Hon. Member, you are aware of that duty on all Members. I think you will do the proper thing.

**Mr. Neendkumar:** Mr. Speaker, I will quote from the minutes.

**Mr. Speaker:** Hon. Member, I would like you to address the issue before you move on.

**Mr. Neendkumar:** Mr. Speaker, I have the minutes to justify what I said just now. Mr. Basil Williams was the Chairman of the Committee. I could quote from the Minutes of the Meeting.

**Mr. Speaker:** Hon. Member, who was a member of that Committee?



**Mr. Neendkumar:** I was a member of the Committee for both the Ninth and Tenth Parliaments.

**Mr. Speaker:** Hon. Member, a Member should not impute improper motives to the conduct of another Hon. Member in this House. That applies to everyone here, so please do the correct thing.

**Mr. Neendkumar:** Mr. Speaker, I have the minutes of the meeting to justify what I said.

**Mr. Speaker:** Are the minutes of this House?

**Mr. Neendkumar:** Yes.

**Mr. Speaker:** I would suggest, Hon. Member, in order for us not to delay anyone, you remove that from your lexicon and speak.

**Mr. Neendkumar:** Okay, Mr. Speaker. I will follow this up differently.

**Mr. Speaker:** Are you withdrawing the epithet that you used?

**Mr. Neendkumar:** If it so pleases you, yes.

**Mr. Speaker:** Let us be generous about this. Let us not be unwilling to do what is right.

**Mr. Neendkumar:** I will withdraw the comment for now. Local government elections have a proportional representation system, with 50% of the seats in the NDCs being allocated to the winning party or the winning group. However, the other 50% of the seats would be won by individuals who would be contesting in the constituencies. That is the first past the post system. Only voluntary groups and political parties can contest the proportional representation aspect of the local government elections. Under the first past the post component, an individual candidate can contest for only one seat in a single constituency in which he or she is registered and resides. With the many new housing schemes constructed by the PPP/C, thousands of Guyanese are now living in their own homes, but they are not registered at the place where their beautiful homes are. As a result, they would not be able to vote in the local government elections.

It is clear that a National Register of Registrants (NRR) is not the appropriate document to help in the preparation of the correct voters list for the local government elections. Hence, it is imperative that GECOM do what is right and make sure that all of the voters are registered at the

place where they reside. The NRR also includes all of the persons who died. The names of these people would have to also be removed from the voters list.

In the amendment, we would see that the amendments and the legislation are silent in respect to the establishment of boundaries on which the result is dependent. It is of note that the Cap 1:01 of the Constitution states in section 161A:

“(1) The Elections Commission shall be responsible for the efficient functioning of the Secretariat of the Commission, which shall comprise the officers and employees of the Commission, and for the appointment of all the staff to the offices thereof inclusive of the temporary staff, recruited for the purpose of boundary demarcation, registration of persons and elections and shall have the power to remove and to exercise disciplinary control over such staff.”

With the situation of the local authorities currently serving areas that lie outside of the specific *[inaudible]* boundary, examples include Anna Regina, Tuschen, Malgre Tout, Canal Polder and Bartica, there must be clarification and verification regarding the inclusion or exclusion of these electors from the list of official electors.

*6.18 p.m.*

Additionally, GECOM maps of constituencies are not prepared to scale and, therefore, they give an improper representation of the true size of the specific areas. This has resulted in need for further evaluation regarding the final number of councillors who may adequately represent the area. The latter being particularly relevant is the new housing schemes. GECOM must be requested to identify the specific boundaries particularly in newly populated areas of the local government boundaries where they are no street names or prominent markers.

Further, some years have increased number of electors while others were considered too small when the original constituencies were mapped out. This has resulted in in an insufficient numbers of electors to back the list for representatives of groups and individual persons contesting the elections. In some cases, where the numbers of electors are too large, it will result in multiple polling stations within the specific constituencies. Since nominated persons of parties

or groups must be residing inside the constituencies, that they are purporting to represent, new verification of residency by GECOM becomes necessary. This issue must be strongly advocated.

Mr. Speaker, I could give you an example. If you look at the Diamond/Grove Neighbourhood Democratic Council, there is Samantha Point with just about 954 voters and in another constituency, Great Diamond/Diamond, there are 5,914 voters. This disparity is great and there will also be a difficulty with the Presiding Officer who is operating here because there will be Presiding Officers who will be responsible for a constituency. The schedule is not telling us that where there will be about 250 to 300 voters who could vote at one polling division... When there will be about 10 polling divisions, who will coordinate the structure, because we do not have confidence, based on what happened at the national and regional elections with the Returning Officers (RO). This is an issue that would have to be dealt with by GECOM with respect to the role of the Presiding Officers. More serious is when I heard about the 15 days, then I found that the Guyana Elections Commission and the Government are not prepared to deal with this issue and they have seen these problems which will come up in front of them.

We need to address these issues and we need to address them urgently if we are to solve these problems and help to bring proper local government elections. I am quite certain that the many issues, which were brought up here, must be addressed before the election. We must understand that we should not have expediency replacing principle. The principle is that people must be prepared, the education world for the election must be there and we must understand very clearly that we need to work to make sure that we get a free and fair election. The 15 days to give the result is unacceptable. We must understand that while the days have extended from 21 days to 71 days, we must have a proper schedule of what the activities will be between that time. We cannot go to an election without a proper schedule because we are not clear as to what will happen.

Mr. Speaker, I want to urge that this Bill should go to a Special Select Committee.

Thank you. [*Applause*]

**Mr. Lumumba:** I rise to represent the views and the position of the PPP as it relates to this vague and unclear Local Government Bill that has been brought before this Parliament. I do understand that local government elections are indeed necessary for democracy to filter down

and prevail on all levels of our society. At the same time we, on both sides of this House, have a responsibility to learn from our past experiences, especially those that have placed this nation on the brink of civil disobedience. Unfortunately, it does not appear as though GECOM has been able to learn from the past. We cannot be serious about transferring any aspect of the electoral process without giving thought to the long and excessive period of time it took to allow our election results to be announced. I am emphasising that part of these amendment must take in consideration a practical period of time to make those announcements.

Last Monday, 7<sup>th</sup> September, 2015, in Trinidad and Tobago, the same evening, between 10 and 11 p.m., the people of Trinidad and Tobago knew officially who had won the elections and had a clear position as to the margin. Here in Guyana, a much smaller nation in terms of population, it will take days, months, and even up to now there is still doubt as to who won the elections. My friends on the Government side do not need to be hot on the collar because I am not blaming them for the incompetence and mismanagement. I am putting the blame squarely in the hands of GECOM, unless they are saying that they are part of GECOM.

Mr. Speaker, I am sure that you are aware that elections in any nation, where there is less than 10 votes that separates a party from power that a single person could hold that power. For example, the Returning Officer of Region 8 refused to order a recount and in any other place in the world, a recount, an intervention from the system would have been automatic. This exercise today cannot be credible if it does not seek to address the fundamental issues that affect last elections. We cannot go into another election, whether it be general or local government, where our brave soldiers, policeman, fireman and prison officers have to be treated as second class citizens.

These amendments today should have created an opportunity for the disciplined services to have their own separate registration list which should be separate from the general registration. Their counted votes be placed in a centralised system and not belong to individual boxes, thus creating an atmosphere in finger-pointing, duplication and incompetence, as was the of the end result of the 2015 General Election administered by GECOM. GECOM knew that by allowing new names to remain on the electoral list and allowing the disciplined forces to have their names on such list could result in phantom voting and strengthening the hands of unethical Presiding Officers who were able to allow multiple electoral atrocities.

The imposition on democracy does not serve well on our nation. We must not again look like Haiti or the Ivory Coast. It must cease. Every opportunity that we get to rectify our wrongs, or even the perception of wrong, should be corrected and this Bill therefore should be used to make these corrections.

Let us take another example. The issue of identification cards is a farce. If it is said that ID is the norm of the day then everyone needs to get one. Again, too many people without ID were able and allowed to vote. Our fragile democracy was tampered with by those unethical Presiding Officers who allowed citizens without ID cards to vote for the dead and to vote for the missing. Who gave the Presiding Officer the right to be God? Who gave the Presiding Officers the right to determine who won that election? This is 2015 and I cannot understand why GECOM cannot provide a voters list that does not have a substantial amount of dead as registered voters. We are not in Chicago. These are not the days of Daleys or Kennedy versus Nixon.

These amendments, placed before us by the Minister, are of rubber stamps. These amendments do not seem to remove the activities that violated the rights of every Guyanese citizen. We are holding elections for the records, but we should hold the election that is fair and square. Where are the amendments of this Act that biometrics would be introduced, so that we can eradicate the zombie voting syndrome?

This is a nation of 700, 000 persons or more, how difficult could it be to ensure that even the Hon. Carl Greenidge to votes and the Hon. Basil Williams does not vote for him or allow the Hon. Amna Ally to get to the depth to deny the Hon. Greenidge another right to be President or, at minimum, to be leader of the People National Congress. [Ms. Ally: You cannot even vote.] It is biometrics. Mr. Speaker, you have to defend me from this atrocious behaviour. I am being assaulted.

APNU/AFC has called for modernisation and technology is the way forward...

**Mr. Speaker:** Hon. Member, I thought you were calling for the Speaker's protection, just now.

**Mr. Lumumba:** Yes.

**Mr. Speaker:** You do not wish it any longer. I will ask the Members to allow the Member to complete his statement.

**Mr. Lumumba:** Yes. I think they have learnt their lesson, Sir, and you have done a good job. Thank you Sir. A Partnership for National Unity/Alliance For Change (APNU/AFC) has called for a modernisation and technology as the way forward for the development of this country, but when it comes to democracy, suddenly this to ensure the right of every voter disappears. These amendments, this Bill, must serve as an example of the introduction of biometrics so at the minimum, on the local level, we can begin to learn how we can administrate on how we can operate this system, so that we could have a better system by the time we get into another general election.

In concluding, I want to emphasise that we, on this side, do not have a problem with local government elections but we want a process that guarantees one person, one vote.

*6.31 p.m.*

We would have a problem with a system that tolerates multiple voting; we would have a problem with a system that grants too much power to the Returning Officer and the Presiding Officer; we would have a problem with the system that makes a mockery of identification cards; we would have a problem with a system that allows the dead to vote, and certainly we will have a problem with a system that tarnishes the vote of a disciplined service. We certainly have a problem with an elections administration, GECOM, which is clearly bias, subjective, visionless, backward and stubborn.

Thank you. [*Applause*]

**Mr. Ramson:** I rise to share my contribution on this Local Authorities (Elections) (Amendment) Bill. I would like to assure the Hon. Member Mr. Bulkan - when he commenced his presentation he said that with almost general consensus that everyone would like to have local government elections - that we, on this side of the House, are not only in favour of local government elections. The People's Progressive Party has never been afraid of any elections, in any form and in any part of this country.

In fact, I am happy for a trip down memory lane that my Comrades, the Hon Members Neendkumar and Mr. Ganga Persaud, have sought to take us down. The context has always been important from the point of view to get to where we are, so that there is an understanding, not

only, for us here in the House but also the people who we serve. Without having that context, it is impossible for us to appreciate, and the people who we serve, for them to appreciate, what has actually happened. That is why I commend the Hon. Minister Mr. Bulkan for sharing and being genuine with his honesty and candour, in relation to the fact that local government elections, prior to 1994, were never held until 1970, a period of 24 years.

With all due respect to my learned friend and Hon. Minister Mr. Raphael Trotman, and with deference to him, I am not going to say, much more, other than the perception is always conveyed that it is the People's Progressive Party, while in Government, that sought to avoid for 18 years, local government elections. That is not so. I think, Hon. Members... [*Interruption from the Government Members.*] Members, before you seek to interject... I am sure you will have your opportunity to speak. **[Mr. Greenidge:** I am agreeing with you.] I would like to clear this up. Even though you agree with me there are a number of your other colleagues... I should not be pointing. I apologise, Mr. Speaker.

**Mr. Speaker:** Please Member, speak to the Chair.

**Mr. Ramson:** Even though, the Hon. Member is agreeing with me that it is not the People's Progressive Party which has caused the delay of local government elections, there are Members on that side who would seek to portray that local government elections were not held in this country for 18 years because of the People's Progressive Party was in Government. That it is not true; that is false. It is for you to be honest with yourself. You have a duty as an oath bearing Member in this House to not only be honest with yourself but to be honest with the people who voted for you.

While I am extremely happy that we have been given in context some of the historical anecdotes that got us to this position today, I am very sad as well that the Hon. Member Gail Teixeira is not present in this House today, so that she could have shared her first-hand, bird's eye position of her experience, as to how it is that we got to 18 years without local government elections. It is something that should have never had happened and something that should never happen again in the future.

That is why we are happy to support changes and amendments to this Local Authorities (Elections) (Amendment) Bill. When we had said that we wanted the amendments, which have

been tabled and the amendments that we have tabled, to go to a Special Select Committee, it is not in an effort to delay local Government elections any further, because what we are talking about here is one week. In fact, it may even be abridged or truncated to a period of a few days, but there is a reason for that. There is a reason for asking for it to go to a Special Select Committee. The construct or structure of Parliaments around the world is examined, it would be seen that many other countries... In fact, I would advance that almost all countries, other than maybe, Israel, have a bicameral system. Partially, the reason for that bicameral system is that at the point of the representatives passing law, it then moves into a next stage where it is deemed to be compliant or non-compliant with the rest of the laws in the country. In addition, whether it is deemed to be constitutional or not, or if it falls foul of any articles in the Constitution, sometimes even if it misses that stage, it is then taken to court proceedings where declarations would have been made for certain provisions to be deemed unconstitutional.

We, in Guyana, do not have a bicameral system. We have a unicameral system which means that we have one layer of legislature. That fundamentally means that as one side or both sides agree to the legislation in this House and it is assented to by His Excellency the President. That is it. It becomes the law. The Hon. Member Joseph Hamilton has raised some fundamental issues that go to our constitutionality, which we have to address, at this very stage. That is why we have not said that it is okay we want this to go to a Special Select Committee after the recess. There are a number of Members who will postpone the recess for one week, and there will be a number of Members who would form part of that Special Select Committee. We will sit and iron out all the details. When I get to the technical parts of the amendments, which I intend to do as part of my substantive presentation here, then it will be seen why it is necessary to go to a Special Select Committee. It is because some of the amendments, which have been tabled by the Government, as will be seen, are correlating sections and provisions within the same Act which are not tailored and addressed, and will need to be tailored and to be addressed in order for them to be compliant. I will share with this honourable House, a few moments from now, but I would like to deal, first, with the issue of the insolvency.

I know the Hon. Member Mr. Ganga Persaud has raised it. If I am not mistaking it was he who had raised the issue that the subsection on insolvency ought to be removed in order to allow a person to be a councillor or to be elected as a councillor. There is a reason why in its genesis the



fundamental principle of the issue of insolvency allows a person not to be elected as a councillor. It is because when that person assumes public office that person understandable assumes that office with the power that is reposed in that office. Being aware of human frailty and the possibility of negligence or the possibility of temptation... Being pressured in situations where a person knows that there are creditors running behind that person or there are persons or banks, mortgage, that will be in a desperate situation. The temptation exists because we are not perfect creatures. The temptation exists that that person will use that public office for corruption and malfeasances. That is why that is a sacred principle that has always been included in the laws, not only in Guyana, but in many other countries in order to safeguard measures of persons who intend to hold public office. It is as simple as that. There should be no compromise. First of all, there has been no explanation, whatsoever, proffered as to why is it that it should be removed - none whatsoever - and that is unacceptable. The Member cannot say that it is going to be removed. The Member has to say why it is going to be removed. It is not going to reach to the point where after having the first reading, it will go through the debate and then it is to come with an explanation afterwards.

I am saying it is a hallowed sacred principle of politics and public office, public service, that we should endeavour to protect in this country, where recognising that human beings are frail and we are not perfect creatures. We are susceptible to temptation, whatever form it is. All of us have different forms of temptation that we are susceptible to - all of us.

The point I am making is that if we are making amendments there should be a consultative process where we are going to be able to deliberate and we are going to have a degree of unanimity, even if it is not entirely on an agreed basis. There must be that ability to have reasoned judgement. We, on this side of the House, will not support that issue. If it is anything at all that is a reason why it ought to go to a Special Select Committee. If the Member would like further support as to why it ought to go to a Special Select Committee, it will be just for a number of days. We are not in any way jeopardising the holding of local government elections and make no mistake about that. It is because we, on this side of the House, would like to have local government elections.

In fact, I remember very distinctly when I was working at the Office of the President, in 2010, when President Jagdeo, at the time, had instructed and directed all of the relevant sector

Ministers and the advisers – Comrade Gail Teixeira, was heading that department of governance - to expedite, by all means necessary – I was present when that directive was given - to have the laws that were necessary to have local government elections in 2010. If it could be remembered, there was a big question about whether we would have an election in 2011 or not, but we ended up having that election, but it was set for 2010. We did not want to have local government elections and general elections. In fact, there are articles in our Constitution, in relation to having both elections together at the same time.

As much as, the effort had been endeavoured to obtained local government elections in 2010 – I am certain prior to that; I was not around in 2008 - I am certain that all efforts would have been expended because it was part of a task force, not only by the Government but also by the Opposition.

We are happy to have the local government elections. That is why I worked until 2 o'clock in the morning to go through the amendments that the Hon. Minister had made and present the amendments that we have tabled this morning, so that we can work through them.

*6.46 p.m.*

Being fully appraised, only up to the point where we can say that there are deficiencies and omissions that...Sorry, I will just pull up the section which I wanted to direct the Hon. Speaker and the Hon. Members' attention to in relation to the insolvency point. If the Hon. Minister has the Principal Act in front of him, he will see that in section 40 sub-clause (2)(b), that is the provision which relates to insolvency and the intention is to remove that. But then if one is able to peruse just a little bit further down, in the very same provision, this is under the same section 40 and this comes following sub-section J, one will see that it says:

“provided that –

- (i) the disqualification attaching to a person by reason of his having been adjudged insolvent shall cease - ”

It then goes on to sub-clauses (a), (b) and (c) and then onto sub-section 2. There are further sections in this same Act, the Principal Act, which deals with insolvency. The removal of sub-section (b) cannot be done in a zero-sum affair. It has to have correlating removals, insertions,

additions or modifications of some kind that will affect the Principal Act. That is not contained in the amendments tabled by the Government.

That is why if there is no reason on the other side, prior to now, for this Bill going to a select committee and, again, we are talking about days, this is more than enough reason. If the Hon. Members are still not convinced and I have not even started with the substantive amendments that I have presented as yet.

In relation to the point that the Hon. Member Joseph Hamilton had made about discrimination, it is actually being contradictory in removing sub-clauses (b), as well as (c). Why? Because in sub-clause (b), it is saying that if a person is adjudged to be insolvent, then they could no longer be a councillor, they cannot be deemed to be or put themselves forward to be elected as a councillor. But then in sub-clause (c) it is talking about a person, who as having sought public assistance from the Poor Relief Act. So it is saying that somebody who has been determined to be insolvent, can now be an elected member and somebody who has obtained public assistance cannot. It is discriminatory in its very nature, inherently discriminatory. It is discriminating against poor people.

The point that the Hon. Member had made, did not even come to my mind, until he had said it. It is a very fundamental issue that we have to correct because of our Constitution. Article 34 of the Constitution says “It is the duty of the State...”, which includes this House, the Opposition and it also the Speaker.

“It is the duty of the State to enhance cohesiveness of the society by eliminating discriminatory distinctions...”

In the preamble it says:

“To celebrate our cultural and racial diversity and strengthen our unity by eliminating every form of discrimination”.

So, the persons who have been disabled for one reason or the other, and most times for reasons not of their own doing, accord or volition, are now being discriminated against by the possibility of seeking public office because their condition allowed them to obtain public assistance. That is totally unacceptable and it is contradictory in its very nature.

As we get into some of the amendments, there are a couple of them that I will deal with, not all of them.

There is acceptance by both sides of the House that the National Register of Registrants (NRR) contains persons who are dead, who have migrated and persons whose address does not match or accord with where they reside. For local government elections, the latter point is even of more significance. Why? Because there are constituencies or divisions or what we would call electoral or sub-divisions, that would be decided upon by persons who have to live within that constituency or its division or sub-division. If they are not actually residing in that area, then there can be persons who are essentially geographic inter-loppers by casting their votes and having no locust as to that area where they live.

Two amendments were made to the Hon. Minister's amendments which were:

“Not later than three months before but no earlier than six months before the conduct of any local authority election, the GECOM shall remove from the National Register of Registrants all persons who are deceased”.

We had included on clause 1(b) that,

“Not later than three months before and no earlier than six months before... shall verify that the registrants appearing on the National Register of Registrants are residing at their registered address; and upon information obtained by verification that a registrant is not residing at the registered address the Guyana Elections Commission shall amend, modify, alter and/or revise the National Register of Registrants to accurately reflect the registrant's address of residence as at three months, prior to the election”.

Having conceded on both sides of the House that the List consists or comprises of these deficiencies and there is every reason for us, as politicians and for the people out there, to have a list that accurately reflects who the persons are that are going to be voting for their candidates. It is imperative that the sanitisation of the National List of Registrants happens as soon as possible, and that at every stage we can possibly add some fire to that initiative then we must do so. If we do not do that, it will be a dereliction of duty, leaving the onus up to the Guyana Elections Commission, where they may do so off of their own accord. It can also mean that we would end

up having the situation that we have had already, which is having a list with a number of deceased persons or a number of persons who no longer live or reside at their residence.

I would like to deal with another one of the amendments, where it is left in the amendment, what we have numbered as No. 12 of our document, but it is in section 95 of the Principal Act. What has remained in the very provision is the ability to refuse a request for a recount. It is left for the determination of the Presiding Officer (PO) or, if the amendment from the Hon. Minister is accepted, from the Returning Officer. It is left to their discretion whether a recount should happen or not. Our amendment is to remove that discretion where we can have a recount or not.

Guess what? In local government elections, there will also be areas that are strongly in favour of the one party or another. It may also be that the results are marginal, between the first and the second parties. Having the ability to obtain a recount, not by discretion, but by entitlement as it is in the Representation of the People's Act, is thereby an entitlement, but as it is hereby discretionary. It will work out in favour of the Government's side as well, so that in constituencies or electoral divisions, where marginal votes would decide who obtains the victory, a recount could be obtained.

So, us asking or tabling the amendment to remove that discretion from the Presiding or Returning Officer, whichever one who has it, is something that is not only necessary, but it will work on both sides of the House and on all parties that are competing. That is another reason why it should go to a special select committee.

Then there is the issue in relation to who the person is that a request for a recount can be made. In this Act, the Principal Act, the request is made to the Presiding Officer. The attempt is now being made for it to be the Returning Officer. It is a very similar reflection in the Representation of the People's Act, but they do so by entitlement. What we have sought to include is who the request can go to. It ought not to go to only one person. I will explain, by experience, why it ought not to go to one person.

I urge the Hon. Members on the other side to put themselves in the position of being the persons who are seeking a recount. When you put yourselves in the position of seeking a recount, you will see that the shoe may also be on the other foot one day; you may want to seek a recount.

Mr. Speaker, I hear a lot of utterances from the other side that may not only be inappropriate, but it may be useless and unproductive for the purposes of getting the business done in this House. If the Hon. Members are seeking to expeditiously deal with the amendments they ought to stay quiet.

The persons who may be able to obtain a request for recount, has been included because of my own experience and I will share this experience as I conclude. As the Counting Agent on the day of the declaration being made, which was the Saturday, on the morning of that day, I visited the Command Centre of GECOM, the building on the eastern side of High Street that was rented. When I went there on the Friday, the declaration was made by the Returning Officer for Region 4 or District 4, who was Ms. Melanie Marshall. By law, we are entitled, under the Representation of the People's Act, to submit our request for recount and that recount be granted, once it is submitted before 12 o' clock of the next day of the declaration being made of that district.

*7.01 p.m.*

The declaration was made on the Friday and on the Saturday morning I had entered that Command Centre at 9.30 a.m. with my paper, requesting a recount. When I went to the second floor of the Office of the Returning Officer, the entire floor was shut down. I attempted to open the doors and all was closed. I went to the receptionist area in the lobby and sought the information of where the Returning Officer was. I was told that she was not in the building. I enquired whether she was coming in any time soon and I was told that she was not coming in for the entire day. In addition, I asked if staff members were present so that I may be able to submit this letter to them. I was then told that her staff members were not in that building on that day. They were also not going to be coming in for the remainder of the day. So, being left with no real alternative or an Hobson's choice, I then contacted my party's headquarters.

**Mr. Speaker:** Hon. Member, there is a procedure at the Third Reading where the amendments would be taken. Perhaps, that procedure may also afford an opportunity for you to speak. Do you think that there is a useful opportunity there and you might want to wind up now so that you can use it there? Or, if you wish to proceed, then by all means.

**Mr. Ramson:** I think I have started already and I do not have much longer. It may be in the interest of the completion of the story that I may be allowed, with your leave, to continue.

**Mr. Speaker:** Please proceed.

**Mr. Ramson:** After I was told the officers for District 4 were not in the building of GECOM and that they were not going to be in for the rest of the day, I then sought to telephone the Returning Officer, which I had done before and successfully. On that day when I sought to telephone her, not only did she not answer my phone calls, I sent her a text and she never responded. Up to this very day I did not get a response of any nature. I then sought to get in touch with the Chairman of the Guyana Elections Commission and this would have been around 10.30 a.m.

It is important that the amendment include officers more than just the Returning Officer. It shall include the Chief Elections Officer and the Deputy Chief Elections Officer. So if there would be any future attempts to constructively refuse or deny the possibility of a recount, then there will be a possibility of delivering that request to another functionary. That concludes my presentation.  
[Applause]

**Mr. Williams:** I would like to say from the outset that I support these amendments standing in the name of the Hon. Minister of Communities and also to point out that the reference and allusions to the Representation of the People's Act, in relation to recounts, have nothing to do with the Chairman of the Guyana Elections Commission or anybody other than the Returning Officer of a district.

**Mr. Speaker:** Hon. Member, I would ask you to go light. You would say like and I would say light because I would not permit an excursion into what is right or what is wrong in relations to the Chief Election Officer.

**Mr. Williams:** Sir, I am not dealing with that. I am dealing with the similarities in the similar provisions in the Representation of the People's Act and section 95 of the Local Authorities (Elections) (Amendment) Act. In that section of the Representation of the People's Act, the application for a request for a recount and a recount is to the Returning Officer. What the Opposition is trying to do here in these amendments is to repose that power which hereto resided in section 95 in the presiding officer in a returning office. It makes provision. If I could read from the Act itself:

“A candidate appointed under section 92 to attend the counting of votes or a counting agent present when the counting or any recount of votes is conducted may request the presiding officer to have the votes recounted or again recounted, but the presiding officer may refuse such request if in his opinion it is unreasonable”.

It is the same provision. The proposed amendment by the Hon. Members standing in his name is to lead to a situation where there are unlimited recounts. I do not know in which country and society there can be an application for recount after recount *ad infinitum*. That is why the current section 95 says:

“The officer may refuse such request if in his opinion it is unreasonable.”

7.16 p.m.

**Mr. Ramson:** On a Point of Order, I am seeking to clarify...

**Mr. Speaker:** The rules required you to state the Point of Order, the Standing Order under which you rise.

**Mr. Ramson:** I am seeking elucidation. I am advised that it is Standing Order 40(b).

**Mr. Speaker:** Is it Standing Order 40(b)?

**Mr. Ramson:** Yes, Sir.

**Mr. Speaker:** Many things are being taken under Standing Order 40(b).

**Mr. Ramson:** I am professionally embarrassed in relation to this. I do not have the Standing Orders in front of me, but I am advised that it is Standing Order 40(b).

**Mr. Speaker:** The practice is that you should rise prepared.

**Mr. Ramson:** Yes Sir.

**Mr. Speaker:** Are you saying that you are not prepared?

**Mr. Ramson:** I am prepared to rely on Standing Order 40(b).

**Mr. Speaker:** Hon. Member I would not allow it. Please proceed Hon. Attorney General.



**Mr. Williams:** We are saying that we support the amendment to section 95, standing in the name of the Hon. Minister of Communities, in that there must be a discretion in the returning officer to decide whether it is reasonable or unreasonable to continue to give recounts. The process of a recount entails all the officials from all political parties to be present at the account. They would have to go through that again and if when that is finished another recount is asked for.

Is it not that the Hon. Members on that side are saying that 15 days are wholly improper; that all time is not needed. So, if they are going to say that 15 days are too long before there is a declaration of a result, how could they on the other side say that there can be any amount of recounts? Sir, it was said because when we look at the amendment, if you permit me, this is what the amendments proposes, it proposes and I refer you to the amendment. It is section 12, clause 25, refers to section 95 of the Principal Act (i), it has also:

“...the deletion of ... but the presiding officer may refuse such request if in his opinion it is unreasonable”

They are proposing that this be deleted. Then it means that they are saying no discretion to refuse a recount must exist. Once a request is made for a recount it must be granted. How could an election be conducted like that? It would be at no end.

We are saying that we reject, out of hand, any attempt to delete this provision that would make recounts an obstacle to the declaration of the final results of any election in Guyana. Lest we lose sight of what we are doing here today in this honourable House, we are attempting to clear the way, yet again, to have local government elections in Guyana.

Sir, under this new Government, I wish to show you and the people of Guyana that we are very resolute that this country should have local government elections within a reasonable time. All the prevarications that had occurred under the previous Administration, we would not follow that path. That is why we talk about the fresh approach.

Since the Hon. Member, Mr. Ganga Persaud, my good Friend, has sought to clear up the history, according to him, of why elections were not held in Guyana since 1997. I wish to say this, the period of the joint task force in 2001 was described and expressed to be for one year. It was not until 2008 that the task force's work was ended and that work was ended by none other than that

Government of that day - prematurely. I am saying, with respect, that if there was the political will on the part of the previous Government to have local government elections we would have had local government elections ever since in this country, but the entire joint task force was characterised by numerous delays.

In fact, one Minister changed to another Minister and the delays continued. One thing that was clear was that, all of the local government bills emanating from the task force were to be taken as a package to the National Assembly, all at the same time. It never occurred. We want to reject the suggestion that all the bills were taken together, they were not. Only the Local Authorities (Elections) (Amendment) Bill was taken along with the Local Government Commission Bill; they were not taken as a package. That is why the entire process was aborted and that is why we are here today. Even when they had a clear majority...

**Mr. G. Persaud:** Mr. Speaker.

**Mr. Speaker:** Are you rising on a Point of Order Hon. Member?

**Mr. G. Persaud:** Yes Mr. Speaker.

**Mr. Speaker:** Could you state the Point of Order, please.

**Mr. G. Persaud:** The Hon. Member is saying that these bills were not taken in a package. I presented these bills to this House in a package...

**Mr. Speaker:** What is the Point of Order, please, Hon. Member?

**Mr. G. Persaud:** The Point of Order is under Standing Order 40(b)

**Mr. Speaker:** I would read it for Hon. Members:

“Subject to these Standing Orders no Member should interrupt another Member except:-”

And 40(b) reads as follows

“To elucidate some matter raised by that Member in the course of his or her speech provided that the Member speaking is willing to give way and resumes his or her seat and that the Member wishing to interrupt is called by the Chair.”

**Mr. G. Persaud:** Thank you very much for that.

**Mr. Williams:** Most grateful to you Sir.

**Mr. Speaker:** It has to be done in the correct fashion.

**Mr. G. Persaud:** But I did that Mr. Speaker. I asked and then you asked for the Point of Order and I stated it. I stand guided by you.

**Mr. Speaker:** What is the point you want to make, I am saying.

**Mr. G. Persaud:** I am making the point now.

**Mr. Speaker:** Mr. Williams please, let me hear the Hon. Ganga Persaud.

**Mr. G. Persaud:** Sir, I am saying that the Hon. Member stated that the bills were not presented in a package. The Hansard would show that, in the Tenth Parliament I presented those bills to this House.

**Mr. Speaker:** I thank the Hon. Member. Hon. Williams please proceed.

**Mr. Williams:** I do not know what my learned friend is saying. If he is talking about the Tenth Parliament, he is talking from 2011. I am looking at his note. We are saying that the Bills came in 2009, which was the Ninth Parliament; so I am not confused with the time.

With respect, I am saying that, one of the agreements was that there should be no local government elections without the reforms first being put in place. It was expressed that if we were to hold local government elections under the new system, without the reforms being in place and then we elect new people and they enter into the same old system, it was tantamount to putting good or new wine into old wine skins. Mr. Ganga Persaud should be familiar with that.

At all material times, in the Opposition, this Government was always pressing to free the people of Guyana in the communities in which they live. We also met with the prevarications by the Hon. Members on the other side.

When history was created in these hallow halls, when the Opposition became the majority in this honourable House by a one-seat, this Government immediately decided to use that majority, one

- to have its Members chair the special select committees on these Bills. It was because of that that the Bills were able to come out of that special select committee in the last Parliament by consensus. There was no question of railroading anybody or re-modelling the work of the committees.

The Hansard would reflect that I was effusive in my compliments of the Members on that side, the Hon. Members; Mr. Ganga Persaud, Mr. Neendkumar, Ms. Bibi Shadick, and Mdm. Gail Teixeira. I was effusive in my praise for their cooperation in arriving at a consensus in that Committee and bringing that matter to the floor of the House and I repeated that. I had congratulated them because when we embarked on it, no one would have bet that would have happened. I am prepared to continue to work with those same Members for the betterment of the work of this House and the people of Guyana.

We are here now; so much for the past. We want to get local government elections and Hon. Minister of Communities had already indicated that he worked closely with GECOM to arrive at these provisions here.

I am not prepared to go through all of the amendments, just the salient ones, but I also want to touch on something said by the Hon. Member, Joseph Hamilton. In referring to section 101 and lamenting that 15 days were contemplated, he thought that five days should be sufficient, notwithstanding that we are dealing with 71 separate self-contained elections. We are prepared to concede that instead of 15 days, we should have five days. We could properly do that because we would be able to retain, in section 95, the discretion not to have unlimited recounts. If we are going to have recounts after recounts, there is no way the results of the elections could be declared within five days, so we are prepared to agree to five days within which the results of the elections, all 71, be announced or declared.

We have been regaled here tonight and I think it is most instructive – one, that the Hon. Members on the other side were not blaming us of any discrepancy or irregularity in the conduct of the last elections and they therefore acknowledge that we won those elections fairly and squarely, but I do know that they are in vein heavily against GECOM. We are thankful that they are not blaming us.

I also wish to note and for the honourable House to note that, it must be for a long time in this region that anyone had ever heard of an incumbent Government crying foul that they have been robbed. I am happy that they are not blaming us.

The new electoral system requires that we have 50% proportional presentation, 50% first past the post, which is the constituency election.

*7.31 p.m.*

The whole reasoning behind that is, that it is believed that there must be more accountability, certainly at this level of our tier of Government in that people must be in a position to point to their representative and make that representative account for anything they need. It is the first time that we will have this. It is relevant that article 71's intention is to involve as many people in the communities in which they live.

When one looks at how the entire local government elections system is oriented, when the constituency aspect is looked at... If in a constituency there are 10 individuals who can contest elections, there must be no less than 25 persons nominating them, if my memory serves me correctly. If one takes 10 candidates with 25 persons nominating them, then we are talking about 250 persons in that category alone. And then there are the political parties and the voluntary groups. They, too, have to have persons nominating them. I think a higher number of persons are needed to nominate them. By the time that process is finished, most of the communities in that constituency would be involved in the electoral process. Because of the fact that only who lives in Sophia could nominate someone as a candidate in Sophia, could be a candidate in Sophia and could vote in Sophia, it means that this aspiration of involving as many people as possible in the communities in which they live would be realised.

When that is calculated, it amounts to 585. It is almost a logistical nightmare because there is still the proportional aspect to deal with. When it is contemplated how one ballot paper would be, much less all of the ballot papers - and my Hon. Friend, Mr. Ganga Persaud knows this - it is not an easy task. That is why the 71 days have come into play. If GECOM is the body that has custody of the conduct of elections, then GECOM must know. We are not prepared to force GECOM into any situation where it would not feel comfortable in executing what it needs to

execute. [Mr. Bulkan: We cannot railroad it.] We cannot railroad GECOM and we will not railroad it because it is not in our nature to railroad people.

We understand the importance of having adequate time to have proper elections conducted, especially in the light of all of the criticisms that GECOM has attracted by the conduct of the last General and Regional Elections, even though we do not have a problem with the manner in which it was conducted.

Mr. Speaker, you may note that the Hon. Members, on that side of the House, are now saying that they want to have local government elections. When the amendment, under the hands of my Hon. Friend, Mr. Ramson, is looked at, number 2 states:

“That not later than three months before but no earlier than six months before the conduct of any local authority election the Guyana Elections Commission shall [not may] verify that the registrants appearing on the National Register of Registrants are residing at their registered address; and upon information obtained by verification that a registrant is not residing at the registered address the Guyana Elections Commission shall amend, modify, alter and/or revise the National Register of Registrants to accurately reflect a registrant’s address of residence as at three months prior to the elections.”

The Hon. Member is proposing verification. The last time we spoke about verification, in Guyana, by GECOM, elections had to be pushed back for a substantial period. Anytime we were to agree to this verification, then we are talking about holding elections, maybe, a year from now. Verification would have to be a national exercise and we are talking about just concluded Elections where all of those things were dealt with. It is the same register that we are proposing to use. That is why this amendment is here. We are not using the 1992 register; it is the last register of registrants that we are using. It is unconscionable, since they had accepted that, for them to ask us to do verification. It is clear that that would humbug elections and prevent elections from being held in the near future. We reject any attempt to postpone the elections.

In addition, from the register, there is supposed to be a preliminary list pulled out. When there is talk about people who died and so forth, there is provision for that in the process and that is dealt with under the claims and objections process. Once there is the preliminary list, there is time for the list to be looked at to see who have died, who are abroad and so forth. I am surprised that the

Hon. Members, on that side, are now seeking to have these things dealt with. For years, we have been saying that we had abolished overseas elections and so the names of people who are on the register, but are not resident in Guyana must be removed. Objections came from the other side of the House that said that a constitutional amendment had to be passed for those names to be removed because, once people were registered and are on the register, they cannot be removed. That is why the list has burgeoned over the years. Even at the last Elections, there were a couple hundreds of thousands in excess. This is something that definitely has to be done in the constitutional reform process. We have to take care of the list, notwithstanding that the constitutional provision, I think article 159, talks about qualification of an elector and that Parliament can make further rules which, in fact, was done by making provisions in the National Registration Act to provide that persons who are resident in the registration division also would be qualified as electors. They were still contending that it is not in the Constitution. All of those things that were used in the past to prevent the holding of proper elections in this country must be cleared up.

I support, wholeheartedly, these amendments. The question of biometrics, I think, was first mooted when we introduced a system of continuous registration in this country. The Members on the Opposition side must know about biometrics. Biometrics, up to today, is being deployed by the GECOM in an attempt to assist it to cleanse most of the list for every election that have been held since 2006. There is nothing to say that biometrics, which is an administrative exercise in GECOM, would not be deployed because, for the last Elections, biometrics was done on the list. I do not think that there is any problem, fear or threat that the list would not be a clean list for the next local government elections.

My learned Friend, the Hon. Member, Mr. Ramson, was being querulous and was wondering why it took 18 years. I hope that he understands, now, why it took 18 years, and I understand why, as a young man, he said that he would love to have local government elections. I would be happy if he can lead the way over that side and all of the other Members can file in behind him with the call for the holding of local government elections.

Mr. Speaker, I do not wish to detain this honourable House much longer. I would like to thank you for the opportunity that you availed me so that I could offer these few words in support of this Bill in this honourable House and I so do. I commend this Bill to this honourable House.

I thank you. [*Applause*]

**Mr. Rohee:** Mr. Speaker, thank you. I have listened very attentively to the debate with the majority of speakers, of course, coming from this side of the House, and quite understandably so because, while the Government benches are in control of the process and have a considerable amount of information at their disposal - and I would want to hazard a guess that they would also have regular engagements with GECOM to brief them in respect of the preparation for local government elections and, of course, there is the Minister with the responsibility as well...then that puts them in an advantageous position *vis-à-vis* the Opposition benches.

There was a claim that we, on this side of the House, are *playing to the gallery* and that we had no interest in speeding up the process towards the holding of local government elections, and that is why we are inviting the House to consider moving this matter to a select committee to consider, in greater details, the minutiae, if I might use that word, or, as they usually would say, the devil is usually in the details. I want to submit that it is beyond us to play to any gallery. If there is any playing to any gallery, whatsoever, it is the people's gallery. We are here to represent the interest of our constituents, of the people who voted for us to be here, and they expect us to do so as effectively and as best as we could.

When the Bill was considered, internally, we were of the view that there were a number of issues inherent in the Bill that not only would we need to speak to, but that we would need to move amendments to as well, and this shows the seriousness of our approach to the Bill that is before this House.

I, therefore, want to submit, with due respect to those who have used those words, that they should not measure us according to their standards. If their standards were and still are to *play to the gallery*, then those are clearly not the standards by which we [*inaudible*] and which we fulfil our duties in this House.

I do not think that anyone would deny it because we went to various parts of this country and sought audiences with various constituents.

7.46 p.m.



We have spoken with ordinary people who will eventually become electors in the local government elections and they have all admitted that these elections will prove to be one of the most complex ever in the history of our country. That is precisely why we have been pressing, from the very inception, that an aggressive targeted and focused public relations campaign ought to have commenced quite some time ago in order to educate and bring a greater sense of consciousness and awareness to the electorate in light of this very complex election that is going to be held for the first time in this country. But that does not daunt us in respect of fulfilling our responsibility, in our own way, to educate the electorate. That is precisely what we have been doing. But this requires efforts on the part of GECOM and the Government. I would like to suggest, respectfully, Mr. Speaker, that if GECOM does not have the technical, financial or otherwise the wherewithal to start this aggressive public relations campaign, then the Government must provide the necessary resources for GECOM to so do.

It is already late in the day. The Hon. Members, Mr. Ganga Persaud and Bishop Edghill, made references to the inhibiting factors *vis-à-vis* the time table, if we are going to have elections, as we are made to understand, sometime in December. We are now almost in mid-September and nothing is being seen or heard of in respect of educating or raising the consciousness of the electorates in respect of these elections. Are we taking this for granted? Clearly, what was done by GECOM in respect of the General and Regional Elections that were held earlier this year will certainly not be or ought not to be considered a dress rehearsal for these elections to be held.

If the Government is considering or has fallen into the false notion that, just because people just came out of an election, it is a dress rehearsal for the local government elections, then it is mistaken. I doubt that we are wrong because our connections with people, apart from our supporters, tell us that more educational and public relations work ought to be done. This will affect both sides. In fact, it will affect all sides because, in these elections, both sides of this House are seeking to win the overall majority of National Democratic Councils (NDCs) and municipalities. How are they going to do so if the people are not well educated on these elections? Therefore, I say, from the very outset, that more work needs to be done in this respect. We need a sustainable, aggressive campaign to educate the Guyanese people.

I was somewhat disappointed by the way the case was presented in respect of the delays that led us to where we are today. It was as though this was a one-sided affair. The record would show

that it was not the People's Progressive Party/Civic (PPP/C) that has to bear sole responsibility for the situation that resulted in the postponement of elections. The record would show that, on every single occasion, when we were sitting on that side of the House, we brought motions to this House and, after or before negotiations were held on these days, both sides supported the postponement of the elections. I have a difficulty with the distortion of historical facts as though it was the PPP/C that must bear sole responsibility for the postponement of local government elections to bring us where we are today. The records speak for themselves and I would not go into details on that matter.

I want to suggest that this debate is useful and I think the Government side ought to appreciate the fact that we took the time and effort to allocate the various Members on our side time to express their views because these views brought the recent and past experiences and these contributions brought recommendations as well as amendments that we are to consider later. I do not believe that it is a debate in futility or that it is a waste of our efforts.

This debate, as we see it, could very well prove to be a harbinger for future elections. These local government elections, in many countries, are viewed by some as a barometer to measure whether they still have the support of the people, which is in the case of the Government benches and, in our case in the Opposition, whether our electoral fortunes have increased since last elections. Let us not fool ourselves that this is what we are looking out for. So the debate, as we see it, will prove to be useful for future elections because, if we listened very carefully to what some of the Members who have spoken on this side of the House spoke to, this debate brought out what the PPP will be arguing for or advocating for in respect of electoral reforms.

Based on previous experiences in the recent Elections, for other elections as well as these local government elections, we know that there are certain measures or procedures in this Bill that we are not likely to achieve this evening or for these elections. We are not unrealistic in acknowledging that but what we also know is clearly where we want to go with respect to future elections. That is precisely why we used this debate to advance our views in respect of what we would be advocating for future elections. Many of the amendments that the Hon. Member has brought in his Bill to this House will have to be revisited, in our view. We will object to some at the appropriate time when you so indicate. Already, in some of the amendments we have, we already advanced our position.

I wish to point out that we, on this side, recognise that, in the case of identification (ID) cards, according to the Bill, the recent ID cards have to be presented to the returning officer and we anticipate that it is the ID card used in the most recent elections that is going to be the acceptable document. But, what the Hon. Minister must tell us, having regard to the peculiarities of this country and the geographic spread, albeit on the coastland, there are still many persons who may have not the ID card of recent vintage, but the ID card that is not of recent vintage. And because they are not properly educated and they present that ID card to the returning officer, would they be allowed to vote or would they be disenfranchised? This is a serious possibility that could arise. Therefore, we have to be prepared for the unexpected. These are the things that could create issues on the ground.

I remember Hon. Member Mr. Rupert Roopnarine and a few of his colleagues, during the 2011 Elections, in this very building, presented us with a handful of seals from ballot boxes - I happened to be there in that meeting - and questioned us as to where those seals came from, and said that thousands of people were standing outside of this Public Buildings, and, indeed, they were. There was a huge crowd outside. It was so dark that one could not even see how many were there but, at least, we could have felt the presence of a large number of people. The Hon. Member, Mr. Roopnarine, asked Mr. Ramotar - when he said there was no place for Donald - how are we going to explain these thousands of seals to the people? I am just making a case that there is room for mischief – man-made mischief, administrative mischief and technological mischief.

The Hon. Member, Mr. Bulkan, must recognise that this system is not going to be perfect. The state of affairs with respect to these elections will not be shrouded in a state of perfection. The state of perfection is elsewhere. If you have been there and came back, I do not want to see you. Anyone, in fact, who has gone to the state of perfection in this Assembly I am fearful of because I do not know that you could go there and come back; I know it is a one-way ticket.

The anecdotal issues aside, I am insisting that there is room for these issues to arise and, while we may strive to ensure that the system is perfect, so long as it is managed by mankind, I have always insisted that the weakest link in the chain is the human factor. You could get the best technology but the human factor...

This brings us to the question that was raised earlier by some Hon. Members, which is the authority that is given to a returning officer to make certain decisions on his or her own in respect of the counting or recounting of votes.

I raise these issues because they are of genuine concern to us and we do not raise these issues because we are applying delaying tactics or filibustering. That is not part of our makeup, politically; it is not in our deoxyribonucleic acid (DNA). One of the issues we will use this election to push for, notwithstanding the amendments that had to come before this honourable House, is the human resourcing of future elections and the selection of the human resources to manage future elections. We know that we may not be able to get it at these elections but that does not prevent us from raising it and alerting the public of what our concerns are in respect of the human resource factor that manages and administers the affairs of the machinery that will run these elections and future elections.

*8.01 p.m.*

We raise the question of enhanced biometrics. In fact, Hon. Members would recall that the Canadian High Commission had presented the Delian Project, which was aimed at introducing a technological element into the voting process so that we can get the elections results faster and there would be less interference by GECOM's staff, so to speak, in the process. Well, I should not say "interference" - less presence or utilisation of GECOM staff in the process.

As far as we are concerned, while we may not be able to achieve or to accomplish the biometrics and e-voting for these elections, we want to alert the honourable House and the Guyanese people, at large, that, for future elections, Guyana must have or ought to have e-voting and enhanced biometrics in order to ensure that we have a more transparent elections so that the true results of these elections would not only be known in a faster time, but would be reflective of what the electorates indeed... While we may have agreed with that in the past, the time has come for us to review those things. This is not a process that is cast in stone. In fact, if we look at how the current Administration is behaving, it is upturning everything. Well, they are in Office now; they can upturn as much as they want. They can look at *every nook and cranny* for what they want. That is their situation; that is their decision. But we have every right to call for the electoral

system in this country to be subject to open heart surgery. We demand it! And electorates are entitled to this.

We will support, in the short term, some of the amendments that are made, save and except those which we have tabled. We will support those, but we will argue for our amendments, which we have tabled, bearing in mind that we have a strategic approach to what we intend to struggle for down the road. That is the qualifying factor.

In respect of section 11 (1), the proposed amendment, the Hon. Attorney General regaled us about the list being extracted from the National Register of Registrants (NRR) and gave us some historical titbits, so to speak, in these matters.

The question of the list is also a matter that we will be using these elections for - to bring certain matters to life, as we have done this evening in the course of the debate and which we will also advance in the days to come. The question of the preparation of the list, the question of the cleanliness of the list, the question of the removal of dead persons and so many other inaccuracies on the list must be considered as a work in progress. There is no perfect list. And, because the list has to be considered as a work in progress, we have every right, on this side of the House, and outside of the House, to make the public know what our position is and the reform that we are calling for in respect of the list as reflected in the proposed amendment, section 11 (1).

We are concerned about quality control measures and how effective these quality control measures will be, not only for this list that is to be extracted, but for future lists. And, to have those quality control measures in place, we have to put in place the requirements. That will require discussions; that will require negotiations; that will require give and take; that will require participation of the donor community.

We understand the complexity of the road to achieve these reforms. But, like I said, we are not daunted by the challenges that lie ahead in respect of these reforms.

The amendment to section 46 (1): I made a comment that, in our view, this lengthy period of time appears to be aimed at intimidating persons. Let us say that an individual, an independent, is contesting in a specific constituency. He or she has to have 15 or 20 sponsors. If the time is so

extended and if there are individuals or other contestants, in whatever shape, form or fashion, who want to, so to speak, knock down that candidate, obviously, they will engage in a campaign of defamation and seek to intimidate the 15 or 20 persons who would have sponsored that candidate. These are the practicalities and the realities that we must recognise that we will face in these elections.

Our electoral political culture in this country does not eliminate such strong possibilities from occurring. That is why we are so vigilant. I do not think that anybody could blame us for being suspicious. We have to be suspicious. They were more suspicious when they were in the Opposition and we have every right to suspect matters based on experiences and not any abstract occurrences.

Concerning the proposed amendment of section 48 (1) of the Principal Act, we heard mention, I think, of reference to the ballot papers and the specific ballot that will be required, unique ballots for the 500 plus areas where votes will be cast. Again, Mr. Speaker, I want to respectfully submit that we are not unnecessarily creating dragons in the sky. But, we have experiences, as of recent, with respect to false or fabricated statements of poll floating around the place and, up to now, an investigation is not being carried out as to how this happened. So, these are not figments of our imagination; these are real experiences which the Chief Elections Officer (CEO)...and I am not calling any names; I am just calling a post.

**Mr. Speaker:** The Hon. Member may be skirting pretty close to the edge.

**Mr. Rohee:** ...which the CEO had agreed and, in fact, it is in the report of some of the observers who came here, who referenced this matter. So, I am insisting and I am simply making the argument that the point that we are emphasising here has nothing to do with an abstract notion, has nothing to do with figments of our imagination. These are practical experiences and we want to take the opportunity, in this debate, to reference to specific amendments, which the Hon. Member has tabled, to bring these matters to the attention of the House.

With respect to the proposed amendment to section 74(f) of the Principal Act, this has to do with voting by the Disciplined Services. I want to make it clear so that there be no misunderstanding, whatsoever, on this issue. We want all the members of the Disciplined Services to be able to cast their votes like all civilians would. And we want them to do so in a climate of peace and

harmony. We want them to do so in an election that is transparent and free and fair. We want them to vote in accordance with their wishes. Taking into consideration those parameters, we believe that time has come for us to revisit *vis-à-vis* the Representation of the People Act, the procedures under which the Disciplined Services vote in this country, and be so alerting this nation.

We believe that, over the years, a number of challenges have arisen in respect of this particular area. So the issue of transparency, the procedures and the role of GECOM, as reflected in the Representation of the People Act, in our humble submission, would have to be reviewed subsequently. Again, we recognise that, while we may not be able to achieve this at these elections, we are laying the ground work and we are alerting the House that this is something that we will be pursuing.

We believe that the time has come to remove a certain shroud of secrecy, the issue with which we cannot explain, resulting from the way the Discipline Services... And, as I said, I want to contextualise that in the frame of the initial remarks that I made, less there be any misunderstanding.

I do not want to repeat what my Hon. Friend and Colleague, Mr. Lumumba, has said. He has spoken, albeit in a limited way, on this matter. I thought we should expand on this so that there would be no mistake in the future that we never ever said that this is something that we will be pursuing in the context of reforms of elections in this country.

*8.16 p.m.*

The transmission of the results and the time given for the transmission of the results of the elections: An exchange of views between both sides of the House took place in respect of the length of time it takes for these results to be transmitted.

We all know - because we are all Guyanese and have participated in so many elections in the past - the agony which this nation has to go through while it waits, with a tremendous sense of anxiety, to be told what the results of the votes that we cast in one electoral district or the country. We must take steps to ensure that this pain, this agony, this trauma, is removed once and for all, exorcised once and for all from the electoral process in this country. Both sides suffer, so

much to the extent that some prematurely use different forums to announce who has won and who has not won. When things like these happen, even if it is localised to a small constituency, there could be pain for those who voted, who thought that the results should have been one way or the other. This is another matter that we want to raise in the House.

Finally, there is the question of the sensitivity. The sensitive aspect that we sought to raise in respect of this Bill going to select committee... We were accused of being insensitive for requesting that it goes to a select committee. We were accused of being insensitive to what transpired in the past. We were accused of being insensitive to the historical antecedent. The sensitivities that we are raising have to do with the concerns of the people out there. People are asking questions. As I said earlier, you, Mr. Speaker, are a well-known negotiator and you know that negotiators always come to the conclusion that the devil is usually in the details.

We are submitting that, in this case, it would be naïve to believe that there are no devils in these details, but, as you know, the famous German philosopher Hegel said that practice is the criterion of truth. They can proceed headlong, irrespective of these concerns, and when the proverbial – I do not want to call the word that hits the fan – and spills all over the place, fingers would be pointed in all directions as to who is to blame and we will engage in the famous blame game. This, we do not want, and I am sure those on the other side do not want that either. We have to make sure that these things do not happen now.

The amendments that we have submitted, along with the view that the Bill goes to a select committee...both sides of the House have admitted that we have laboured in the vineyard for years to bring this Bill to where it is today. Having laboured in the vineyard for so many years, what difference will one week make if this Bill were to be committed to a select committee for just five working days in order for us to do whatever purification is necessary so that the people out there could feel satisfied? We rest our case in this respect. The majority on that side of the House can proceed full speed ahead like the Japanese bullet train. But let them be warned that, as the old adage goes, let us proceed with *more haste and less speed*. Thank you, Mr. Speaker.  
[Applause]

**Mr. Bulkan (replying):** I rise to reply to some of the points that had been advanced earlier this afternoon by Hon. Members of the Opposition. When I spoke earlier on the Bill before us, I did



not anticipate that it would have been necessary for me to have to make any reply to Members of the Opposition, as it was my earnest belief that the Members of the Opposition were interested in having a meaningful discourse and discussion on the reason this House is meeting today and why we are discussing this Bill which has to do with the holding of local government elections which have been long delayed. But, much to my disappointment, the Opposition has disabused me of that because, individually and collectively, they have sought to advance many reasons, all of which suggest that they are not interested in having local government elections being held early.

It is important that we remind ourselves what the purpose of this Bill is. The purpose of this Bill is to pave the way for the holding of local government elections. In that regard, the Bill addresses the principal legislation, namely Chapter 28:03, the Local Authorities (Elections) Act. This Bill and the proposed amendment seek to bridge gaps that exist in this principal legislation to enable the holding of these elections.

The Bill, therefore, is not about the GECOM. Yet, we have heard speaker after speaker lambaste GECOM. We have heard a broadside against GECOM and, invariably, each of the speakers sought to impugn the integrity and the credibility of the GECOM. Interventions have been made on the part of Members of the Government side to seek to protect the members of GECOM, who do not have the ability to defend themselves against these unfounded attacks.

The fact remains that this Bill is not about the merits or otherwise of local democracy because I believe it is incontestable, and, despite a lot of the objections that we heard tonight, we did hear an acknowledgement, albeit grudgingly, that the people must enjoy their constitutional right to have local democracy. Therefore, we need to remind ourselves that it is pointless for us to engage in finger pointing as to why we have not had local government elections for 14, 15, 16 or 17 years. What we should be doing is what the Hon. Member, Mr. Ganga Persaud, urged us to do, which is not to look backwards, but to look forward. In that regard, I must commend the Hon. Member, Mr. Ganga Persaud, in acknowledging that he was the most constructive of all of the speakers and he sought to make some constructive points in this debate, among those being the reminder that the people are watching us.

I can recall, subject to my memory, that, when I made my maiden presentation in this House - in fact, I sat exactly where the Hon. Member, Mr. Ganga Persaud, is sitting - in April, 2012, I used

those exact words when I spoke on the Bill that sought to delay the holding of local government elections for another year. In addition to uttering the very words, “The people are watching us,” I believe that I went on to say that the people will judge us and will judge us harshly because they are the ones who have to endure the deteriorating conditions in their communities – the clogged drains, the flooding, the overgrown parapets, the lack of playgrounds for their children, the noise nuisance, the derelict vehicles, the unkempt cemeteries, the improper waste management and so on. That was in 2012 and, yet, here we are, almost three and a half years later, and what we are treated here with this afternoon is a lack of seriousness and a lack of urgency on the part of the Opposition, the Hon. Members on that side of the House, who seem not to appreciate the hardships and the consequences the delay in the holding of these elections have for our people.

This afternoon, instead of advancing this process and proceeding with dispatch, we are being urged to set up another select committee.

The Hon. Member, Mr. Ganga Persaud, when he spoke, accused the Government of seeking to fast-track this process and said that what we should do is “brakes up”. Too many years have passed and we are not going to “brakes up”. We are going to move forward with this process.

The Hon. Member, Mr. Ganga Persaud, said that some of the amendments are necessary but others need to be strengthened. Of course, he was referring to the local government framework. As I said, this Bill is not about addressing the architecture or the framework, but it is about addressing deficiencies and gaps governing elections that are in the principal legislation, and to seek to ensure that those gaps are closed to pave the way for the holding of local government elections.

When the Hon. Member, Mr. Ganga Persaud, spoke, he disputed the need for there to be a minimum of 50 days between the submission of the lists and he sought to suggest that he was privy to some internal information from GECOM, which suggests that a shorter time is necessary. I believe that I and my Colleague, Mr. Basil Williams, who also spoke on this point, sufficiently and adequately explained the necessity for the 50 days being requested by GECOM, the principal driver being the necessity to produce 585 unique ballot papers which would be necessary for the successful holding of these elections.

I would like to touch on a few comments made by the Hon. Member, Mr. Ramson. When he spoke, among other things, he said that the PPP is not afraid of any elections.

*8.31p.m.*

That point was also made by other speakers, including the Hon. Member Neendkumar, who sought to take us on a history lesson. When I heard that this evening, again, I was reminded of the debates here in April of 2012 when the Local Government (Amendment) Bill was being discussed, to which I referred to a short while ago. Listening to the then Minister of Local Government and Regional Development the Hon. Norman Whittaker, at that time he was the junior Minister... In the Ninth Parliament he was the senior Minister but after the party won the next elections he was demoted to junior Minister in preference to the Hon. Member Ganga Persaud who subsequently, in the very Tenth Parliament, resigned from that position to which the Hon. Member Whittaker once again ascended to. In April, 2012 the Hon. Member, then Minister Whittaker, used some words that I have repeated, I believe, on a few other occasions in this honourable House. He said that the PPP/C, the Government then, was interested in having elections “today, tonight”. The facts would show that up until May, 2015, or more than three years after, despite being in Government, the then Government showed no inclination and no desire to hold local government elections. Subsequent to the elections of May, 2015 the APNU/AFC acceded to Government and are now interested in moving this process forward, today we were treated to a whole host of reasons why the elections cannot be held.

Another point that was advanced and discussed extensively, not only by the Hon. Member Ramson, but several speakers from the other side, has to do with the amendments relating to insolvency. I believe it is section 40(2)(b), and the deletion of that section from the principal legislation. The point advanced by the Hon. Member Ramson, and others who spoke, were told that the presence of that section relating to insolvency seeking to disqualify an individual from becoming a candidate or a councillor in a local government order that it was a sacred principle, and that if someone – I do not want to use the word guilty – was a subject of insolvency the temptation would exist for that person to engage in corruption. The fact remains that by that very logic we can move on to say that if a person who is poor, a person who is deprived, a person who does not have money or wealth, if that person is to accede to the position of a councillor in one of our local democratic organs that that very temptation would exist for that person to engage in

acts of corruption. It is not my belief that poverty is a crime and therefore that is why I reject that imputation.

There is a more important point I would like to suggest. This opprobrium associated with the phenomenon that is associated with insolvency, I believe, is a practice we inherited from the British. I believe it is an unhelpful; I believe that it is a pernicious practice. Why do I say so? That very opprobrium does not exist in North America or in the United States of America in which an individual or a company that is a subject of insolvency - I believe in the United States of America it is Chapter 11 - can file for insolvency proceedings. The process can be managed by the court and then it does not become a stain on one's character, or a deterrent for a person to organise and re-programme oneself and continue to make a meaningful contribution to economic activities. In other words, if a person has failed in a particular commercial venture or endeavour, if the courage and the will exist, one should be able to pick oneself up, dust oneself off and move on with one's life. I will go further to say that it is my belief that there is no disgrace in failing. The real disgrace is in failing to try.

The Hon. Member Mr. Ramson spoke about section 40(2)(c). He said that section is discriminatory to persons who would have been recipients under the Poor Relief Act and, therefore, if we were seeking to remove sections from the Act, as we are - I just referred to the previous one on insolvency - then we should delete that section of the Act which seeks to discriminate against persons from becoming candidates on the basis of having been recipients to poor relief. The fact remains that had the Hon. Member taken the time to read the Bill in front of us he would have noted that the amendments seek to delete not only section 40(2)(b) but the very section he was advocating, section 40(2)(c). [Ms. Ally: He was sleepy. He was reading at 2 o'clock.] Thank you Hon. Member. I am reminded that the Hon. Member did say to us that he was reading the Bill at 2 o'clock this morning. I empathise with him. That is why I believe it escaped his attention that the section he is urging us to delete from the Act is already in our Bill.

Whilst I am speaking of section 40(2)(c), perhaps I should refer to the comments made by the Hon. Member Mr. Hamilton, whom, I noticed, has beaten a hasty retreat when I informed him that I would be dealing with his lapse. This is what the Hon. Member Mr. Hamilton had to say. He asked us, specifically, if we were seeking to expunge - "expunge" was his word - section 40(2)(b). He was recommending to us that we should similarly expunge section 40(2)(c). I just

explained that this Bill seeks to delete section 40(2)(c) as well as section 40(2)(d). I would suggest to the Hon. Member Hamilton – I do not know if he was also up at 2 o'clock this morning – that the next time he is going to speak in this House he should read the Bill before him.

I do not know which legislation the Hon. Member Hamilton was refereeing to. When he was referring to section 40(2)(c) he said it was discriminating to persons on the basis of disability and urged the Hon. Minister of Social Protection to take objection to the fact that 50,000 persons would be discriminated against on the basis that they cannot offer themselves to be candidates or councillors in our local democratic organs on the basis of disability. As I have said, section 40(2)(c) in the principal legislation speaks nothing about disability. It refers to the Poor Relief Act.

I will move on. The Hon. Member Lumumba also spoke. He is not here to listen to the rebuttal. He said that we are here debating a vague Local Government Bill. The fact remains, as I have said, that what we have before us is not a Local Government Bill but a Bill that seeks to amend a number of sections in the Local Authorities (Elections) Act. I say the debates on local government and local democracy have been extensively and exhaustively addressed in the last 15 years. The Hon. Members Mr. Lumumba indulged and engaged in a broadside on GECOM which he concluded by describing as being biased and vicious. The Hon. Member Mr. Lumumba said these amendments seek to rubber-stamp. I have no idea to what he was referring.

I would like to address some of the points that were advanced by the Hon. Member Mr. Clement James Rohee. The Hon. Member described the amendments, which were brought from his side of the House, and what he said, as speaking to the seriousness the Opposition attaches to the Bill before this House. As I have said, I have already dealt with the inattentiveness and carelessness that characterised much of which was advanced. I am not so sure why the Hon. Member Mr. Rohee would want to refer to those as being serious.

The Hon. Member Mr. Rohee reminded us that these elections would be complex and proffered some advice. Among the advice was the need for an aggressive and focused voter education campaign. I was reminded of the example of Rip Van Winkle because it was the Opposition, when in Government, that refused grant funding from the Canadian International Development

Agency (CIDA) who had made available funding to conduct voter education campaign for local government elections. Hon. Members, on that opposite side of the House, seem to have conveniently forgotten that the Carter Centre...

**Mr. Speaker:** Hon. Member, you are trying to attract the attention of the Speaker. I was looking at you but I do not know why you rose.

**Mr. Rohee:** The microphone was not on, Mr. Speaker.

**Mr. Speaker:** The Speaker is waiting to hear the purpose for your rising.

**Mr. Rohee:** The Hon. Member's voice was drowning us out. May I proceed?

**Mr. Speaker:** You are rising on... Hon. Member, you have to assist the Chair. If you rise there must be a purpose to it. Please tell me.

**Mr. Rohee:** Mr. Speaker, I rise on a Point of Order.

**Mr. Speaker:** Could you state the Point of Order and then proceed with it?

**Mr. Rohee:** Mr. Speaker, apparently Members are making fun of a matter which you are taking rather serious. My Point of Order is the Hon. Member made an allegation about the misuse of funds. Could the Hon. Member state the source of his information?

*8.46 p.m.*

**Mr. Speaker:** Hon. Member, I do not believe that what you have just said falls under Standing Order 40 (a) nor under 40 (b).

**Mr. Rohee:** It is Standing Order 40 (b). My apologies, Mr. Speaker.

**Mr. Speaker:** It is not under Standing Order 40 (b). Standing Order 40 (b) is to elucidate some matter raised by the Member in the course of his or her speech. What is the matter you want to elucidate?

**Mr. Rohee:** Mr. Speaker, I would like the Hon. Member to elucidate...

**Mr. Speaker:** I beg your pardon.

**Mr. Rohee:** It is to elucidate on the statement he made to the effect that funds from CIDA were misused and it is if he could state the source. Funds were received from CIDA to be used for electoral purposes. Could the Hon. Member state the source of his information?

**Mr. Speaker:** Hon. Member, I am quite prepared to be told that I did not hear that. I am saying that I did not hear that. I am quite prepared to be told that I heard it, but I do not know. I did not hear a reference to CIDA or any other body here in relation to funds.

**Mr. Rohee:** Yes. There was a reference to CIDA.

**Mr. Speaker:** Well, if that is the case then I would like the Hon. Member to repeat for the benefit of us all what he said.

**Mr. Bulkan:** Mr. Speaker, the words I use was “refused” not “misused”.

**Mr. Rohee:** Mr. Speaker, the question is: Could the Hon. Member elucidate on the source of his information that funds from CIDA was refused?

**Mr. Speaker:** Are you asking about the funds or the source? I would not allow the question of the source.

**Mr. Rohee:** It is not the funds from the source. Could he state the source of the information that funds from CIDA was refused?

**Mr. Speaker:** Hon. Member, thank you. I would not allow the question.

**Mr. Rohee:** Mr. Speaker, it is the source of information. It is where he got the information from. That is all I am asking. What is the source of information with respect to the funds from CIDA that was refused?

**Mr. Speaker:** Hon. Member, I will not entertain this question now. Please proceed Hon. Member.

**Mr. Bulkan:** Thank you Mr. Speaker.

In addition to grant funding from CIDA that was refused, not misused, there was also the case of similar funding from the Carter Centre that was not utilised for the purpose of conducting a voter

education campaign. More recently, there was the case of the Leadership and Democracy Program (LEAD), a programme that had committed significant resources, financial....

**Mr. Speaker:** Hon. Member, I know that in wrapping up you have a whole range to cover, but I wonder if all of these things are within the range. **[Hon. Members (Government): Yes.]** I address the Hon. Member and I thank all the Members who said yes. I will allow the Hon. Member, the Minister responsible, to treat with this. Please confine your remarks to the issues which you know that we should know about.

**Mr. Bulkan:** Mr. Speaker, I am merely referring to this fact because the Hon. Member has rightly spoken about the needs for voter education campaign in his words, “an aggressive one because it is important for the successful holding of these elections.”

More recently, there was the case of the LEAD programme which was a United States Agency for International Development (USAID) funded programme that was engaged in voter education relating to the holding of local government elections. I believe that the entire country is aware of the treatment that was meted out to the head of that programme Mr. Glen Bradbury, in which he was denied a work permit. It was only after months and months of intervention, towards the end of the programme, when Mr. Bradbury was allowed to lawfully engage in aspects of that LEAD programme. How we can forget the experience of the former United States Ambassador, Mr. Brent Hardt, who, when he sought to speak about the need for local government elections, was subject to a blast from a then Government Minister. There we have it.

I will come back to some other things that were said by the Hon. Member Mr. Rohee. I will move on.

As I said, today’s discussion is about looking forward, but yet we have heard ambivalent statements from Members on the other side of the House about they being committed to having local government elections, but yet a lot of the arguments, which were advanced, does not support that position. We have heard speaker after speaker, calling for the Bill to go to Special Select Committee as well as other objections. We say that the time for delay has ended. In the words of my colleague, the Hon. Basil Williams, the Attorney General, “the prevarication must end”. The prevarication is over because the fact remains, as I have said, in 44 years this country has only experienced one local government elections.



The Hon. Member Mr. Rohee when speaking about the new requirement for there to be 50 days between the submission of the list and the elections, what did we hear? We heard that the clause is put in there to allow for intimidation of candidates and to allow for defamation. When we would have explained clearly the rational, reason and the arguments advanced by GECOM as to why 50 days are necessary to deal with the complexity of these elections.

The Hon. Member Mr. Rohee referred to section 48(1) in the principal legislation and sought to create a link with fake Statement of Polls (SOP). In fact section 48(1) of the legislation deals with the 71 days which we have already spoken about. I do not know what the link is between SOPs and clause 48(1), yet we are told by Mr. Rohee that the Members of the Opposition have treated this Bill with a level of seriousness.

It does not end there, the Hon. Member spoke about section 74F in the Bill referring to disciplined services. I do not know which Bill the Hon. Member was reading from because 74F has nothing to do with disciplined services. Instead 74F, in the Bill, deals with safe custody of the ballot boxes until they are handed over to the Returning Officer. The Hon. Member suggested to us that he is interested in quality control measures but that quality control should start here.

I would confine my replies to a number of the points that were advanced by the Members of the Opposition to those. I will not go further because I think that I have already made the case as to the lack of accuracy to a lot of the points which we have heard here this afternoon. I will move on to the purpose of this Bill and why we are here.

As I said, this Bill seeks to pave the way for the holding of local government elections. Local government election is the first step in the process of seeking to repair this system of local government and local administration which has collapsed. Local government and local administration have to do with the maintenance and management of our communities. It is a fact that this system is damaged, and degraded and dysfunctional, that our communities are suffering from neglect. It is the obligation and responsibility of the central Government to reverse those conditions of neglect that exist in communities all across our country. The central Government will exercise this responsibility, not by trying to do what obtained in the last few administrations, which is an attempt to manage this country from an office in Fort Street, Kingston, but rather it is

to put back the authority in our local authorities, in our 71 local democratic organs. The first step in that process has to be the renewal via a democratic process of those councils.

Following that, the other two steps, which I have identified before, in this process of repair and rebuilding, will be institutional strengthening and capacity building in our councils followed by that all important question as to how our councils are funded and as to where they will get their financial resources from to discharge their obligation and responsibility to their constituents. What we have heard here, this afternoon, the arguments being advanced, suggest to us, on this side of the House, that there is a marked unconcern for people's plight. I would like to assure the Hon. Members that the Guyanese people will not for any longer, be treated with disrespect. We have heard their cries; we feel their pain and we will discharge our responsibility to allow for them to enjoy their constitutional right to enjoy local democracy.

It is this administration that has the responsibility to ensure that these elections are held. It seems to me that the Opposition is reluctant for the early holding of these elections, but we say unequivocally and unambiguously that the time for those delays must end. We urge unanimous approval and passage of the Bill before us because it will allow for GECOM to proceed with its work plan and to be able to hold these elections at the earliest practicable time.

In this regard, one of the speakers did urge - I believe it might have been the Hon. Member Mr. Hamilton - that here tonight we should name a date. We have always made it clear, in the last Parliament and we continue to do so now that we are in the Government, that we will like to have these elections be held at the earliest practicable time. It would be irresponsible for us to come here tonight and to name a date without being guided by GECOM. I ask that the record show, as my honourable colleague the Attorney General said, that we are not going to dictate and railroad to GECOM, but we are going to engage with GECOM.

Following the passage of this Bill, in a few minutes and in consultation with GECOM, once we are given an assurance as to the earliest date that it can conduct all these 71 elections with a high degree of accuracy and efficiency, then I can assure all of the Members of this honourable House and the nation at large that the date will be named and it will be early as practicable.

With this, I would like to thank my honourable colleagues who have spoken in support of the passage of this Bill. I would also like to say to Members of the Opposition that the nation will

take careful note of the positions that they have advanced here tonight. I end by urging the passage of this Bill.

Thank you very much Mr. Speaker. [*Applause*]

*9.01 p.m.*

*Question put and carried.*

*Bill read a second time.*

*Assembly in Committee.*

*Clause 1 agreed to and ordered to stand part of the Bill.*

## **Clause 2**

**Mr. Ramson:** We have included a minor amendment to clause 2, which is in the very last sentence, which starts with the words “provided that” and concludes after the words “year 2009”. I am sure that the Hon. Member has, preliminarily, and in his prefatory remarks, indicated his tentative support of this amendment so as to avoid any delphic interpretation of the law, and in addition to avoid ambiguity as to whether a voter, who is entering a polling station, will present the latest identification card that that has been issued to that voter. To avoid that, we have put in the words “the latest identification card that has been issued by the Guyana Elections Commission.”

**Mr. Bulkan:** The Hon. Member is correct that the amendments proposed by the Opposition at number one, which refers to clause 2 of the Bill. Clause 2 (2) of their amendments, which seeks to add the words, at the end of that paragraph, “after the year 2009”, which is an insertion, is being agreed to. It is clause 2(2).

**Mr. Ramson:** Actually, if I may offer some assistance, it is bifurcated. There is subsection (1), which is just the meaning of the definition of the word “Commission”. The Hon. Minister in the Bill, I believe it is at clause 9, has used the word “Commission” to replace the word “Minister”. That is in reference to section 20(9). There is no definition in the Principal Act of the meaning of the word “Commission”. That is why subsection (1) has been included, in relation to that clause,

to include a meaning of the word “Commission”. That exact meaning has been extracted from the Representation of the People’s Act taken from article 161 of the Constitution.

**Mr. Bulkan:** That is not correct. The word “Commission” is explained in the principal legislation that it means... I have it here. It state at section 1(2) that ““Commission” means the Elections Commission, established by Article 161 of the Constitution’. It is already there, so it superfluous what is being proposed there, Mr. Chairman. We will agree to clause 2 (2), for the insertion of the words “after the year 2009”. It is not the first one which is superfluous, and which is already there.

**Mr. Chairman:** Would the Hon. Member, for the benefit of all, let us know the present state of clause 2, as amended?

**Mr. Bulkan:** It will allow for the inclusion of the first clause, in the amendments being proposed by the Opposition, which refers to insertion (ii), the entire words that are stated here at subsection (1) (ii). I shall read it, Mr. Chairman. It states:

“The substitution for the “definition of identification card” of the following definition - “identification card” means the document relating to the identity of a person issued under the National Registration Act and includes a replacement identification card so issued.”

This is in our Bill. It goes on:

“Provided that the identification card tender to a presiding officer on the day of the election by an elector shall be the identification card issued to him by the Commissioner of Registration...”

It is also in the Bill before us.

Finally, the insertion or the addition of the words “after the year 2009”, which are the only new words, are all of that comprises part of the amendment.

I am just offering the clarification for what is being stated here and what is already in the Bill.

**Mr. Chairman:** I thank the Hon. Member for his explanation. Hon. Members, clause 2 is amended.

**Mr. Ramson:** Mr. Chairman, sorry to interrupt you but it is out of mere clarification because I would not want to mislead this honourable House. I am looking at the parent Act here, and I am also looking at section 2, which deals with the interpretation. If the Hon. Minister has said that there is a definition for the word “Commission”, then it is if he can guide me to that definition, I would be grateful.

**Mr. Williams:** Mr. Chairman, if I can refer to my learned friend to the mother Act at page 13, it comes after the definition of Clerk of the Local Authority. It states ““Commission” means the Elections Commission established by Article 161 of the Constitution.’ This would have been amended. I do not know if the Member has an updated Act. That is why he probably not seeing it there.

**Mr. Chairman:** Hon. Minister, could you confirm the present state of clause 2?

**Mr. Bulkan:** Clause 2 (c) has the substitution for the definition of identification card of “a new definition.” I have just read the amendment being proposed by the Opposition, in addition to what is proposed in the Bill before us, that the words “after the year 2009” must be added to the ending after the words “Commissioner of Registration”. What we have now is the addition of the words “after the year 2009”, at the end of Clause 2 (c ) as proposed by Hon. Member Ramson.

**Mr. Chairman:** I thank the Hon. Minister. Hon. Mr. Ramson, have you heard the Minister’s explanation?

**Mr. Ramson:** I have.

**Mr. Chairman:** Does that meet the concern you had and the amendment you have provided?

**Mr. Ramson:** That is correct, Sir.

**Mr. Chairman:** It meets your concern.

**Mr. Ramson:** Yes Sir.

**Mr. Chairman:** Thank you.

*Amendment put and agreed to.*

*Clause 2, as amended, agreed to and ordered to stand part of the Bill.*

*Clauses 3 and 4 agreed to and ordered to stand part of the Bill.*

### **Clause 5**

**Mr. Chairman:** Clause 5 has a subject of amendment.

**Mr. Ramson:** Section 11 (1) of the Principal Act is amended by the insertion of the following subsection as subsection (1A):

“That not later than three months before but no later than six months before the conduct of any local authority election the Guyana Elections Commission shall remove from the National Register of Registrants all persons who are deceased.”

Are we dealing with each one in turn or are going to take them consecutively?

**Hon. Members:** It is one at a time.

**Mr. Ramson:** That is section 11(1A) as proposed.

**Mr. Bulkan:** We do not agree to that proposed amendment.

**Mr. Chairman:** Hon. Members, the amendment, clause 5, section 11(1) of the Principal Act, is before the House...

*9.16 p.m.*

### **Clause 5**

**Mr. Chairman:** ...one of the Principal Act is before the House. The amendment must be seconded. Do I have a seconder?

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Williams:** On a point of clarification. What the Hon. Member Ramson has proposed, the amendment is described as clauses 11(1)(A) and 11(1)(B). The existing clause 11(1) is our amendment. We are in agreement with clause 11(1), but are not in agreement with clauses 11(1)(A) nor 11(1)(B), those are his proposed amendments.

**Mr. Chairman:** Hon. Member, I will ask Hon. Minister Bulkan to clarify.

**Minister of Communities [Mr. Bulkan]:** Is the vote being requested? Are we voting on the Bill or the amendments proposed by the Opposition?

**Mr. Chairman:** We are voting on the amendment proposed by the Opposition.

**Mr. Bulkan:** Mr. Chairman, I have already said that we do not agree with that.

**Mr. Chairman:** I must ascertain the reaction to the amendment made by the Hon. Member, Mr. Ramson.

*Amendment put and negatived.*

*Clause 5, as printed, agreed to and ordered to stand part of the Bill.*

**Mr. Chairman:** Hon. Ramson, do you have an amendment to clause 6?

**Mr. Ramson:** I think we have missed clause 11(1)(B). That would be just above an amendment to clause 6. The Hon. Minister disagreed with the inclusion of sub-clauses 1(A) and 1(B).

**Mr. Chairman:** I think we should all agree that we are working from the same page. The document which I am looking at, after the amendment which was just lost, “shall be removed from the National Register of Registrants, all persons who are deceased”

It follows below that:

“Section 11(1) of the Principal Act is amended by the insertion of the following subsection 1(B)-”.

Is that what you are referring to?

**Mr. Ramson:** That is correct.

**Mr. Chairman:** Hon. Members, there is another amendment which ought to have been put before the voting on the main amendment.

Hon. Members, we have before us, three portions in relation to clause 5. As you well know, we have already voted on the amendments proposed by the Hon. Minister. If it is your wish, I am

prepared for us to go back and examine that part of the clause 5 amendment, proposed by the Hon. Mr. Ramson. I am prepared to go back and give everyone an opportunity to scrutinise and vote on that other clause and then we will return to the amendments proposed by the Hon. Minister. If I see no one objecting, that is how we will proceed.

I will therefore invite the Hon. Mr. Ramson to tell this Committee about the other amendments he has proposed.

**Mr. Ramson:** Section 11(1) of the Principal Act is amended by the insertion of the following sub-section as sub-section 1(B):

“That not later than three months before but no earlier than six months before the conduct of any local authority election, the Guyana Elections Commission shall verify that the Registrants appearing on the National Register of Registrants are residing at their registered address; and upon information obtained by verification that a registrant is not residing at the registered address the Guyana Elections Commission shall amend, modify, alter and/or revise the National Register of Registrants to accurately reflect a registrant’s address of residence as at three months prior to the elections.”

**Mr. Chairman:** Hon. Minister, this amendment is being proposed.

**Mr. Bulkan:** Mr. Chairman, consistent with the vote that was taken a short while ago, where we are maintaining no alterations to clause 5 of the Bill, it means, therefore, that we would not consider the amendment that is being proposed.

**Mr. Chairman:** Hon. Members, we have an amendment proposed. We must consider it.

I will now recommit clause 5 to the House.

*Amendment put and negatived.*

*Clause 5, as printed, agreed to and ordered to stand part of the Bill.*

## **Clause 6**

**Mr. Chairman:** Hon. Member, Mr. Ramson.



**Mr. Ramson:** A minor amendment – at no. 1 there is a correction, that it is, section 12(2) and not section 12(3) of the Principal Act as stated in the Bill and that the Principal Act is amended by the insertion immediately after the words “deaths” by the following words “and post such copies in every Electoral Division and sub-division”. I have only added in the words “and sub-division” to that amendment that is proposed by the Hon. Minister.

**Mr. Chairman:** There are two double amendments proposed here at clause 6. One is in fact a correction - section 12(2) rather than the reference of 12(3). That is what is put before us. Is that accepted by the Minister that there is an error?

**Mr. Bulkan:** No, Mr. Speaker. I am advised that what is presented here as an error is not so. If we look at the Principal legislation, at section 12(2) it is deleted. I am advised that the numbering system does not change. So when the Bill, as printed, refers to section 12(3), that is correct and it is not section 12(2), as is being proposed by the Hon. Member. Perhaps, again, it could have been the 2.00 a.m. phenomenon.

As regards the substantive amendment being proposed, that is not supported by this side of the House.

**Mr. Chairman:** I thank the Hon. Member. Hon. Members, as regards the amendments to clause 6, proposed by the Hon. Member, Mr. Ramson, I am to have this seconded.

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Chairman:** Thank you.

*Amendment put and negatived.*

*Clause 6, as printed, agreed to and ordered to stand part of the Bill.*

### **Clauses 7, 8, 9 and 10**

*Clauses 7, 8, 9, and 10, as printed, agreed to and ordered to stand part of the Bill.*

*9.31 p.m.*

### **Clause 11**

**Mr. Ramson:** Section 41 (1) of the Principal Act is amended by the substitution for the words “21<sup>st</sup>” for the words “40<sup>th</sup>”.

**Mr. Chairman:** Is there a seconder?

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** Mr. Chairman, the proposed amendment is not supported.

*Amendment put and negatived.*

*Clause 11, as printed, agreed to and ordered to stand part of the Bill.*

## **Clause 12**

**Mr. Ramson:** Section 46 of the Principal Act is amended as follows:

(a) in subsection (1) by the substitution of the words “21<sup>st</sup>” by the word “39<sup>th</sup>”;

(b) in subsection (2) the substitution of the words “21<sup>st</sup>” for the words “38<sup>th</sup>”.

**Mr. Chairman:** Is there a seconder?

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** Mr. Chairman, may I humbly suggest to you that, given the none acceptance of clause 11, as proposed by the Members of the Opposition, that clauses 12, 13, 15,16,17, and 18 are all consequential and contingent to acceptance of clause 11 as proposed, which has not been the case. I am not sure if it is the intention of the Hon. Member Mr. Ramson to put these clauses individually which I have just referred to; because they all relate to clause 11, which has not been supported by the Government. Consequently, those remaining clauses that I have named will suffer the same faith.

**Mr. Ramson:** I think that we are going to proceed and deal with them individually.

**Mr. Chairman:** I cannot hear you.

**Mr. Ramson:** I, on this side on the House, intend to deal with each clause individually.

**Mr. Ramson:** We just did clause 12 so it is clause 13.

**Mr. Chairman:** Thank you and let us proceed.

**Mr. Ramson:** Section 47 of the Principal Act is ...

**Mr. Williams:** On a point of order. We have not voted on clause 12, because you asked my Hon. Friend the Minister of Communities who suggested that, we would not only not support clause, but the other related clauses up to clause 18. It has not been put yet to the House. In fact, it should be clauses 46 (1)(a) and then 46 (1)(b).

**Mr. Chairman:** Clause 12, which was proposed by the Hon. Member Ramson, the Hon. Minister had indicated his view of matter, but still falls to Mr. Ramson and the House to pass on the amendments which are proposed. We proceed with the amendment for clause 12. Could you present it to us please?

**Mr. Ramson:** Sir, I read clause 12 a moment ago. I believe that the Hon. Minister of Legal Affairs is correct in saying that a vote has to be taken in relation to that.

**Mr. Chairman:** Hon. Member, if I ask you to read again then what you do is read it again.

**Mr. Ramson:** Section 46 of the Principal Act is amended as follows:

(a) in subsection (1) by the substitution of the words “21<sup>st</sup>” for the word “39<sup>th</sup>”.

**Mr. Chairman:** Clause 12 is in two parts (a) and (b).

**Mr. Ramson:** Section 46 of the Principal Act is amended as follows:

(a) in subsection (1) by the substitution of the words “21<sup>st</sup>” for the word “38<sup>th</sup>”.

**Mr. Chairman:** If Hon. Members agree, we will take both (a) and (b) of clause 12 together and vote on them both at the same time. Do we have a seconder?

*Amendment seconded by Mrs. Chandarpal.*

*Amendment put and negatived.*

*Clause 12, as printed, agreed to and ordered to stand part of the Bill.*

### **Clause 13**

**Mr. Ramson:** Section 47 of the Principal Act is amended by the substitution of the words “20<sup>th</sup>” for the words “37<sup>th</sup>”.

**Mr. Chairman:** Is there a seconder?

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** We have nothing to say. We will take the vote.

**Mr. Chairman:** Does that mean that you agree with the proposal?

**Mr. Bulkan:** We do not agree with it.

**Mr. Chairman:** We would take the vote on the amendment.

*Amendment put and negatived.*

*Clause 13, as printed, agreed to and ordered to stand part of the Bill.*

### **Clause 14**

**Mr. Chairman:** There is no amendment to clause 14.

*Clause 14 as printed, agreed to and ordered to stand part of the Bill.*

### **Clause 15**

**Mr. Ramson:** Section 49 of the Principal Act is amended as follows:

- (a) In subsection (1) of the substitution of the word “20<sup>th</sup>” for the words “36<sup>th</sup>”;
- (b) In subsection (3) the substitution for the word “20<sup>th</sup>” for the words “36<sup>th</sup>”.

**Mr. Chairman:** Is there a seconder?

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** That amendment is not supported.

*Amendment put and negatived.*

*Clause 15, as printed, agreed to and ordered to stand part of the Bill.*

### **Clause 16**

**Mr. Ramson:** Section 51 of the Principal Act is amended by the substitution for the words “20<sup>th</sup>” for the words “35<sup>th</sup>”.

**Mr. Chairman:** Is there a seconder?

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** That amendment is not supported.

*Amendment put and negatived.*

*Clause 16, as printed, agreed to and ordered to stand part of the Bill.*

### **Clause 17**

**Mr. Ramson:** Section 51 of the Principal Act is amended by the substitution for the words “18<sup>th</sup>” for the words “34<sup>th</sup>”.

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** The amendment is not supported.

*Amendment put and negatived.*

*Clause 17, as printed, agreed to and ordered to stand part of the Bill.*

*9.46 p.m.*

### **Clause 18**

**Mr. Ramson:** Section 53(1) of the Principal Act is amended by the substitution for words “19<sup>th</sup>” for the words “38<sup>th</sup>”.

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Chairman:** Is there a comment Hon. Minister.

**Mr. Bulkan:** Yes, it is not supported.

*Amendment put and negatived.*

*Clause 18, as printed, agreed to and ordered to stand part of the Bill.*

#### **Clause 19**

**Mr. Chairman:** There is no amendment to clause 19 and with your agreement I would treated it in the same way as I had treated the other clauses that did not have amendments.

*Clause 19, as printed, agreed to and ordered to stand part of the Bill.*

#### **Clause 20**

**Mr. Ramson:** Section 62(3) (b) of the Principal Act is amended by the substitution of the word “three” for the word “one”.

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** I rise to signal our none-approval of the amendment.

*Amendment put and negatived.*

*Clause 20, as printed, agreed to and ordered to stand part of the Bill.*

#### **Clauses 21, 22, 23 and 24**

**Mr. Chairman:** Hon. Members, clauses 21, 22, 23 and 24 experienced no amendments. I should therefore proceed to put them, *seriatim*.

*Clauses 21, 22, 23 and 24, as printed, agreed to and ordered to stand part of the Bill.*

#### **Clause 25**

**Mr. Chairman:** Is there is an amendment to clause 25?

**Mr. Ramson:** Section 95 of the Principal Act is amended as follow:

(i) by the substitution for the words “presiding officer”, wherever they appear, for the words “returning officer”, and for the word “completed” of the word “conducted”

(ii) The deletion of

“but the presiding officer may refuse such request if in his opinion it is unreasonable.”

(iii) AND the insertion of

“the returning officer shall conduct forthwith a recount or a recount again upon request once the request is made to the returning officer or the Chief Elections Officer or the Deputy Chief Elections Officer within forty eight hours of the results of the subdivision being declared”

**Mr. Chairman:** Is there a seconder?

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** Not supported.

**Mr. Chairman:** Just to be clear, you are not supporting any three of the amendments, is that correct?

**Mr. Bulkan:** Mr. Chairman that is correct.

*Amendment put and negatived.*

*Clause 25, as printed, agreed to and ordered to stand part of the Bill.*

## **Clause 26**

**Mr. Chairman:** There is an amendment to clause 26.

**Mr. Ramson:** Section 101 of the Principal Act is amended by the insertion immediately after the word “practicable” of the words ‘but not later than five days’.

*Amendment seconded by Mrs. Chandarpal.*

**Mr. Bulkan:** This proposal is supported.

*Amendment put and agreed to.*

*Clause 26, as amended, agreed to and ordered to stand part of the Bill.*

*Assembly resumed.*

*Question put and agreed to.*

*Bill reported with amendments, read a third time and passed as amended.*

## **ADJOURNMENT**

**Mr. Speaker:** Hon. Members, it seems that we have worked ourselves out of work and have nothing more to do. I am a little disappointed, I thought that we were going to have an evening session but this is the time to conclude our business for today.

**Prime Minister and First Vice-President [Mr. Nagamootoo]:** I moved that this House be adjourned until the 15<sup>th</sup> October, 2015.

**Mr. Speaker:** The House stands adjourned until the 15<sup>th</sup> October, 2015.

*Adjourned accordingly at 10.01 p.m.*