

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 112<sup>TH</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST**  
**SESSION (2015-2019) OF THE ELEVENTH PARLIAMENT OF GUYANA HELD**  
**AT 2.00 P.M.**  
**ON THURSDAY, 3<sup>RD</sup> JANUARY 2019,**  
**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,**  
**BRICKDAM, GEORGETOWN.**  
**MEMBERS OF THE NATIONAL ASSEMBLY (69)**

**Speaker (1)**

\*Hon Dr. Barton U.A. Scotland, O.R., C.C.H., M.P., Speaker of the National Assembly

**MEMBERS OF THE GOVERNMENT (36)**

(i) **A Partnership For National Unity/Alliance For Change (36)**

**First Vice-President and Prime Minister (1)**

+ Hon. Moses V. Nagamootoo, J.P., M.P., First Vice-President and Prime Minister

**Other Vice-Presidents (3)**

+ Hon. Carl B. Greenidge, M.P., Vice-President and Minister of Foreign Affairs

+Hon. Khemraj Ramjattan, M.P., Vice-President and Minister of Public Security

+\*Hon. Sydney Allicock, M.S., M.P., Vice-President and Minister of Indigenous Peoples' Affairs

**Attorney General and Minister of Legal Affairs (1)**

+ Hon. Basil Williams, S.C., M.P., Attorney General and Minister of Legal Affairs

**Senior Ministers (15)**

+ Hon. Anna Ally, M.P., Minister of Social Protection and Government Chief Whip

+ Hon. Lt. Col. (Ret'd) Joseph F. Harmon, M.S.M., M.P., Minister of State

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+ Cabinet Member

\*Non-Elected Member

2.

- + Hon. Dr. Rupert Roopnaraine, M.P., Minister of the Public Service
- + Hon. Ronald A. Bulkan, M.P., Minister of Communities
- + Hon. Dr. George A. Norton, M.P., Minister of Social Cohesion with responsibility for Culture, Youth and Sport
- + Hon. Winston D. Jordan, M.P., Minister of Finance
- + Hon. Raphael G.C. Trotman, M.P., Minister of Natural Resources
- + Hon. Volda A. Lawrence, M.P. (Region No. 4 – Demerara/Mahaica), Minister of Public Health
- + Hon. David A. Patterson, M.P., Minister of Public Infrastructure
- + Hon. Catherine A. Hughes, M.P. (Region No. 4 – Demerara/Mahaica), Minister of Public Telecommunications
- +\*Hon. Winston G. Felix, D.S.M., M.P., Minister of Citizenship
- + Hon. Hans Dominic Gaskin, M.P., Minister of Business
- +Hon. Noel L. Holder, M.P., Minister of Agriculture
- +Hon. Dawn Hastings-Williams, M.P. (Region No. 7 – Cuyuni/Mazaruni), Minister of Public Affairs
- +Hon. Dr. Nicolette O. Henry, M.P., Minister of Education

**Ministers (7)**

\*Hon. Keith Scott, M.P., Minister within the Ministry of Social Protection

Hon. Annette N. Ferguson, M.P., Minister within the Ministry of Public Infrastructure

Hon. Valerie Garrido-Lowe, M.P., Minister within the Ministry of Indigenous Peoples' Affairs

Hon. Jaipaul Sharma, M.P. (Region No. 4 – Demerara/Mahaica), Minister within the Ministry of Finance

/...3

+ Cabinet Member

\*Non-Elected Member

3.

Hon. Dr. Karen Cummings, M.P. (Region No. 4 – Demerara/Mahaica), Minister within the Ministry of Public Health

Hon. Simona Charles-Broomes, M.P., Minister within the Ministry of Natural Resources

Hon. Valarie Patterson-Yearwood, M.P. (Region No. 10 – Upper Demerara/Upper Berbice), Minister within the Ministry of Communities

**Other Members (9)**

Ms. Jennifer J. Wade, M.P. (Region No. 5 – Mahaica/Berbice)

Ms. Rajcoomarie Bancroft, M.P. (Region No. 8 –Potaro/Siparuni)

Mr. John Adams, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Mr. Richard Allen, M.P. (Region No. 1 – Barima/Waini)

Mr. Michael Carrington, M.P.

Mr. Jermaine Figueira, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Mr. Haimraj Rajkumar, M.P. (Region No. 2 – Pomeroon/Supenaam)

Mr. Audwin Rutherford, M.P.

Ms. Barbara P. Pilgrim, M.P. (Region No. 6 – East Berbice/Corentyne)

**MEMBERS OF THE OPPOSITION (32)**

**(i) People’s Progressive Party (32)**

Mr. Bharrat Jagdeo, M.P., Leader of the Opposition (Absent – on leave)

Mr. Clement J. Rohee, M.P. (Absent – on leave)

Ms. Gail Teixeira, M.P., Opposition Chief Whip (Absent – on leave)

Mr. Mohamed Irfaan Ali, M.P. (Region No. 3 – Essequibo Islands/West Demerara) (Absent – on leave)

Mr. Mohabir A. Nandlall, M.P. (Region No. 4 – Demerara/Mahaica) (Absent – on leave)

4.

Ms. Priya D. Manickchand, M.P. (Region No. 5 – Mahaica/Berbice) (Absent – on leave)

Dr. Frank C.S. Anthony, M.P. (Absent – on leave)

Ms. Pauline Campbell-Sukhai, M.P. (Absent – on leave)

Mr. Odinga Lumumba, M.P. (Absent – on leave)

Bishop Juan A. Edghill, M.S., J.P., M.P. (Absent – on leave)

Mr. Dharamkumar Seeraj, M.P. (Absent – on leave)

Dr. Vindhya V. Persaud, M.S., M.P. (Absent – on leave)

Ms. Indranie Chandarpal, M.P. (Absent – on leave)

Mr. Joseph L.F. Hamilton, M.P. (Absent – on leave)

Mr. Collin D. Croal, M.P. (Region No. 1 – Barima/Waini) (Absent – on leave)

Ms. Gillian R. Burton-Persaud, M.P. (Region No. 4 – Demerara/Mahaica) (Absent – on leave)

Dr. Bheri S. Ramsaran, M.P. (Absent – on leave)

Dr. Jennifer Westford, M.P. (Region No. 7 – Cuyuni/Mazaruni) (Absent – on leave)

Ms. Africo Selman, M.P. (Absent – on leave)

Mr. Zulfikar Mustapha, M.P. (Region No. 6 – East Berbice/Corentyne) (Absent – on leave)

Mr. Ganga Persaud, M.P. (Absent – on leave)

Ms. Yvonne Pearson- Fredericks, M.P. (Absent – on leave)

Mr. Neendkumar, J.P., M.P. (Region No. 4 – Demerara/Mahaica) (Absent – on leave)

Mr. Komal Chand, C.C.H., J.P., M.P. (Region No.3 – Essequibo Islands/West Demerara) (Absent – on leave)

Dr. Vishwa D.B. Mahadeo, M.P. (Region No. 6 – East Berbice/Corentyne) (Absent – on leave)

/...5

5.

Mr. Cornel Damon, M.P. (Region No. 2 – Pomeroon/Supenaam) (Absent – on leave)

Mr. Alister S. Charlie, M.P. (Region No. 9 – Upper Takutu/Upper Essequibo) (Absent – on leave)

Mr. Nigel D. Dharamlall, M.P. (Absent – on leave)

Mr. Adrian V. Anamayah, M.P. (Absent – on leave)

Mr. Harry Gill, M.P. (Absent – on leave)

Ms. Bhagmattie Veerasammy, M.P. (Absent – on leave)

Mr. Vickram O. Bharrat, M.P. (Absent – on leave)

### **Officers (2)**

Mr. Sherlock E. Isaacs, A.A., Clerk of the National Assembly

Ms. Hermina Gilgeours, Deputy Clerk of the National Assembly

### **COMMENCEMENT OF SITTING**

The Sitting commenced at 2.23 p.m.

### **PRAYERS**

The Clerk read Prayers.

### **OATH OF A NEW MEMBER-**

#### **Ms. Barbara Patricia Pilgrim**

“Honourable Members following the recall of Mr. Charrandass Persaud, and my call upon the Representative of the List of A Partnership For National Unity/Alliance For Change List of Candidates, I have been informed that the name of Ms. Barbara Patricia Pilgrim was extracted from the list and that Ms. Barbara Patricia Pilgrim was on 3<sup>rd</sup> January, 2019, declared by the Elections Commission Secretariat to be an elected Member of the National Assembly.

6.

Before Ms. Pilgrim can take part in the proceedings of the Assembly, she will have to make and subscribe the Oath of Office before the Assembly as required by article 167 of the Constitution.”

As Ms. Pilgrim was present, the oath was administered to her by the Clerk.

### **ANNOUNCEMENTS BY THE SPEAKER**

The Speaker made the following announcements:

**(1) Welcome to New Member**

The Speaker, on behalf of the Assembly and himself, welcomed Ms. Barbara Patricia Pilgrim to the Assembly and extended best wishes to her for a long and successful stay.

**(2) Leave**

Honourable Members leave has been granted to all Honourable Members of the Opposition for today’s Sitting.

**(3) Death of Mr. Heeralall Mohan**

“Honourable Members, I was informed of the death of Mr. Heeralall Mohan, a former Member of Parliament, who died on the 1<sup>st</sup> November, 2018, at his residence at Lima, Essequibo Coast, after a prolonged illness. He was 69 years old, having been born on the 4<sup>th</sup> May, 1949.

Mr. Mohan came from the People’s Progressive Party/Civic. Following the General and Regional Elections which were held on the 15<sup>th</sup> December, 1997, Mr. Mohan first became an ordinary Member of the National Assembly on the 16<sup>th</sup> February, 1998 when the Seventh Parliament commenced on the 26<sup>th</sup> February, 1998. Mr. Mohan continued working in the Seventh Parliament until the Parliament was dissolved on the 15<sup>th</sup> February, 2001.

7.

General and Elections were again held on Monday, 19<sup>th</sup> March, 2001. The Eighth Parliament commenced when the National Assembly first met on the 4<sup>th</sup> May, 2001. Mr. Mohan was again elected to be an ordinary Member of the National Assembly of the Eighth Parliament on the 12<sup>th</sup> April, 2001 and continued working until the Parliament was dissolved on the 2<sup>nd</sup> May, 2006.

Mr. Mohan ceased to be a Member of Parliament on the 2<sup>nd</sup> May, 2006.”

**(4) Death of Mr. Jairam Ronald Gajraj**

“Honourable Members, you are all aware of the death of Mr. Jairam Ronald Gajraj, former Member of Parliament, who died on the 15<sup>th</sup> December, 2018, at a Private Hospital after a very brief illness. He was 65 years old, having been born on the 26<sup>th</sup> March, 1953. Mr. Gajraj came from the People’s Progressive Party/Civic.

Following the General and Regional Elections which were held on Monday, 15<sup>th</sup> December, 1997, the Seventh Parliament commenced when the National Assembly first met on the 26<sup>th</sup> February, 1998. During the latter part of the Seventh Parliament in 1999, and by an Instrument dated 8<sup>th</sup> January, 1999, the President appointed Mr. Jairam Ronald Gajraj to be a Minister of the Government and designated him – Minister of Home Affairs with effect from 8<sup>th</sup> January, 1999. He made and subscribed the Oath of Office before the Assembly at its Sitting on 11<sup>th</sup> January, 1999. He continued working until the Parliament was dissolved on the 15<sup>th</sup> February, 2001. General Elections were again held on Monday, 19<sup>th</sup> March, 2001.

The Eighth Parliament commenced when the National Assembly first met on the 4<sup>th</sup> May, 2001. In the Eighth Parliament, and on the 12<sup>th</sup> April, 2001, Mr. Gajraj was again elected to be Minister of Home Affairs. He continued working and on the 30<sup>th</sup> September, 2005, resigned as Minister of Home Affairs.”

8.

**A Minute's Silence**

A minute's silence was observed as a mark of respect for the late Mr. Heeralall Mohan and Mr. Jairam Ronald Gajraj.

**(5) Ruling by the Speaker on the No-Confidence Motion**

“Honourable Members, this is our first meeting for this new year 2019. I welcome you all back. I hope that you have come back feeling refreshed and I trust that you are fully prepared to treat with all issues which will confront us during this year. I repeat my call to you all Honourable Members to make every effort to be respectful in expressing your differences with one another and to hold in high regard, the dignity and decorum of this House

Honourable Members you will recall that at the 111th Sitting of the National Assembly on 21st December, 2018 a Motion of No-confidence was moved in the House on behalf of the Opposition. After a number of hours of debate, the Motion was put and carried by a majority of one vote. The Motion was carried by a vote of 33 in favour and 32 against. One member of the Government side, at that time Honourable Charrandass Persaud withheld his support from the governing Coalition on the list of which he was a member and instead, voted with the Opposition.

After the Speaker had declared the Motion carried, he announced to the House that at the next sitting of the National Assembly which was scheduled for today, 3<sup>rd</sup> January, 2019, the House will meet to consider the consequences of the vote.

In saying that, it is to Article 106(7) of the Constitution that I had turned my attention after the Declaration of the vote. For ease of reference I set out here Honourable Members, that provision.



It reads as follows:

"notwithstanding its defeat, the Government shall remain in office and they shall hold an election within three months, or such longer period as the National Assembly shall by resolution supported by not less than two-thirds of the votes of all the elected members of the National Assembly determine and shall resign after the President takes the oath of office following the election."

The provisions of the Constitution envisage discussions between the Government and the Opposition to find the most propitious manner in which effect can be given to the provisions of the Constitution. It is Honourable Members about such discussion that I, had hoped to speak to you today. No such discussion I am informed, has taken place as yet. On the 21st December, 2018, the Leaders of both sides of the House spoke of respect for one another and of the opportunity which the result of the vote offers both sides. It is my hope that talks will commence soon. Honourable Members during the last week, I have received from diverse sources, information, both solicited and unsolicited, supported by Case law and Practice emanating from other jurisdictions which has raised doubts as to whether the No-confidence Motion was carried, and properly so, by the margin of vote.

The information which I have received raises two issues. The first of these issues included a claim supported by several cases that the requirement for the successful passing of a No-confidence Motion is a majority of the elected members of the National Assembly. That majority, it is contended, was to be formed by a mathematical half of the elected membership of the National Assembly which is 65 plus the vote of one other member. Such a formula would require a majority of 34 votes instead of 33 by which the No-confidence motion was declared carried. In furthering this argument, they contend that

Article 168 of the Constitution which provides that "...all questions proposed for decision in the National Assembly shall be determined by a majority of the votes of the members present and voting" is different from and does not include provisions relevant to a No-confidence motion since that is separately provided for in Article 106(6) of the Constitution.

The second issue and one of equally major importance for the National Assembly and its procedures concern the conduct of then Honourable Member Mr. Charrandass Persaud and the effect of that conduct on the vote in the No-confidence motion. It is contended that he was not a qualified elected member of the National Assembly and so entitled to vote in that he is a citizen of a foreign country and has taken active steps to so exercise that status.

It is further contended that he being an elected member of the National Assembly through a list could not abandon that list and support another and still retain the status of an elected member.

These matters require urgent attention since the Motion of 21st December, 2018 was passed by a vote of 33 to 32 and the now former member of Parliament took part in the vote for the majority.

That certain and finite answers to these questions are necessary goes without saying and it should be a concern of all Members that such answers are obtained.

On both issues The Honourable Attorney General who wrote to me and those who otherwise contacted me all invited me to revisit my Ruling of the 21st December, 2018 and to reverse it.

11.

It is perhaps useful Honourable Members to let you know that the authority with which the Speaker is clothed enables him to revisit any Ruling which he has rendered and if in doing so he forms the opinion that the Ruling should not stand, he may reverse his Ruling. The only limitation on the action of the Speaker in this regard is the requirement that the Speaker must at all times act in full obedience to the Constitution which is the Supreme Law of Guyana. It is the Constitutionality of action which must at all times guide and direct the Speaker.

The Speaker's very wide authority to reverse his Ruling is not however one which he holds himself able to exercise without strong and compelling grounds, simply choosing one position in place of an earlier one. It has been my preference and practice to endeavour to find resolution of any issue which may affect the procedures and practice of Parliament without third party intervention. I must tell you Honourable Members that the issues which we now face cause us to look outside of Parliament to find answers.

The issues as put and as understood by the Speaker in the first instance involve a choice between the divergent interpretations of the provision of the Constitution that is applicable to a No-confidence Motion.

In the second instance, the issue is one which concerns the conduct of the former Member of Parliament Mr. Charrandass Persaud and the effect of that conduct on the outcome of the vote on the 21st of December, 2018.

The issues over which many have expressed concern require final determination which will place the interpretation and import of the particular provisions of the Constitution beyond doubt.

I find it instructive that much of the information provided, relate to cases which saw the Courts of other jurisdictions giving guidance to both the Speaker and those National Assemblies concerning the constitutionality of conduct on particular issues.

Where, as in these instances before us, there are different even competing views of certain provisions of the Constitution as well as certain inter-related provisions of the Constitution all of which fall to be examined, the Speaker on this occasion and without more, declines the invitation to act in Reversal.

Full, final and complete settlement of these issues by a Court of competent jurisdiction will place beyond doubt any question which may exist and serve to give guidance to the Speaker and to the National Assembly for the future.

Honourable Members, in treating with this matter I have made every effort to present it to you as fully as I did, in the hope that it will assist in your understanding of the matter and enable our fellow citizens to understand the issues.”

### **PRESENTATION OF PAPERS AND REPORTS-**

By the Minister of State:

Audited Financial Statements of the Protected Areas Commission for the year ended 31<sup>st</sup> December, 2013.

(Circulated)

### **STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS-**

#### **(1) Aggressive Actions taken against Guyana by the Bolivarian Republic of Venezuela**

The Vice-President and Minister of Foreign Affairs made a statement with respect to the aggressive actions taken against Guyana by the Bolivarian Republic of Venezuela, the developments which followed, and the action taken by the Government of Guyana.

**PUBLIC BUSINESS**

(ii) **GOVERNMENT BUSINESS**

**BILLS – Second Readings**

**ITEM 1 - MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) (NO. 2)**  
**BILL 2018 – Bill No. 16/2018 published on 2018-12-07**

The Vice-President and Minister of Public Security moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Motor Vehicles and Road Traffic Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 and 2** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Public Security, the Motor Vehicles and Road Traffic (Amendment) (No.2) Bill 2018 was read a third time and passed as printed.

**ITEM 2 - PROPERTY TAX (AMENDMENT) BILL 2018 – Bill No. 17/2018 published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

14.

A BILL intituled AN ACT to amend the Property Tax Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 3** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Finance, the Property Tax (Amendment) Bill 2018 was read a third time and passed as printed.

**ITEM 3 - CAPITAL GAINS TAX (AMENDMENT) BILL 2018 – Bill No. 18/2018**  
**published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Capital Gains Tax Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 3** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Finance, the Capital Gains Tax (Amendment) Bill 2018 was read a third time and passed as printed.

**ITEM 4 - TAX (AMENDMENT) (NO. 2) BILL 2018 – Bill No. 19/2018 published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Tax Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clause 1** was passed as printed.

**Clause 2** was passed as printed.

**Clause 3** was passed as printed.

**Clause 4** was passed as printed.

**Clause 5** was passed as printed.

**Clause 6** was passed as printed.

**Clause 7** was passed as printed.

**Clause 8** was passed as printed.

**Clause 9** was passed as printed.

Clause 10 was passed as printed.

Clause 11 was passed as printed.

Clause 12 was passed as printed.

Clause 13 was passed as printed.

Clause 14 was passed as printed.

Clause 15 was passed as printed.

**Assembly resumed**

On a motion by the Minister of Finance, Tax (Amendment) (No.2) Bill 2018 was read a third time and passed as printed.

**ITEM 5 - INTOXICATING LIQUOR LICENSING (AMENDMENT) BILL 2018 -Bill No. 20/2018 published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Intoxicating Liquor Licensing Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 3** were passed as printed.



**Assembly resumed**

On a motion by the Minister of Finance, the Intoxicating Liquor Licensing (Amendment) Bill 2018 was read a third time and passed as printed.

**ITEM 6 - CUSTOMS (AMENDMENT) BILL 2018 – Bill No. 21/2018 published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Customs Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 3** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Finance, the Customs (Amendment) Bill 2018 was read a third time and passed as printed.

**ITEM 7 - VALUE-ADDED TAX (AMENDMENT) (NO. 2) BILL 2018 – Bill No. 22/2018 published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

18.

A BILL intituled AN ACT to amend the Value-Added Tax Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

### **In Committee**

#### **Clause 1**

The Minister of Finance moved the following amendment which was put and carried:

By the insertion immediately after clause 1 of the following new Clause-

"Amendment of  
section 2 of the  
Principal Act.

1A. Section 2 of the Principal Act is amended in the definition of "consideration", in paragraph (b), by the substitution for the words "other than", of the word "including".

**Clause 1** was then passed as amended.

**Clause 2** was passed as printed.

**Clause 3** was passed as printed.

**Clause 4** was passed as printed.

### **Assembly resumed**

On a motion by the Minister of Finance, the Value-Added Tax (Amendment) (No.2) Bill 2018 was read a third time and passed as amended.

**ITEM 8 - INCOME TAX (AMENDMENT) (NO. 2) BILL 2018 – Bill No. 23/2018 published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Income Tax Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 8** were passed as printed.

**Clauses 9 to 18** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Finance, the Income Tax (Amendment) (No. 2) Bill 2018 was read a third time and passed as printed.

**ITEM 9 - INCOME TAX (IN AID OF INDUSTRY) (AMENDMENT) BILL 2018 – Bill No. 24/2018 published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Income Tax (In Aid of Industry) Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 4** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Finance, the Income Tax (In Aid Of Industry) (Amendment) Bill 2018 was read a third time and passed as printed.

**ITEM 10 - CORPORATION TAX (AMENDMENT) BILL 2018 – Bill No. 25/2018**  
**published on 2018-12-07**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Corporation Tax Act.

**(Read a first time on 2018-12-10)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 3** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Finance, the Corporation Tax (Amendment) Bill 2018 was read a third time and passed as printed.

**SUSPENSION OF SITTING**

At 4.55 p.m., the Sitting was suspended for refreshments.

**RESUMPTION OF SITTING**

At 6.10 p.m., the Sitting was resumed.

**MOTIONS**

**ITEM 11 - AFFIRMATION OF THE MOTOR VEHICLES AND ROAD TRAFFIC  
(AMENDMENT OF FIRST SCHEDULE) REGULATIONS 2018 – NO. 6  
OF 2018**

Vice-President and Minister of Public Security moved the following motion:

BE IT RESOLVED:

That this National Assembly, in accordance with Section 98(3) of the Motor Vehicles and Road Traffic Act Chapter 51:02, affirms the Motor Vehicles and Road Traffic (Amendment of First Schedule) Regulations 2018 – No. 6 of 2018 which was made on 7<sup>th</sup> December, 2018, under Section 98(3) of the Motor Vehicles and Road Traffic Act Chapter 51:02 and published in an Extra Ordinary copy of the Official Gazette dated 7<sup>th</sup> December, 2018.

**(Notice Paper No. 178 (M 125 Govt 66) published on 2018-12-10)**

The motion was then put and carried.

**ITEM 12 - AFFIRMATION OF THE VALUE-ADDED TAX (AMENDMENT) REGULATIONS 2018 – NO. 12 OF 2018**

The Minister of Finance moved the following motion:

**BE IT RESOLVED:**

That this National Assembly, in accordance with Section 95 of the Value-Added Tax Act Chapter 81:05, affirms the Value-Added Tax (Amendment) Regulations 2018 – No. 12 of 2018 which was made on 11<sup>th</sup> December, 2018, under Section 95 of the Value-Added Tax Act Chapter 81:05 and published in an Extra Ordinary copy of the Official Gazette dated 11<sup>th</sup> December, 2018.

**(Notice Paper No. 179 (M 126 Govt 67) published on 2018-12-12)**

The motion was then put and carried.

**ITEM 13 - SYMPATHY ON THE DEATH OF MR. ABDUL KADIR, FORMER MEMBER OF PARLIAMENT**

At a request of the Minister within the Ministry of Communities the following motion was deferred:

**BE IT RESOLVED:**

That this National Assembly records its deep regret on the death of Mr. Abdul Kadir, on 28<sup>th</sup> June, 2018, and pays tribute to his dedicated service to the Parliament of Guyana as a Member of Parliament where he served in the Eighth Parliament, from 17<sup>th</sup> April, 2001 to 2<sup>nd</sup> May, 2006, and to the people of Guyana;

**BE IT FURTHER RESOLVED:**

That the National Assembly directs that an expression of its sympathy be conveyed to his sorrowing widow, children and relatives.

**(Notice Paper No. 180 (M 127 Govt 68) published on 2018-12-13)**

**BILLS – Second Readings**

**ITEM 14 - NURSES AND MIDWIVES BILL 2018 – Bill No. 13/2018 published on 2018-10-23**

The Minister of Public Health moved the second reading of following Bill:

A BILL intituled AN ACT to make provision for the registration and regulation of nurses, midwives, nursing assistants and specialist nurses, and for related matters.

**(Read a first time on 2018-10-31)**

The Minister within the Ministry of Public Health spoke to the motion.

Thereafter, the Minister of Public Health replied.

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 and 2** were passed as printed.

**Clauses 3 to 13** were passed as printed.

**Clauses 14 to 34** were passed as printed.

**Clauses 35 to 43** were passed as printed.

**Clauses 44 to 47** were passed as printed.

**Clauses 48 to 53** were passed as printed.

**Assembly resumed**

On a motion by the Minister of Public Health, the Nurses and Midwives Bill 2018 was read a third time and passed as printed.

**ITEM 15 - NATURAL RESOURCE FUND BILL 2018 – Bill No. 14 of 2018 published on 2018-11-15**

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to establish the Natural Resource Fund to manage the natural resource wealth of Guyana for the present and future benefit of the people and for the sustainable development of the country, and for connected matters.

**(Read a first time on 2018-11-19)**

The Bill was then read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Clauses 1 to 27** were passed as printed.

**Clause 28**

The Minister of Finance moved the following amendment which was put and carried:

“Clause 28(2) is amended by the substitution for the word “Parliament” of the words ‘National Assembly’.”

**Clause 28** was then passed as amended.

**Clauses 29 to 55** were passed as printed.

**Schedules 1 and 2** were passed as printed.



**Assembly resumed**

On a motion by the Minister of Finance, the Natural Resource Fund Bill 2018 was read a third time and passed as amended.

(iii) **COMMITTEES BUSINESS-**  
**MOTIONS**

**ITEM 1- ADOPTION OF THE SIXTH REPORT OF THE STANDING COMMITTEE ON APPOINTMENTS TO ADDRESS MATTERS RELATING TO THE APPOINTMENT OF MEMBERS TO THE ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM AUTHORITY**

At a request of the Minister of Social Cohesion (Chairperson of the Committee on Appointments) the following motion was withdrawn:

WHEREAS in keeping with the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Act No.1of 2015, Section 7A (1); “the National Assembly shall”;

*by a simple majority; and*

- a) on the recommendation of the Parliamentary Committee on Appointments, after the Committee has consulted such bodies as the Committee may deem necessary to consult, appoint a body comprising ten members to be known as the Anti-Money Laundering and Countering the Financing of Terrorism Authority”.*

AND WHEREAS the Committee agreed and consulted with the following list of Non-Governmental Organisations (NGOs) to submit nominees for appointment to the Anti-Money Laundering & Countering the Financing of Terrorism Authority (AML&CFT):

**Guyana Private Sector Commission**  
**Guyana Association of Bankers**  
**Institute of Chartered Accountants Guyana**  
**Transparency Institute of Guyana Inc.**  
**Bar Association of Guyana**  
**Insurance Institute of Guyana**  
**Guyana Association of Women Lawyers, and**  
**Guyana Securities Council**

AND WHEREAS the Committee conducted due diligence and sought declaration from the nominees on being a “Politically Exposed Person”;

AND WHEREAS the Committee on Appointments recommends the following persons to be appointed Members to the Anti-Money Laundering & Countering the Financing of Terrorism (AML&CFT) Authority in accordance with the Anti-Money Laundering & Countering the Financing of Terrorism Authority (Amendment) Act 2015:

Guyana Private Sector Commission	-	Mr. Nicholas Deygoo
	-	Captain Gerald Gouveia
Guyana Association of Bankers	-	Mr. Wayne Eucaulton Fordyce
Institute of Chartered Accountants Guyana	-	Mr. Hance Manohar
Transparency Institute of Guyana Incorporated	-	Mr. Thomas Bissessar Singh
	-	Mr. Frederick Collins

27.

Bar Association of Guyana	-	Mr. Mohamed Alli
	-	Mr. Christopher Ram
Insurance Institute of Guyana	-	Ms. Melissa Jessica DeSantos
Guyana Association of Women Lawyers	-	Ms. Sadie Amin

**BE IT RESOLVED:**

That this National Assembly adopts the Sixth Report of the Standing Committee on Appointments to address matters relating to the appointment of Members to the Anti-Money Laundering & Countering the Financing of Terrorism Authority; and

**BE IT FURTHER RESOLVED:**

That this National Assembly signifies to the Clerk of the National Assembly that Mr. Nicholas Deygoo, Captain Gerald R. Gouveia, Mr. Wayne Eucaulton Fordyce, Mr. Hance Manohar, Mr. Frederick Collins, Mr. Thomas Bissessar Singh, Mr. Mohamed Alli, Mr. Christopher Ram, Ms. Melissa Jessica DeSantos; and Ms. Sadie Amin be appointed in accordance with the Anti-Money Laundering and Countering the Financing of Terrorism Act No. 1 of 2015, Section 7A (6).

**(Notice Paper No. 105 (M 81 Committees No.18) published on 2017-07-10)**

**ITEM 2- ADOPTION OF THE SEVENTH REPORT OF THE COMMITTEE ON APPOINTMENTS IN RELATION TO THE APPOINTMENT OF MEMBERS OF THE INDIGENOUS PEOPLES' COMMISSION**

The Minister of Social Cohesion with responsibilities for Culture, Youth and Sport (Chairperson of the Committee on Appointments) moved the following motion:

WHEREAS, Article 212S of the Constitution provides for the establishment of an Indigenous Peoples' Commission;

AND WHEREAS, in accordance with Article 212S (2) (a) (b) (c) of the Constitution, the Indigenous People's Commission shall consist of –

- a) *not more than ten members, nominated by entities, by a consensual mechanism determined by the National Assembly, after the entities are determined by the votes of not less than two-thirds of all elected members of the National Assembly;*
- b) *three persons, at least one being a woman nominated by the Tousehaos Council and two persons including one woman nominated by Amerindian organisations determined by the votes of not less than two-thirds of all elected members of the National Assembly; and*
- c) *a member who shall be a nominee, without the right to vote, chosen by and from each of the following Commissions, the Human Rights Commission, Ethnic Relations Commission, Women and Gender Equality Commission and the Rights of the Child Commission unanimously agreed on the following entities to nominate one person each as members of the Indigenous Peoples' Commission."*

AND WHEREAS, in keeping with article 212 (2) (a) of the Constitution, the Committee on Appointments, having deliberated on the identification of the entities for nomination to the Indigenous Peoples' Commission, unanimously agreed on the following entities to nominate one person each as members of the Indigenous Peoples' Commission:

- (i) Ministry of Indigenous Peoples' Affairs;
- (ii) Ministry of Public Health;

- (iii) Ministry of Social Protection;
- (iv) Private Sector Commission;
- (v) Environmental Protection Agency;
- (vi) Bar Association of Guyana;
- (vii) Guyana Gold and Diamond Miners Association;
- (viii) Forest Products Association;
- (ix) Inter-Religious Organisation; and
- (x) National Agricultural Research and Extension Institute (NAREI)

AND WHEREAS, the Committee also unanimously agreed on the consensual mechanism to guide the process for consultation and nomination of Members to the said Indigenous Peoples' Commission with reference to article 212S(a) of the Constitution herein of the First Schedule;

AND WHEREAS, the Committee invited the National Tousehaos Council and the five (5) Amerindian Organisations namely, the National Amerindian Development Foundation (NADF), the Amerindian Action Movement of Guyana (TAAMOG), the Guyana Organisation of Indigenous Peoples (GOIP), Amerindian Peoples Association, and North Rupununi (NRDDB) to submit their nominees;

AND WHEREAS, the Tousehaos Council on March 17, 2017, submitted three (3) nominees to the Indigenous Peoples' Commission (IPC);

AND WHEREAS, only four (4) Amerindian organisations submitted two (2) nominees through a process of selection.

**BE IT RESOLVED:**

That the National Assembly adopts the 7<sup>th</sup> Report of the Committee on Appointments in relation to the appointment of Members of the Indigenous Peoples' Commission, which recommends the list of entities proposed in the second "*And Whereas*" clause, to be consulted to nominate members of the Indigenous Peoples' Commission in keeping with article 212 S (2) (a) of the Constitution;

**FURTHER RESOLVED:**

That this National Assembly approves the consensual mechanism, outlined in the First Schedule attached.

**(Notice Paper No. 127 (M 98 Committees 24) published on 2018-03-15)**

**FIRST SCHEDULE**

**Consensual Mechanism for the Nomination by Entities for Member of the  
Indigenous Peoples' Commission**

Each entity, immediately on the passage of this motion, shall be written to by the Clerk of the National Assembly inviting it to meet and select their nominee and to send a representative/s on an appointed day/date, time to appear before the Parliamentary Standing Committee to appoint Members of Commissions, at the Parliament Buildings to present the name/s of their nominee/s for Membership on the Indigenous Peoples' Commission.

A deadline shall be set by the Clerk of the National Assembly on the advice for the Standing Committee, by which time it would be formally notified of the names and other requested particulars of the Nominee/s, the process used for the selection of the Nominee/s by the entity, and a statement to the effect that the Nominee/s is/are supported and accepted by that entity.

The Nominee/s chosen to represent the Group must be person/s who are competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges all of its functions. They should have earned public respect and be of unquestionable honesty and integrity.

The process used must be demonstrated to be unbiased and transparent. It is important that the Nominee/s obtain the unquestioned support and acceptance of the Entity.

Where there is recognized “*umbrella organisation*” in the list of entities for that Group, the Clerk shall write to that organisation and copy his letter to each of the “*constituent entities*” within the Group.

It must be noted that the motion was inadvertently put and carried. The motion, in accordance with article 212 5(2) (a) of the Constitution of the Co-operative Republic of Guyana, required the votes of not less than two-thirds of all elected Members of the National Assembly. The motion will therefore remain on the Order Paper to be dealt with in accordance with the Constitution of Guyana.

**ITEM 3 - ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON ITS EXAMINATION OF THE PUBLIC ACCOUNTS OF GUYANA FOR THE YEAR 2015**

At the request of the Minister of Public Health the following motion was deferred:

BE IT RESOLVED:

That the Report of the Public Accounts Committee on its examination of the Public Accounts of Guyana for the year 2015, be adopted and refer the Report to the Government for consideration.

**(Notice Paper No. 161 (M 117 Committees 33) published on 2018-08-10)**

**ITEM 4 - ADOPTION OF THE FOURTH PERIODIC REPORT OF THE PARLIAMENTARY SECTORAL COMMITTEE ON NATURAL RESOURCES**

At the request of the Minister of Communities the following motion was deferred:

BE IT RESOLVED:

That the Fourth Periodic Report of the Parliamentary Sectoral Committee on Natural Resources be adopted.

**(Notice Paper No. 175 (M 122 Committees 34) published on 2018-12-06)**

**ITEM 5 - ADOPTION OF THE FIFTH PERIODIC REPORT OF THE PARLIAMENTARY SECTORAL COMMITTEE ON NATURAL RESOURCES**

At the request of the Minister of Communities the following motion was deferred:

BE IT RESOLVED:

That the Fifth Periodic Report of the Parliamentary Sectoral Committee on Natural Resources be adopted.

**(Notice Paper No. 176 (M 123 Committees 35) published on 2018-12-06)**

**ITEM 6 - ADOPTION OF THE SIXTH PERIODIC REPORT OF THE PARLIAMENTARY SECTORAL COMMITTEE ON NATURAL RESOURCES**

At the request of the Minister of Communities the following motion was deferred:

BE IT RESOLVED:

That the Sixth Periodic Report of the Parliamentary Sectoral Committee on Natural Resources be adopted.

**(Notice Paper No. 177 (M 124 Committees 36) published on 2018-12-06)**



**ADJOURNMENT**

At 7.48 p.m., on a motion by the First Vice-President and Prime Minister, the Assembly was adjourned to a date to be fixed.

.....  
**HON. DR. BARTON U.A. SCOTLAND, O.R., C.C.H., M.P.,**  
**Speaker of the National Assembly**

**PARLIAMENT OFFICE,  
Public Buildings,  
Brickdam,  
Georgetown.**

**3<sup>rd</sup> January, 2019.**

