

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 32<sup>ND</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION**  
**(2006-2007) OF THE NINTH PARLIAMENT OF GUYANA HELD**  
**AT 2.00 P.M.**  
**ON THURSDAY, 1<sup>ST</sup> NOVEMBER, 2007**  
**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM**

**MEMBERS OF THE NATIONAL ASSEMBLY (71)**

**Speaker (1)**

The Hon. Hari N. Ramkarran, S.C., M.P., Speaker of the National Assembly

**MEMBERS OF THE GOVERNMENT (42)**

**(i) People's Progressive Party/Civic (41)**

**(ii) The United Force (1)**

The Hon. Samuel A.A. Hinds, M.P., (Region No. 10 – Upper Demerara/Upper Berbice)

The Hon. Clement J. Rohee, M.P., Minister of Home Affairs

The Hon. Shaik K.Z Baksh, M.P., Minister of Education

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Foreign Trade and International Co-operation

The Hon. Dr. Leslie S. Ramsammy, M.P., (Region No. 6 – East Berbice/Corentyne) Minister of Health

The Hon. Carolyn Rodrigues-Birkett, M.P., (Region No. 9 – Upper Takutu/Upper Essequibo), Minister of Amerindian Affairs

\*The Hon. Dr. Ashni K. Singh, M.P., Minister of Finance

\*The Hon S. Rudolph Insanally, O.R., C.C.H., M.P., Minister of Foreign Affairs (Absent-on leave)

The Hon. Harry Narine Nawbatt, M.P., Minister of Housing and Water

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**\*Non-elected Minister**

2.

The Hon. Robert M. Persaud, M.P., (Region No. 6 – East Berbice/Corentyne),  
Minister of Agriculture (Absent – on leave)

The Hon. Dr. Jennifer R.A. Westford, M.P., (Region No. 7 – Cuyuni/Mazaruni),  
Minister of Public Service

The Hon. Kellawan Lall, M.P., Minister of Local Government and Regional Development

\*The Hon. Doodnauth Singh, S.C., M.P., Attorney General and Minister of Legal Affairs

The Hon. Dr. Frank C.S. Anthony, M.P., Minister of Culture Youth and Sport

The Hon. B. H. Robeson Benn, M.P., Minister of Transport and Hydraulics

\*\*The Hon. Manzoor Nadir, M.P., Minister of Labour

The Hon. Priya D. Manickchand, M.P., (Region No. 5 – Mahaica/Berbice)  
Minister of Human Services and Social Security

The Hon. Dr. Desrey Fox, M.P., Minister in the Ministry of Education

The Hon. Dr. Bheri S. Ramsaran, M.D., M.P., Minister in the Ministry of Health

The Hon. Jennifer I. Webster, M.P., Minister in the Ministry of Finance

The Hon. Manniram Prashad, M.P., Minister of Tourism, Industry and Commerce

Mr. Donald R. Ramotar, M.P.

Ms Gail Teixeira, M.P

Mr. Harripersaud Nokta, M.P.

Mrs. Indranie Chandarpal, M.P.

Ms Bibi S. Shadick, M.P., (Region No. 3 – Essequibo Island/West Demerara)

Mr. Mohamed Irfaan Ali, M.P.

Mr. Albert A. Atkinson, J.P., M.P., (Region No. 8 – Potaro/Siparuni)

**\*Non-Elected Minister**

**\*\*Elected Member from the United Force**

3.

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

Mr. Bernard C. DeSantos, S.C., M.P., (Region No. 4 – Demerara/Mahaica)

Mrs. Shirley V. Edwards, J.P., M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Mohamed F. Khan, J.P., M.P., (Region No. 2 – Pomeroon/Supernaam)

Mr. Odinga N. Lumumba, M.P.

Mr. Moses V. Nagamootoo, J.P., M.P.

Mr. Mohabir A. Nandlall, M.P. (Absent – on leave)

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

\*\*\*Mr. Steve P. Ninvalle, M.P., Parliamentary Secretary

Mr. Parmanand P. Persaud, J.P., M.P., (Region No. 2 – Pomeroon/Supernaam)

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P., Parliamentary Secretary

\*\*\*Mrs. Pauline Sukhai, M.P., Parliamentary Secretary

Mr. Dharamkumar Seeraj, M.P.

Mr. Norman A. Whittaker, M.P., (Region No. 1 – Barima/Waini)

**Members of the Opposition (28)**

**(i) Members of People's National Congress Reform-One Guyana (22)**

Mr. Robert Corbin, M.P., Leader of the Opposition (Absent)

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

Mrs. Clarissa S. Riehl, M.P., Deputy Speaker of the National Assembly

Mr. E. Lance Carberry, M.P., Chief Whip (Absent)

Mrs. Deborah J. Backer, M.P.

Mr. Anthony Vieira, M.P.

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\*\*\*Non-elected Member

4.

Mr. Basil Williams, M.P.,

Dr. George A. Norton, M.P.

Mrs. Volda A. Lawrence, M.P.

Mr. Keith Scott, M.P.

Ms Amna Ally, M.P.

Mr. James K. Mc Allister, M.P. (Absent)

Mr. Dave Dibar Danny, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Aubrey C. Norton, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Ernest Barnabas Elliot, M.P., (Region No. 4 – Demerara/Mahaica)

Mrs. Judith David-Blair, M.P., (Region No. 7 – Cuyuni/Mazaruni)

Mr. Mervyn Williams, M.P., (Region No. 3 – Essequibo Island/West Demerara)

Ms Africo Selman, M.P.

Dr. John Austin, M.P., (Region No. 6 – East Berbice/Corentyne)

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

Ms. Vanessa Kissoon, M.P., (Region No. 10 – Upper Demerara/Upper Berbice)

Mr. Desmond Fernandes, M.P., (Region No. 1 – Barima/Waini)

**(ii) Alliance for Change (5)**

Mr. Raphael G.C. Trotman, M.P.

Mr. Khemraj Ramjattan, M.P.

Mrs. Sheila Holder, M.P.

Ms Latchmin Budhan, M.P.

Mr. David Patterson, M.P.

**(iii) Guyana Action Party/Rise Organize and Rebuild (1)**

Mr. Everall N. Franklin, M.P.

**OFFICERS (2)**

Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly

Ms Hermina Gilgeours, Assistant Clerk of the National Assembly

**COMMENCEMENT OF SITTING**

The sitting commenced at 2.05 p.m.

**PRAYERS**

The Deputy Clerk read Prayers.

**OATH OF A NEW MEMBER**

**Resignation and Oath of a New Member**

**Resignation of Ms Chantelle Smith**

The Speaker announced that with Ms Chantelle Smith's resignation, a seat in the National Assembly had become vacant.

The vacancy was, in accordance with Section 99A of the Representation of the People Act, Chapter 1:03 to be filled by a person whose name had to be extracted from the list of candidates from which Ms Chantelle Smith's name was extracted.

As Ms Smith's name was extracted from the Alliance for Change List of Candidates, he had, in accordance with Section 99A of the said Act, called upon the Representative of the said list to further extract from that list the name of a person who was willing to become a Member of the National Assembly, to fill the vacancy in the Assembly.

**Oath**

**Ms. Latchmin Budhan**

The Speaker informed the Assembly that following the resignation of Ms Chantelle Smith, and his call upon the representative of the Alliance for change List of Candidates, he had been informed that the name of Ms Latchmin Budhan had been extracted from the list and that Ms Latchmin Budhan was, on 23<sup>rd</sup> October, 2007, declared to be an elected Member of the National Assembly.

Before Ms Budhan could have taken part in the proceedings of the Assembly, she was required to make and subscribe the oath before the Assembly, as required by Article 167 of the Constitution.

As Ms Latchmin Budhan was present, she made and subscribed the oath which was administered to her by the Deputy Clerk.

**ANNOUNCEMENTS BY THE SPEAKER**

(1) **Congratulations and Welcome to New Member**

The Speaker, on behalf of Members of the Assembly and himself, congratulated Ms Latchmin Budhan on her becoming a Member of the Assembly.

He welcomed Ms Budhan to the Assembly and extended best wishes to her.

(2) **Welcome to Members of the National Assembly**

The Speaker welcomed back all the Members to the National Assembly after the annual recess and hoped that they had a restful and enjoyable recess.

(3) **Repairs and Retiling to Upper Corridor**

The Speaker informed Members that the Parliament Office had repaired and retiled the upper corridor of the Public Buildings at a cost of three million, seven hundred and ninety seven thousand, seven hundred and fifty dollars (\$3,797,750.00).

7.

(4) **Absence of the Clerk of the National Assembly**

The Speaker also informed Members that Mr. Sherlock Isaacs, Clerk of the National Assembly continued to be away from the Office due to illness and that in his absence Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly was performing the duties of Clerk of the National Assembly. She was being assisted by Miss Hermina Gilgeours, Assistant Clerk of the National Assembly.

(5) **Photographs/Identification Cards**

The Speaker stated that the Parliamentary Management Committee had decided that all Members of Parliament would be issued with Parliamentary Identification Card and that to facilitate the preparation of the Identification Cards, Members photographs had to be taken.

He said that he had therefore given approval for the photographers to be taken during that day's sitting and that he had instructed the Clerk to work out the details with the Chief Whips for the photographs of individual Member to be taken.

(6) **Catering for Members of Parliament**

The Speaker informed Members that the selection of a Caterer for the National Assembly was engaging the attention of the National Procurement and Tender Administration Board. In the meantime, the Parliament Office had made arrangements for Banks DIH to cater for that day's sitting.

**PRESENTATION OF PAPERS AND REPORTS-**

(1) **By the Speaker of the National Assembly:**

- (i) Ethnic Relations Commission Report on an investigation and review of Employment Practices in the Public and Private Sectors in Region #4.

(Circulated)

8.

(ii) Ethnic Relations Commission Report on the award and distribution of Economic Opportunities in Guyana.

(Circulated)

(iii) Ethnic Relations Commission Report on the Public Procurement in Guyana with special regard to openness and fairness.

(Circulated)

(iv) Ethnic Relations Commission Report on Research on the award of Academic Scholarships in Guyana.

(Circulated)

(v) Ethnic Relations Commission Report on the study of land distribution in Guyana.

(Circulated)

(2) By the Attorney General and Minister of Legal Affairs:

Annual Report of the Supreme Court Registry for the year 2006.

(Circulated)

(3) By the Minister of Home Affairs on behalf of the Minister of Foreign Affairs:

The Report on the award of the Arbitral Tribunal between Guyana and Suriname.

(Circulated)

(4) By the Minister of Home Affairs:

Summary of the Security Sector Reform Action Plan 2007 – 2011.

(Circulated)



9.

**QUESTIONS ON NOTICE-****For Written Replies****1. RE-EMPLOYMENT OF RETIRED REGIONAL EDUCATION OFFICER –  
REGION NO. 6****Member Asking: Dr. John Austin, M.P.****Minister Answering: The Minister of Education**

Could the Honourable Minister of Education please inform this National Assembly:-

- (i) Why a retired Regional Education Officer was re-employed as Regional Education Officer of Region No. 6?
- (ii) Why that individual was re-employed when it was known that there were many other available eligible and suitably qualified and experienced persons?

**(Notice Paper No. 174 ( Q 132 Opp 131) published on 2007-07-20)****Answers:**

The re-employment of a retired Regional Education Officer, Region No. 6 is a matter for the Public Service Commission and not the Ministry of Education.

**2. INCLUSION OF A NEW SCHOOL BUILDING AT SANTA MISSION IN 2007  
NATIONAL BUDGET****Member Asking: Mr. Mervyn Williams, M.P.****Minister Answering: The Minister of Education**

Could the Minister of Education please inform this National Assembly:-

- (i) What were the factors which informed his decision, to include a new school building at Santa Mission in the 2007 National Budget, when this item was not included in the 2007 Work Programme for the Region three Education Department?

10.

- (ii) Whether the inclusion of the proposed school at Santa Mission was responsible for the deletion of a proposed new school building to replace the existing Bagotville Primary School Building?
- (iii) Whether he is aware that the Bagotville Primary School is in such a state of disrepair that it presents serious risks to life and limb, as well as a serious health hazard for both students and teachers?
- (iv) If, in view of the fact that no contract has, as yet, been awarded for the construction of the new Santa Mission School, he would consider deferring the construction of this school to 2008, in order to construct the new Bagotville Primary School, as an emergency education project, to rectify the serious problems being experienced by pupils, teachers and the Bagotville community, due to the dilapidated condition of the existing Bagotville Primary School?

**(Notice Paper No. 175 ( Q 133 Opp 132) published on 2007-07-20)**

**Answers:**

The questions under this head should be directed to the Minister of Local Government and Regional Development under whose Ministry falls the Region No. 3 Regional Democratic Council.

**3. MECHANISMS IN PLACE TO ASSIST SENIOR CITIZENS' HOMES**

**Member Asking: Mrs. Volda Lawrence, M.P.**

**Minister Answering: The Minister of Human Services and Social Security**

Could the Honourable Minister of Human Services and Social Security please inform this National Assembly:-

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11.

- (i) What are the present mechanisms in place to assist senior citizens' homes, which provide accommodation for senior citizens and other persons, to defray the high water and electricity costs?
- (ii) If no such mechanisms are now in place, when does her Ministry plan to institute such mechanisms to provide relief for these homes by defraying the high costs of water and electricity which they are compelled to pay?

**(Notice Paper No. 176 (Q 134 Opp 133) published on 2007-07-20)**

**Answers:**

Many senior citizens' homes are assisted by the Government of Guyana through subventions provided from the National Budget, which Subventions are approved by the National Assembly.

**For Oral Reply**

On behalf of the Minister of Agriculture, the Prime Minister requested that the following question be deferred:

**4. GUYSUCO'S TENDER DOCUMENT**

\*Could the Hon. Minister say what action he has taken with respect to Guysuco's Tender Document, where Guysuco omitted to request NIS and PAYE compliance certificates, that was submitted to him by Mrs. Sheila Holder, M.P., on the 29<sup>th</sup> June, 2007 for the supply of seventy (70) Desktop computers and fifteen (15) Laptop computers.

**(Notice Paper No. 179 (Q135 Opp134) published on 2007-08-08)**

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

**The European Union Sugar Protocol**

The Minister of Foreign Trade and International Cooperation made a statement on the European Union Sugar Protocol.

**INTRODUCTION OF BILLS-**

**Introduction and First Reading**

**DEEDS REGISTRY AUTHORITY (AMENDMENT) BILL 2007 – Bill No. 22/2007**

The Attorney General and Minister of Legal Affairs, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend the Deeds Registry Authority Act.

**PUBLIC BUSINESS-**

**(i) GOVERNMENT BUSINESS**

**MOTIONS**

Speaker's consent obtained in accordance with Standing Order No. 28(2) for the following motions to be proceeded with at this sitting:

**ITEM 1 - SECURITY SECTOR REFORM ACTION PLAN**

The Minister of Home Affairs moved the following motion:

WHEREAS the Government of Guyana has pledged, in this 9<sup>th</sup> Parliament, to enhance Public Safety and the Rule of Law in Guyana;

AND WHEREAS the Administration has achieved consensus among Law Enforcement entities on the implementation of a specified number of activities labeled the Security Sector Reform Action Plan 2007-2011, intended to achieve that enhancement;

AND WHEREAS the Administration is aware of the importance of garnering public support for the Law Enforcement agencies in their implementation of the activities in the above-mentioned Security Sector Reform Action Plan;

13.

AND WHEREAS the Administration commits itself to reporting regularly to this House on progress in the implementation of activities in the Security Sector Action Plan;

AND WHEREAS the Summary of the Security Sector Reform Action Plan 2007-2011 with its eleven priority areas has been laid and circulated in this House,

BE IT RESOLVED:

That this House takes note of the Administration's Security Sector Reform Action Plan and fully supports its implementation;

BE IT FURTHER RESOLVED:

That this House appoints a Special Select Committee on the Security Sector Reform Action Plan 2007-2011 to:

- (a) receive and examine official annual reports from the Administration on the status of the implementation of the activities in the eleven priority areas, on an annual basis;
- (b) provide a Final Report to the House on the completion of their examination of the reports on the implementation of the entire Security Sector Reform Action Plan.

*(Notice Paper No. 180 (M44 Govt26) published on 2007-10-25)*

The following Members spoke to the motion:

Mrs. Deborah Backer

Ms Gail Teixeira

Mr. Raphael Trotman

### **SUSPENSION OF SITTING**

At 4.00 p.m., the sitting was suspended for refreshments.

14.

**RESUMPTION OF SITTING**

At 4.40 p.m., the sitting was resumed.

The following Members also spoke to the motion:

The Minister of Labour

Mr. Everall Franklin

The Prime Minister and Minister of Public Works and Communications

Thereafter the Minister of Home Affairs replied:

The motion was then put and carried.

**ITEM 2 - INTERNATIONAL TRIBUNAL OF THE LAW OF THE SEA - ARBITRAL AWARD**

The Minister of Home Affairs moved the following motion:

WHEREAS Guyana initiated arbitration proceedings concerning the delimitation of its maritime boundary with Suriname on 24<sup>th</sup> February, 2004 and among the submissions made by Guyana in initiating the arbitration proceedings was that the Tribunal should find and declare that Suriname breached international law by the use of or threat to use force against the CGX rig in June 2000;

AND WHEREAS Guyana brought these proceedings pursuant to Articles 286 and 287 of the 1982 United Nations Convention on the Law of the Sea and in accordance with Annex VII to the Convention;

AND WHEREAS Guyana and Suriname ratified the Convention on 16<sup>th</sup> November, 1993 and 9<sup>th</sup> July, 1998, respectively;

AND WHEREAS in its Notification and Statement of Claim, Guyana stated that the Parties are deemed to have accepted arbitration in accordance with Annex VII of the Convention by operation of Article 287(3) of the Convention;

AND WHEREAS Guyana noted that neither Party had made a declaration pursuant to Article 287(1) of the Convention regarding their choice of compulsory procedures, and that neither Party had made a declaration pursuant to Article 298 regarding optional exceptions to the applicability of the compulsory procedures provided for in Section 2;

AND WHEREAS in its Notification and Statement of Claim, Guyana appointed Professor Thomas Franck as a Member of the Tribunal in accordance with Article 3(b) of Annex VII, and Suriname appointed Professor Hans Smit in accordance with Article 3(c) of Annex VII;

AND WHEREAS by joint letter to the Secretary-General of the Permanent Court of Arbitration dated 15<sup>th</sup> June, 2004, the Parties noted that they had agreed to the appointment of the remaining three Members of the Tribunal in accordance with Article 3(d) of Annex VII, headed by H.E. Judge L. Dolliver M. Nelson (President);

AND WHEREAS once constituted, the Tribunal commenced its work immediately and the final pleadings of the Parties were heard by the Tribunal during the month of December, 2006 at the Headquarters of the Organisation of American States;

AND WHEREAS the Governments of Guyana and Suriname made numerous submissions and provided evidence to support their separate cases to the Tribunal;

AND WHEREAS the Arbitral Tribunal's unanimous Award of 17<sup>th</sup> September, 2007 was favourable to Guyana and finally and forever settled the maritime boundary between Guyana and Suriname;

16.

AND WHEREAS the Award of the Arbitral Tribunal established under the International Tribunal of the Law of the Sea in the matter of an Arbitration between Guyana and Suriname has been tabled in this Parliament,

NOW BE IT RESOLVED:

That this National Assembly acknowledges with appreciation the Government of Guyana for having the courage and wisdom to take the Guyana Claim to the Arbitral Tribunal;

AND BE IT FURTHER RESOLVED:

That this National Assembly places on record its appreciation and recognition of the work done by the Guyana team of distinguished Agents and Counsel and the support work of the staff of the Ministry of Foreign Affairs, the National Archives, the Guyana Land and Surveys Commission and many researchers and friends and supporters of Guyana;

AND BE IT FURTHER RESOLVED:

That this National Assembly unanimously notes with approval the Award of the Arbitral Tribunal and orders that it be incorporated into the official records of the Guyana Parliament.

*(Notice Paper No. 181 (M45 Govt27) published on 2007-10-25)*

The following Members spoke to the motion:

Mr. Aubrey Norton

The Prime Minister and Minister of Public Works and Communications

Mr. Khemraj Ramjattan

### **SUSPENSION OF SITTING**

At 6.58 p.m., the sitting was suspended for refreshments.



**RESUMPTION OF SITTING**

At 7.30 p.m., the sitting was resumed.

The following Members also spoke to the motion:

- Mr. Odinga Lumumba
- Mr. Bernard DeSantos
- Ms Africo Selman
- Mr. Winston Murray

Thereafter the Minister of Home Affairs replied.

The following amendments moved by Mr. Aubrey Norton and seconded by Mrs. Clarissa Riehl were put and negatived:

“In the penultimate ‘Whereas Clause’ delete all the words, “unanimously” and ending with the date 17<sup>th</sup> September, 2007 and substitute therefor the following comma after the word “unanimously” then the following words “finally and for ever settled on the 17<sup>th</sup> September, 2007”.

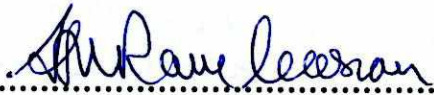
In the first Resolved Clause delete all the words after “Government of Guyana” and ending with the word wisdom and substitute therefor the following: a comma after the words “Government of Guyana” then the following “the opposition political Parties in Parliament and the People of Guyana for having been able to arrive at a consensus and agree”

In the third “Resolved Clause” after the word “unanimously” delete the words “notes with approval” and substitute therefor the following words “accept the findings of”.

Thereafter the motion was then put and carried.

**ADJOURNMENT**

At 8.45 p.m., on a motion by the Prime Minister and Minister of Public Works and Communications, the sitting was adjourned to 2.00 p.m., on Thursday, 8<sup>th</sup> November, 2007.

  
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**HON. HARI N. RAMKARRAN, S.C., M.P.,**  
**Speaker of the National Assembly**

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

**1<sup>st</sup> November, 2007.**