

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 35TH 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, 29TH 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), Prime Minister and Minister of Public Works and Communications

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 (Absent)

*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

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

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 (Absent)

*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., Chief Whip

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

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) (Absent – on leave)

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. (Absent – on leave)

Mr. Moses V. Nagamootoo, J.P., M.P. (Absent)

Mr. Mohabir A. Nandlall, M.P.

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

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

Mrs. Deborah J. Backer, M.P. (Absent)

Mr. Anthony Vieira, M.P.

***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 – on leave)

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

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

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 Punalall, M.P.

Mr. David Patterson, M.P.

5.

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

Mr. Everall N. Franklin, M.P.

OFFICERS (2)

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

Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly

COMMENCEMENT OF SITTING

The sitting commenced at 2.12 p.m.

PRAYERS

The Clerk read Prayers.

PRESENTATION OF PAPERS AND REPORTS-**(1) By the Minister of Finance:**

- (i) The Ministers, Members of the National Assembly and Special Offices (Emoluments) (No. 2) Order 2007 – Order No. 26 of 2007.

(Circulated)

- (ii) The Constitutional Offices (Remuneration of Holders) (No. 2) Order 2007 – Order No. 27 of 2007.

(Circulated)

- (iii) The Mid-Year Report 2007.

(Circulated)

6.

- (2) **By the Prime Minister and Leader of the House, on behalf of the Minister of Agriculture:**
The Guyana Rice Milling and Marketing Authority (Dissolution) Order 2007 – Order No. 24 of 2007.

(Circulated)

- (3) **By the Minister of Housing and Water:**
The Central Housing and Planning Authority Annual Reports for the years 1997, 1998, 2001, 2002, 2003, 2004 and 2005.

(Circulated)

- (4) **By the Minister of Labour:**

- (i) State Paper on the Maritime Labour Convention 2006 adopted by the Conference at its 94th Session, Geneva, February, 2006.

(Circulated)

- (ii) Report on the Maritime Labour Convention 2006 adopted by the Conference at its 94th Session, Geneva, February, 2006.

(Circulated)

- (iii) State Paper on the following Instruments which were adopted by the International Labour Conference at its 95th Session held in June, 2006:

- Promotional Framework for Occupational Safety and Health Convention 2006, No. 187;
- Promotional Framework for Occupational Safety and Health Recommendation 2006, No. 197; and
- The Employment Relationship Recommendation 2006, No. 198.

(Circulated)

/...7

7.

- (iv) The Sugar Industry Labour Welfare Fund Committee Annual Review for the year 2006.

(Circulated)

REPORTS FROM COMMITTEES-

By the Minister of Health and Chairman of the Special Select Committee on the Health Facilities Licensing Bill 2006:

The Report of the Special Select Committee on the Health Facilities Licensing Bill 2006 – Bill No. 29 of 2006.

(Circulated)

ORAL QUESTIONS WITHOUT NOTICE

INCURSION AND USE OF FORCE BY MILITARY OF THE BOLIVARIAN REPUBLIC OF VENEZUELA ON OR ABOUT 15TH NOVEMBER, 2007

Mr. Raphael Trotman, M.P., asked the Minister of Foreign Affairs the following questions:

- 1. What is the Government of Guyana doing to ensure the effective occupation and control of these lands?

Thereafter, the Minister replied.

- 2. Does the Government of Guyana believe that the capacity to confront future incursions to be adequate, and if not, what plans are there to remedy this?

Thereafter, the Minister replied.

8.

- 3. Does the Government of Guyana believe that the time has come for us to consider entering into Treaties of Mutual Cooperation and Security with friendly states?

Thereafter, the Minister replied.

- 4. What specific actions, apart from those already taken, does the government intend to take with regard to the incursion of armed forces from the Bolivarian Republic of Venezuela?

Thereafter, the Minister replied.

- 5. How long is the Government prepared to wait for a responses as promised by the Venezuelan Foreign Ministry?

Thereafter, the Minister replied.

- 6. What has happened to the shooting incident which led to the death of a miner (Parsram Persaud) in the Cuyuni River, Guyana in October, 2006?

Thereafter, the Minister replied.

- 7. What did the Hon. Minister mean when in an interview to the Venezuelan press (El Nacional August 12, 2007) he is quoted as saying that the conditions for a “definitive solution are opportune”?

Thereafter, the Minister replied.

- 8. What is the progress being made through the UN “Good Officer” mechanism to resolve the controversy?

9.

Thereafter, the Minister replied.

9. What can the Minister say that will allay the concerns of the Guyanese people that their safety and security is guaranteed and also that our territorial integrity is intact?

Thereafter, the Minister replied.

10. Does the government intend to have more formal consultations with the Opposition parties on this and similar issues?

Thereafter, the Minister replied.

Mr. Robert Corbin, M.P., asked the Minister a Supplementary question.

Thereafter, the Minister replied.

QUESTIONS ON NOTICE-

For Oral Reply

KINGSTON SEWERAGE PIPELINE

Member Asking: **Mr. Everall Franklin, M.P.**

- (i) *Which other company or companies tendered originally for the work to relocate the Kingston Sewerage Pipeline?
- (ii) *Which company has been awarded the contract to complete the work in Kingston and at what cost?
- (iii) *What is now the total cost for the work in Kingston?

(Notice Paper No. 184 (Q136 Opp135) published on 2007-11-05)

Thereafter, the Prime Minister and Minister of Public Works and Communications replied.

INTRODUCTION OF BILLS-

Presentation and First Reading

POUNDS AND CERTAIN OTHER ENACTMENTS (AMENDMENT) BILL 2007 – Bill No. 25/2007

The Minister of Home Affairs, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend the Pounds Act, the Municipal and District Councils Act, the Local Government Act and Roads Act.

PUBLIC BUSINESS-

(i) GOVERNMENT BUSINESS

BILLS – Second Readings

ITEM 1 - PROTOCOLS TO THE AGREEMENT ESTABLISHING THE CARIBBEAN COURT OF JUSTICE BILL 2007 – Bill No. 23/2007 published on 2007-11-05

The Attorney General and Minister of Legal Affairs moved the second reading of the following Bill:

A BILL intituled AN ACT to give effect to Certain Protocols to the Agreement establishing the Caribbean Court of Justice and for matters connected therewith.

(Read a first time on 2007-11-08)

The following Members spoke to the motion:

Mr. Winston Murray

Mr. Khemraj Ramjattan

11.

Thereafter the Attorney General and Minister of Legal Affairs replied.

The Bill was then read a second time.

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

In Committee

Clauses 1 to 4 were passed as printed.

The Schedules were passed as printed.

Assembly resumed

SUSPENSION OF SITTING

At 3.07 p.m., the sitting was suspended due to an earth tremor.

RESUMPTION OF SITTING

At 3.24 p.m., the sitting was resumed.

On a motion by the Attorney General and Minister of Legal Affairs, the Protocols to the Agreement Establishing the Caribbean Court of Justice Bill 2007 was read a third time and passed as printed.

ITEM 2 - HEALTH FACILITIES LICENSING BILL 2006 - Bill No. 29/2006 published on 2006-12-21

At the request of the Minister of Health the second reading of the following Bill was deferred:

A BILL intituled AN ACT to provide for the licensing of Health Facilities and for related matters.

(Read a first time on 2006-12-21)

(Committed to the Special Select Committee on 2007-01-11)

MOTION

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

ITEM 3 - COMPOSITION OF THE GUYANA ELECTIONS COMMISSION AND TENURE OF OFFICE OF MEMBERS OF THE GUYANA ELECTIONS COMMISSION

The Prime Minister and Minister of Public Works and Communications moved the following motion:

WHEREAS Article 161 of the Constitution provides for an Elections Commission consisting of a Chairman, who shall be a full-time Chairman and shall not engage in any other form of employment, to be appointed by the President from a list of six persons not unacceptable to the President, submitted by the Leader of the Opposition after meaningful consultation with the non-governmental political parties represented in the National Assembly; and six other members appointed by the President in the following manner:-

- (a) three members to be appointed by the President, acting in his own deliberate judgment; and
- (b) three members to be appointed by the President acting in accordance with the advice of the Leader of the Opposition tendered after meaningful consultation with non-governmental political parties represented in the National Assembly;

AND WHEREAS neither the Constitution nor any other law provides for the duration of the tenure of office of the Chairman and other members of the Elections Commission;

AND WHEREAS there have been repeated calls for constitutional changes with regards to the composition of the Elections Commission and the tenure of office of its members;

NOW THEREFORE BE IT RESOLVED:

That this National Assembly undertakes steps to have the Constitutional provisions governing the composition of the Elections Commission and the tenure of office of its Chairman and other members be examined with a view of making recommendation for changes;

AND BE IT FURTHER RESOLVED:

That this National Assembly approves the necessary review of the provisions governing the composition of the Elections Commission and the tenure of office of its Chairman and other members by the Parliamentary Committee for Constitutional Reform and that their findings and recommendations be reported to the National Assembly.”

(Notice Paper No. 195 (M49 Govt 31) published on 2007-11-26)

Mr. Robert Corbin spoke to the motion.

SUSPENSION OF SITTING

At 3.57 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 4.45 p.m., the sitting was resumed.

The following Members also spoke to the motion:

- Mr. Donald Ramotar
- Mr. Khemraj Ramjattan
- The Minister of Labour
- Mrs. Sheila Holder
- Ms Gail Teixeira

Thereafter, the Prime Minister and Minister of Public Works and Communications replied.

The motion was then put and carried.

(ii) COMMITTEE BUSINESS

MOTION

ITEM 4 - THE GUYANA FIDUCIARY OVERSIGHT PROJECT

The Minister in the Ministry of Finance and Chairperson of the Special Select Committee on the Guyana Fiduciary Oversight Project moved the following motion:

WHEREAS by Resolution No. 9 dated 11th January, 2007, the National Assembly appointed a Special Select Committee to examine the recommendation at component 6 of the Guyana Fiduciary Oversight Project Final Framework and Guidelines Report Volume 2 with a view to advising the National Assembly on the steps to be undertaken by the Government to enable the Clerk to become the employing authority of the Staff of the Parliament Office;

AND WHEREAS the National Assembly stipulated that the Special Select Committee examine the present constitutional arrangement for the appointment of the Clerk and advise the National Assembly whether there is need for a change and what change that should be;

AND WHEREAS the Special Select Committee was required to present its Final Report to the National Assembly three months after its appointment;

AND WHEREAS the Special Select Committee was unable to complete its work by the deadline stipulated;

AND WHEREAS the Special Select Committee has requested an extension of the deadline for the submission of its Final Report to February 29, 2008;

BE IT RESOLVED:

That this National Assembly approves of an extension of the deadline for the submission of its Report to February 29, 2008.

(Notice Paper No. 187 (M48 Govt 30) published on 2007-11-13)

Mrs. Volda Lawrence spoke to the motion.

The motion was then put and carried.

ADJOURNMENT

At 5.37 p.m., on a motion by the Prime Minister and Minister of Public Works and Communications, the Assembly was adjourned to 2.00 p.m., on Thursday, 6th December, 2007.



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

PARLIAMENT OFFICE,
Public Buildings,
Brickdam.

29th November, 2007.