

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 120TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION
(2006-2010) OF THE NINTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 11TH MARCH, 2010
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (70)

Speaker (1)

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

MEMBERS OF THE GOVERNMENT (41)

(i) **People's Progressive Party/Civic (40)**

(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 (Absent – performing the
functions of Office of the President)

The Hon. Clement J. Rohee, M.P., Minister of Home Affairs (Absent – on leave)

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

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

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

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

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

***Non-elected Minister**

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2.

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. Charles R. Ramson, 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. Bheri S. Ramsaran, M.P., Minister in the Ministry of Health

The Hon. Jennifer I. Webster, M.P., Minister in the Ministry of Finance (Absent – on leave)

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

*The Hon. Pauline Sukhai, M.P., Minister of Amerindian Affairs (Absent – on leave)

The Hon. Mohamed Irfaan Ali, M.P., Minister of Housing and Water

Mr. Donald R. Ramotar, M.P.

Ms Gail Teixeira, M.P.

Mrs. Indranie Chandarpal, M.P., Chief Whip

Mr. Harripersaud Nokta, M.P.

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

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

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

Mr. Mohabir A. Nandlall, M.P.

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

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

***Mr. Steve P. Ninvalle, M.P., Parliamentary Secretary in the Ministry of Culture,
Youth and Sport

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 in the
Ministry of Housing and Water

Mr. Dharamkumar Seeraj, M.P.

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

Dr. Vishwa Deva Budhram Mahadeo, M.P.

Rev. Kwame Gilbert, M.P.

Mr. Lloyd J. Pereira, J.P., M.P.

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.

***Non-elected Parliamentary Secretary

4.

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.

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.

Ms Cheryl Sampson, M.P.

Mr. Dave 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)

Ms Dawn Hastings, M.P.

(ii) Alliance for Change (5)

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

Mr. Khemraj Ramjattan, M.P.

Mrs. Sheila Holder, M.P.

Mrs. Latchmin Punalall, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. David Patterson, M.P. (Absent)

(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 2.15 p.m.

PRAYERS

The Clerk read Prayers.

PRESENTATION OF PETITIONS-

Private Bill

At the request of Mr. Donald Ramotar, M.P., to present a petition on behalf of the Guyana and Trinidad Mutual Fire Insurance Company Limited seeking to have introduced into the Assembly a Private Bill to amend the Guyana Trinidad Mutual Fire Insurance Company Limited Ordinance, Chapter 210 of the Kingdom Edition of the Laws of British Guiana (Principal Ordinance) was deferred.

REPORTS FROM COMMITTEES-

By the Attorney General and Minister of Legal Affairs

Report of the Special Select Committee on the Court of Appeal (Amendment) Bill 2008 – Bill No. 12 of 2008.

(Circulated)

QUESTIONS ON NOTICE-

For Oral replies

1. **CAMERAS OPERATED BY THE STATE MEDIA IN THE NATIONAL ASSEMBLY**

At the request of the Prime Minister the answer to the following question was deferred:

*Will the Hon. Prime Minister say if he is satisfied that the cameras operated by the State media to video record the Parliamentary proceedings is positioned in such a way that they only capture frontal views of government Members and not Members of the opposition benches?

(Notice Paper No. 420 (Q302 Opp277) published on 2010-02-08)

7.

2. **NOISE NUISANCE, DUST NUISANCE AND DEGRADATION TO RESIDENTS OF GANGES STREET, PRASHAD NAGAR**

At the request of the Prime Minister the answer to the following question was deferred:

*From 1997 to September 29, 2009 (13 years) there were several exchanges of correspondence, on behalf of residents of Ganges Street, Prashad Nagar on the one hand and the Guyana Power and Light Inc., (GPL) and the Environmental Protection Agency on the other complaining about the noise nuisance, dust nuisance and degradation of their community's scenic environment. A petition dated September 29, 2009 from Ganges Street residents stipulating the noise/dust/smoke nuisance and health hazards was sent to the Prime Minister, the Director of the Environmental Protection Agency, the Chairman of GPL, the Mayor of the Georgetown City Council and the Chairman of the Central Housing and Planning Authority. To date all promises made to these residents by GPL have not been fulfilled. Will the honourable Prime Minister indicate to the residents of Ganges Street who have complained about these environmental nuisances and health hazards whether their quest for mitigation measures will ever be forthcoming and if so, when and how?

(Notice Paper No. 422 (Q304 Opp279) published on 2010-02-08)

For Written reply

3. **ADVISORS TO HIS EXCELLENCY THE PRESIDENT**

Member Asking: Mrs. Sheila Holder, M.P.

Minister Answering: The Prime Minister and Minister of Public Works and Communications

Will the Hon. Prime Minister list the names and salaries being paid to all advisors of His Excellency the President?

(Notice Paper No. 421 (Q303 Opp278) published on 2010-02-08)

The Prime Minister and Minister of Public Works and Communications did not pass copies of the answer to the above question to the Clerk of the National Assembly for circulation to Members at that sitting as required by Standing Order No. 22(4).

PUBLIC BUSINESS -

(i) **GOVERNMENT BUSINESS**

MOTIONS

**ITEM 1 - SYMPATHY ON DEATH OF THE MINISTER IN THE MINISTRY OF
EDUCATION, THE HON. DESREY CLEMENTINE CAESAR FOX, M.P.**

The Minister of Education, on behalf of the Prime Minister and Minister of Public Works and Communications, moved the following motion:

BE IT RESOLVED:

That we the Members of the National Assembly of the Parliament of Guyana -

- place on record our shock and profound grief at the great loss to the Government and the Parliament of Guyana by the tragic death on Friday, 11th December, 2009, of the Minister in the Ministry of Education, the Hon. Desrey Clementine Caesar Fox, M.P.,
- pay tribute to the committed and distinguished service which she rendered to Guyana and to its Parliament;

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of our heartfelt sympathy be conveyed to her sorrowing children and relatives.

(Notice Paper No. 417 (M120 Govt 75) published on 2010-01-07)

The following Members spoke to the motion:

Dr. Aubrey Norton

The Minister of Labour

Mrs. Sheila Holder

9.

Thereafter the Minister of Education replied.

The motion was then put and carried.

ITEM 2 - DEATH OF MR. NAZIR ALLY, FORMER MEMBER OF PARLIAMENT

Mr. Robert Corbin, M.P., Leader of the Opposition moved the following motion:

BE IT RESOLVED:

That this National Assembly records its deep regret at the death of Mr. Nazir Ally and pays tribute to his dedicated service as a Member of Parliament from 17th April, 2001 to 2nd May, 2006;

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of its sympathy be conveyed to his bereaved family and relatives.

(Notice Paper No. 414 (M117 Opp 33) published on 2010-01-05)

The following Members spoke to the motion:

The Minister of Labour

Mr. Raphael Trotman

Mrs. Indranie Chandarpal

Thereafter Mr. Robert Corbin replied.

The motion was then put and carried.

(ii) **PRIVATE MEMBERS' BUSINESS**

INTRODUCTION OF BILLS

Presentation and first Readings

BROADCASTING BILL 2010 – Bill No. 3/2010

At the request of Mr. Khemraj Ramjattan, M.P., his motion seeking the leave of the Assembly to present the following Bill was deferred:

A BILL intituled AN ACT to make provision for the establishment of a Broadcasting Authority, to provide for their functions, and to provide for the licensing of broadcasting agencies and the encouragement of production and broadcasting of television and radio programmes having relevance generally to life and culture of the people and for consequential and related matters.

MOTION

ITEM 3 - REQUEST TO QUESTION, THROUGH COUNSEL, HON. DR. ASHNI SINGH, M.P., MINISTER OF FINANCE BEFORE THE COMMITTEE OF PRIVILEGES

Mrs. Deborah Backer, M.P., moved the following motion:

WHEREAS at the 99th sitting in the 9th Parliament held on the 22nd day of October, 2009 the Honourable Dr. Ashni Singh, M.P., Minister of Finance moved a motion which resolved that this Honourable House signals its unanimous disapproval of a statement purportedly made by me, and that this matter be referred to the Committee of Privileges in keeping with Standing Order No. 32 with the view of finding me in contempt of this House;

AND WHEREAS at the aforesaid sitting the Honourable Speaker ruled that a prima facie case had been made out against me and referred the matter to the Committee of Privileges;

11.

AND WHEREAS at my appearance before the Committee of Privileges on the 25th day of November, 2009 I enquired of my right directly or through counsel to question the Honourable Minister of Finance, Dr. Ashni Singh the mover of the aforesaid motion and the seconder of that motion;

AND WHEREAS by way of letter dated the 15th December, 2009 the Clerk of the National Assembly informed me that "... in order to question the mover of the motion, the Honourable Dr. Ashni Singh, either directly or through counsel, you would be required to table a motion in the National Assembly requesting leave of the House to so do.";

AND WHEREAS the rules of natural justice, dictate that an accused person be given an opportunity to question his or her accuser;

AND WHEREAS this National Assembly as the highest court of Guyana, is duty bound to adhere to the tenets of natural justice,

BE IT RESOLVED:

That this Honourable House grant me leave to question, through my counsel, Honourable Dr. Ashni Singh, M.P., Minister of Finance the mover of the motion dated 22nd October, 2009 citing me for contempt of the House.

(Notice Paper No. 413 (M116 Opp 32) published on 2009-12-28)

SUSPENSION OF SITTING

At 3.50 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 4.53 p.m., the sitting was resumed.

The following Members spoke to the motion:

Mr. Bernard DeSantos
Mr. Raphael Trotman
Mr. Mohabir Nandlall
Mrs. Clarissa Riehl
Ms Gail Teixeira
Mr. Winston Murray

Thereafter Mrs. Deborah Backer replied.

The motion was then put and negatived on the following division:

FOR

Mr. Franklin
Mr. Patterson
Mrs. Budhan
Mr. Ramjattan
Mr. Trotman
Ms Hastings
Mr. Fernandes
Ms Kissoon
Ms Wade
Dr. Austin
Miss Selman
Mr. Mervyn Williams
Mrs. David-Blair
Mr. Elliot
Mr. Danny
Mrs. Sampson
Miss Ally

AGAINST

Mr. Pereira
Rev. Gilbert
Dr. Mahadeo
Mr. Whittaker
Mr. Seeraj
Mrs. Sahoye-Shury
Mr. Parmanand Persaud
Mr. Neendkumar
Mr. Nandlall
Mr. Nagamootoo
Mr. Khan
Mrs. Edwards
Mr. DeSantos
Mr. Chand
Mr. Atkinson
Miss Shadick
Mr. Nokta

Mr. Scott
 Mrs. Lawrence
 Dr. Norton
 Mr. Basil Williams
 Mrs. Backer
 Mr. Carberry
 Mrs. Riehl
 Mr. Murray
 Mr. Corbin

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Mrs. Chandarpal
 Miss Teixeira
 Mr. Ramotar
 Mr. Ali
 Mr. Prashad
 Dr. Ramsaran
 Ms Manickchand
 Mr. Nadir
 Mr. Benn
 Dr. Anthony
 Mr. Lall
 Dr. Westford
 Mr. Baksh

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(iii) **COMMITTEES BUSINESS**

MOTIONS

**ITEM 4 - ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE
 FOR THE YEARS 2004 AND 2005**

Mrs. Volda Lawrence, M.P., (Chairperson of the Public Accounts Committee) moved the following motion:

BE IT RESOLVED:

That this National Assembly adopts the Report of the Public Accounts Committee on its examination of the Public Accounts of Guyana for the years 2004 and 2005 and refer the Report to the Government for consideration.

(Notice Paper No. 424 (M123 Opp 34) published on 2010-02-10)

14.

The following Members spoke to the motion:

Mr. Harripersaud Nokta

Mr. Khemraj Ramjattan

The Minister of Labour

Thereafter Mrs. Volda Lawrence replied.

The motion was then put and carried.

The Speaker's consent was given in accordance with Standing Orders No. 28(2) to move the following motions:

ITEM 5 - THE CONCLUSION OF THE CONSIDERATION OF THE 2004 REPORT OF THE DISCIPLINED FORCES COMMISSION

At the request of the Prime Minister and Minister of Public Works and Communications the following motion was deferred:

WHEREAS by Resolution No. 33 dated 26th July, 2007 the National Assembly appointed a Special Select Committee to conclude the examination of the Report and recommendations of the Disciplined Forces Commission and report to the National Assembly six months from its establishment;

AND WHEREAS the National Assembly stipulated that the Special Select Committee of the Ninth Parliament takes cognizance of the work done by the Special Select Committee of the Eighth Parliament that considered the Report and its recommendations;

AND WHEREAS the Special Select Committee was required to present its Final Report to the National Assembly six months from the date of establishment;

AND WHEREAS the Special Select Committee has requested three extensions of the deadline for the submission of its final Report to 31st January, 2010;

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

BE IT RESOLVED:

That this National Assembly approves a further extension of the deadline for the submission of its Report to 14th May, 2010.

(Notice Paper No. 449 (M124 Govt 78) published on 2010-03-10)

ITEM 6 - NOMINATION OF A MEMBER TO THE RIGHTS OF THE CHILD COMMISSION

Ms Gail Teixeira, M.P., (Chairperson of the Committee on Appointments) moved the following motion:

WHEREAS, the Standing Committee on Appointments to Commissions in keeping with Resolution No 60 of 13th June, 2008 consulted the approved lists of entities for nominations to the Rights of the Child Commission;

AND WHEREAS, the Ministry of Education submitted its nominee, Ms. Banmattie Ram to be a Member of the Rights of the Child Commission in keeping with Article 212U2(a);

AND WHEREAS, the National Assembly by Resolution No.83 of 2009, approved the nominees to the Rights of the Child Commission;

AND WHEREAS, Ms. Banmattie Ram was appointed to the Rights of the Child Commission by His Excellency, the President of the Co-operative Republic of Guyana on May 8th, 2009;

AND WHEREAS, Ms. Banmattie Ram tendered her resignation from the Ministry of Education and emigrated;

AND WHEREAS, the Ministry of Education submitted on February 2nd, 2010, its nominee, Ms. Bibi Ali, to replace Ms. Banmattie Ram on the Rights of the Child Commission;

AND WHEREAS, the Committee on Appointments at its meeting held on 9th March, 2010, accepted the submission of the new nominee;

BE IT RESOLVED:

That this National Assembly approves the nomination of Ms. Bibi Ali for appointment as a member of the Rights of the Child Commission and signifies thus to the President in accordance with Article 212U (2)(a) of the Constitution.

(Notice Paper No. 452 (M127 PPP/C 15) published on 2010-03-10)

The motion was put and carried.

ADJOURNMENT

At 9.42 p.m., on a motion by the Minister of Education, the Assembly was adjourned to 2.00 p.m., on Thursday, 18th March, 2010.

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

PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.

11th March, 2010.