

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 133RD 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, 4TH NOVEMBER, 2010
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM,
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)

People's Progressive Party/Civic (40)

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 – on leave)

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

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

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 Foreign Affairs

*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

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***Non-elected Minister**

2.

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

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

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

*The Hon. Pauline Sukhai, M.P., Minister of Amerindian Affairs

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

Mr. Donald R. Ramotar, M.P.

Ms Gail Teixeira, M.P.

Mrs. Indranie Chandarpal, M.P., Chief Whip (Absent – on leave)

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.

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. Dr. 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 (Absent – on leave)

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

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***Non-elected Parliamentary Secretary

4.

Mrs. Clarissa S. Riehl, M.P., Deputy Speaker of the National Assembly (Absent – on leave)

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. (Absent)

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) (Absent)

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

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) (Absent – on leave)

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

Ms Dawn Hastings, M.P.

5.

(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.

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

Ms Lilawtie Coonjah, Deputy Clerk of the National Assembly

COMMENCEMENT OF SITTING

The sitting commenced at 2.19 p.m.

ANNOUNCEMENTS BY THE SPEAKER

- (i) **Sympathy on the passing of His Excellency Nestor Kirchner, Former President of the Republic of Argentina and Secretary General of the Union of South American Nations (UNASUR)**

The Speaker, on behalf of the Members of the Assembly and himself, expressed sympathy on the passing of His Excellency Nestor Kirchner, Former President of the Republic of Argentina and Secretary General of the Union of South American Nations (UNASUR).

6.

(ii) **Sympathy on the passing of the Honourable David Howard Thompson, Q.C., M.P., Prime Minister of Barbados**

The Speaker also expressed sympathy on the passing of the Honourable David Howard Thompson, Q.C., M.P., Prime Minister of Barbados.

The Members of the National Assembly stood and observed a one minute silence in recognition of both men.

(iii) **Welcome back to Mr. Keith Scott, M.P.**

The Speaker welcomed Mr. Keith Scott, M.P. back to the Parliament after a prolonged illness.

Thereafter Mr. Keith Scott responded.

PRESENTATION OF PAPERS AND REPORTS-

(1) By the Speaker of the National Assembly:

- (i) Report of the Auditor General on the Public Accounts of Guyana and on the Accounts of Ministries, Departments and Regions for the fiscal year ended 31st December, 2009.

(Circulated)

- (ii) The Auditor General of Guyana Performance/Value for Money Audit Report on a Review of the Old Age Pension Programme in Guyana.

(Circulated)

- (iii) Minutes of Proceedings of the 22nd Meeting of the Committee of Selection held on Thursday, 21st October, 2010.

(Circulated)

7.

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

(i) The Judicial Service Commission Rules 2010 – No. 2 of 2010.

(Circulated)

(ii) The High Court Rules 2010 – No. 3 of 2010.

(Circulated)

REPORTS FROM COMMITTEES-

(3) By the Minister of Human Services and Social Security, (Chairperson of the Special Select Committee on the Legal Practitioners (Amendment) Bill 2009):

The Report of the Special Select Committee on the Legal Practitioners (Amendment) Bill 2009 – Bill No. 45/2009.

(Circulated)

(4) By Mrs. Volda Lawrence, M.P. (Chairperson of the Public Accounts Committee):

(i) Report of the Public Accounts Committee on the Public Accounts of Guyana for the year 2006.

(Circulated)

(ii) Minutes of Meetings of the Public Accounts Committee on the Public Accounts of Guyana for the year 2006.

(Circulated)

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

(i) **Death of His Excellency Nestor Kirchner, Former President of the Republic of Argentina and Secretary General of the Union of South American Nations (UNASUR)**

The Minister of Foreign Affairs made a statement on the death of His Excellency Nestor Kirchner, Former President of the Republic of Argentina and Secretary General of the Union of South American Nations (UNASUR).

(ii) **Death of the Honourable David Howard Thompson, Q.C., M.P., Prime Minister of Barbados**

The Minister of Foreign Affairs made a statement on the death of the Honourable David Howard Thompson, Q.C., M.P., Prime Minister of Barbados.

INTRODUCTION OF BILLS-

Presentation and First Reading

AMERINDIAN ACT 2006 (COMMENCEMENT) BILL 2010 – Bill No. 20/2010

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

A BILL intituled AN ACT to validate the commencement of the Amerindian Act 2006.

PUBLIC BUSINESS -

(i) GOVERNMENT BUSINESS

MOTION

ITEM 1 - AFFIRMATION OF THE MOTOR VEHICLES AND ROAD TRAFFIC

REGULATIONS 2010 – NO. 6 OF 2010

The Minister of Home Affairs 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 Regulations 2010 – No. 6 of 2010, made under Section 98(3) of the Motor Vehicles and Road Traffic Act, Chapter 51:02 and published in an Extraordinary Copy of the Official Gazette dated 20th October, 2010.

(Notice Paper No. 492 (M153 Govt 94) published on 2010-10-21)

The following Members spoke to the motion:

Mrs. Deborah Backer

Mr. Khemraj Ramjattan

The Minister of Tourism, Industry and Commerce

Thereafter the Minister of Home Affairs replied.

The motion was then put and carried.

(ii) **PRIVATE MEMBERS' BUSINESS**

MOTION

ITEM 2 - POLITICAL PARTIES CAMPAIGN FINANCING

At the request of Mrs. Sheila Holder, M.P., the consideration of the following motion was deferred:

WHEREAS Article 162(1)(b) of the Constitution directs GECOM in relation to elections to issue such instructions and 'take such action as appear to it to be expedient to ensure impartiality, fairness and compliance with the provisions of the Constitution or of any Act of Parliament on the part of persons or performing duties connected with or relating to the matters aforesaid';

AND WHEREAS the laws relevant to financing campaigns of political parties as contained in Chapter 1:03 Laws of Guyana, Representation of the People Act Part XIII entitled 'Election Expenses' are generally considered to be archaic and not meaningful;

AND WHEREAS historically the Chief Elections Officer as the regulator and political parties as contestants in elections, routinely observe these laws in the breach;

AND WHEREAS Guyana has committed to several international instruments and mandates for addressing the issues of political party and campaign financing most notably the following, which explicitly or indirectly address these issues:

- As in the Declaration of Commitment of Port of Spain at the Fifth Summit of the Americas in Trinidad and Tobago April 19, 2009 where CARICOM heads of State reaffirmed their commitment to fostering credibility and public trust in democratic institutions, in particular the legitimacy of electoral processes;

- As in Article 5 of the Inter-American Democratic Charter where strengthening of political parties and other political organizations is recognized as a priority for democracy paying special attention to problems associated with the high cost of election campaigns and the establishment of a balance and transparent system for their financing;
- As in Article 7 Section 3 of the United Nations Convention against Corruption, to which Guyana acceded on April 16, 2008, and which requires that each state party ‘considers taking appropriate legislative and administrative measures to enhance transparency in the funding of candidatures for elected public office and ... the funding of political parties’;
- As in Article 10 of the African Union Convention on Preventing and Combating Corruption adopted in Maputo on July 11, 2003, each state party shall adopt legislative and other measures to incorporate the principle of transparency in funding of political parties; and prescribe the use of funds to finance political parties;
- As in Recommendation (2003) 4 of the Committee of Ministers for the Council of Europe (CoE) to member states on common rules against corruption in the funding of political parties and electoral campaigns which was adopted by the CoE Committee of Ministers on April 8, 2003. This international instrument primarily focuses on sources of funding – supporting a system that balances private and public financing – and on the merits of disclosure,

BE IT RESOLVED:

That this National Assembly recognizes that a strong democracy requires healthy political parties, resources to sustain and operate a basic party structure capable of representing people, contributing creatively to the public policy debate, and contesting elections; and that the role of money in politics undeniably influences the quality of democracy and governance;

BE IT FURTHER RESOLVED:

That the Government presents to the National Assembly such relevant laws and regulations pertaining to political party campaign financing; curtail abuse of public resources by the incumbent leading up to and during elections as recommended by the Commonwealth Secretariat in order to create a level playing field for contesting parties at elections in Guyana.

(Notice Paper No. 493 (M154 Opp49) published on 2010-10-22)

(iii) COMMITTEES BUSINESS

MOTION

**ITEM 3 - ADOPTION OF THE REPORT OF THE SPECIAL SELECT COMMITTEE
ON THE LEGAL PRACTITIONERS (AMENDMENT) BILL 2009**

The Minister of Human Services and Social Security moved the following motion:

BE IT RESOLVED:

That this National Assembly adopts the Report of the Special Select Committee on the Legal Practitioners (Amendment) Bill 2009 – Bill No. 45/2009.

(Notice Paper No. 498 (M155 Govt 95) published on 2010-10-28)

The following Members spoke to the motion:

Mr. Basil Williams

Mr. Khemraj Ramjattan

Mr. Mohabir Nandlall

Thereafter the Minister of Human Services and Social Security replied.

13.

The motion was then put and carried.

BILLS –Third Reading

ITEM 4 - LEGAL PRACTITIONERS (AMENDMENT) BILL 2009 – Bill No. 45/2009
published on 2009-11-26

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

A BILL intituled AN ACT to amend the Legal Practitioners Act.

(Read a first time on 2009-11-26)

(Read a second time and committed to the Special Select Committee on 2009-12-21)

Thereafter the Legal Practitioners (Amendment) Bill 2009 was read a third time and passed as amended.

DIWALLI GREETINGS

The Speaker extended Diwalli Greetings to the Members of the Parliament and their families. The Minister of Human Services and Social Security, the Minister of Finance, Mr. Winston Murray and Mr. Khemraj Ramjattan joined the Speaker in extending Diwalli Greetings to their fellow Members of Parliament and the citizens of Guyana, especially the Hindu Community.

ADJOURNMENT

At 4.05 p.m., on a motion by the Minister of Finance, the Assembly was adjourned to 2.00 p.m., on Thursday, 11th November, 2010.

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

PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.

4th November, 2010.