

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 164TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION
(2006-2011) OF THE NINTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 8TH SEPTEMBER, 2011
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (69)

Speaker (1)

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

MEMBERS OF THE GOVERNMENT (40)

People's Progressive Party/Civic (39)

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 (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 (Absent)

***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. 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

The Hon. Norman A. Whittaker, M.P. (Region No. 1 – Barima/Waini), Minister of Local
Government and Regional Development

Mr. Donald R. Ramotar, M.P.

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

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 Islands/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) (Absent – on leave)

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

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/Supenaam)

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. (Absent)

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)

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

4.

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

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

Mr. Basil Williams, M.P. (Absent)

Dr. George A. Norton, M.P. (Absent)

Mrs. Volda A. Lawrence, M.P. (Absent)

Mr. Keith Scott, M.P. (Absent – on leave)

Ms Amna Ally, M.P. (Absent)

Ms Cheryl Sampson, M.P. (Absent)

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

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

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

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

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

Ms Africo Selman, M.P. (Absent)

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

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

Mrs. Mabel Baveghems, M.P. (Absent)

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

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

Ms Dawn Hastings, M.P. (Absent)

5.

(ii) Alliance for Change (5)

Mr. Raphael G.C. Trotman, M.P. (Absent)

Mr. Khemraj Ramjattan, M.P. (Absent)

Mrs. Sheila Holder, M.P. (Absent – on leave)

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

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

Guyana Action Party/Rise Organize and Rebuild (1)

Mr. Everall N. Franklin, M.P. (Absent – on leave)

OFFICERS (2)

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

Ms Hermina Gilgeours, Assistant Clerk of the National Assembly

COMMENCEMENT OF SITTING

The sitting commenced at 2.35 p.m.

ANNOUNCEMENTS BY THE SPEAKER

Welcome to Mr. Bernard De Santos, M.P.

The Speaker welcomed Mr. Bernard DeSantos, M.P., back to the chamber.

Thereafter, Mr. Bernard DeSantos responded.

PRESENTATION OF PAPERS AND REPORTS-

By the Minister of Home Affairs:

The Motor Vehicles and Road Traffic (Amendment) Regulations 2011 – No. 2 of 2011.

(Circulated)

6.

REPORTS FROM COMMITTEES-

By the Minister of Health:

Report of the Special Select Committee on the Political Parties Campaign Financing – Resolution No. 153 of 2011.

(Circulated)

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

Guyana’s Claim to an extended Continental Shelf to the United Nations

The Minister of Foreign Affairs made the following statement:

“Mr. Speaker, I rise to inform the National Assembly that the Government of Guyana has made a submission containing all the relevant data with respect to Guyana’s claim to an extended continental shelf, pursuant to Article 76 of the United Nations Convention on the Law of the Sea. The submission was made on Tuesday, September 6, 2011 to the United Nations.

Like other States Parties to the United Nations Convention on the Law of the Sea, Guyana commissioned a desk top study in 2002 to determine, from data available both in Guyana and overseas, whether Guyana met the basic criteria to make a claim to an extended continental shelf. The claim, according to the provisions of Convention, can be up to a limit of 150 nautical miles from the 200 nautical mile outer limit of the exclusive economic zone of coastal States.

A key objective for commissioning the desk top study was to ensure that the commissioning of other more expensive works, including seismic data gathering that could cost millions of United States Dollars, would not be a costly exercise in futility. The desk top study, which was funded with the assistance of the Commonwealth Secretariat and conducted by Dr. Galo Carrera, determined that Guyana met the criteria to claim an extended continental shelf.

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Mr. Speaker, it would be recalled that in May, 2009, Guyana provided initial information to the Secretary General of the United Nations, regarding Guyana's claim to an extended continental shelf. The submission that was made on Tuesday, 6th September, 2011 to the United Nations represents Guyana's full submission of a claim to an extended continental shelf. That submission is expected to be formally and orally presented by Guyana to the Commission on the Limits of the Continental Shelf at its next session in April next year.

Mr. Speaker, Guyana has acted in its interest and has taken action to ensure that in the future it has the legal basis to benefit from and to protect its rights. In this context, it is useful to recall that last year the Maritime Zones Act came into force. The promulgation of that comprehensive and modern Act constituted another key component of the Government of Guyana's strategy which is aimed at ensuring that Guyana and Guyanese can benefit from the resources in our maritime zones and to protect our rights in and to them.

Mr. Speaker, I wish to point out that, in accordance with the provisions of the Convention, Guyana's jurisdiction in the continental shelf appurtenant to it beyond 200 nautical miles, will be restricted to the living resources that are in constant contact with the sea bed, but not those in the water column between the sea bed and its surface, as obtains in the exclusive economic zone. Guyana will however have exclusive jurisdiction over the resources under the seabed – that would include any hydrocarbon or mineral deposits.

I wish to make it clear that Guyana's submission of a claim of an extended continental shelf has been made without prejudice to any future delimitation of maritime boundaries with neighbouring States. In fact, the Convention and the Guidelines of the Commission precludes States from using the recommendations of the Commission as the basis for declaring or purporting to declare bilateral boundaries with neighbouring States. Between 2008 and 2010 Guyana entered into consultations with Barbados, Suriname and Trinidad and Tobago with

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8.

respect to the preparation of Guyana's claim and so promoted a *modus Vivendi* whereby all four States would make their submissions without prejudice to eventual delimitation and without objections from the others. It was very important for Guyana to engage in such diplomacy since Guyana is geographically wedged in the middle of all three coastal States. It is a truism that all of the submissions made to the Commission on the Limits of the Continental Shelf overlap.

I wish to express gratitude to Mr. Newell Dennison of the Guyana Geology and Mines Commission, who worked very hard with the staff of the Ministry of Foreign Affairs in support of the work of Dr. Galo Carrera to complete the submission. I also wish to acknowledge the debt of gratitude which Guyana owes to the Commonwealth Secretariat and the German Institute for Geosciences for their unswerving support to the process that led to the completion of the submission. As I have mentioned earlier, Dr. Carrera has worked hard and methodically to ensure that Guyana has the best submission possible and as the Minister of Foreign Affairs I wish to recognize his commitment and diligent work.

Finally, it will be remiss to me if I do not thank Mr. Keith George, Director of the Frontiers' Division of the Ministry of Foreign Affairs for his commitment and hard work in putting all the pieces together to ensure that Guyana's submission is of a high quality and with all the technical information required, and more so for seeing this process through to the end.

I thank you.”

INTRODUCTION OF BILLS-

Presentation and First Reading

CHRISTIAN BRETHERN INCORPORATION (AMENDMENT) BILL 2011- Bill No. 19/2011

The Minister of Health, on behalf of Ms Gail Teixeira, M.P., and the Trustees of the Christian Brethren in Guyana, presented the following Private Bill which was read the first time:

9.

A BILL intituled AN ACT to amend the Christian Brethren Incorporation Act 1914.

PUBLIC BUSINESS -

(i) GOVERNMENT BUSINESS

MOTIONS

ITEM 1 - CONSIDERATION OF FINANCIAL PAPER NO. 3/2011

Assembly resolved itself into Committee of Supply.

In Committee of Supply

The Minister of Finance signified the recommendation or consent of the Cabinet and moved the following motion:

BE IT RESOLVED:

Financial Paper No. 3/2011 – Supplementary Estimates (Current and Capital) totalling \$2,104,478,083 - advances made from the Contingencies Fund for the period 2nd June, 2011 to 31st December, 2011.

(Notice Paper No. 539 (M183 Govt 114) published on 2011-09-01)

(Paper presented on 2011-09-01)

After consideration of the Schedule, the motion was put and carried.

Assembly resumed

On a motion by the Minister of Finance, the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly agree with the Committee of Supply in the following Resolution:

10.

RESOLVED,

Financial Paper No. 3/2011 – Supplementary Estimates (Current and Capital) totalling \$2,104,478,083 - advances made from the Contingencies Fund for the period 2nd June, 2011 to 31st December, 2011.

ITEM 2 - CONSIDERATION OF FINANCIAL PAPER NO. 4/2011

Assembly resolved itself into Committee of Supply.

In Committee of Supply

The Minister of Finance signified the recommendation or consent of the Cabinet and moved the following motion:

BE IT RESOLVED:

Financial Paper No. 4/2011 – Supplementary Estimate (Capital) totalling \$542,948,950 for the period ending 31st December, 2011.

(Notice Paper No. 540 (M184 Govt 115) published on 2011-09-01)

(Paper presented on 2011-09-01)

After consideration of the Schedule, the motion was put and carried.

Assembly resumed

On a motion by the Minister of Finance, the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly agree with the Committee of Supply in the following Resolution:

RESOLVED:

Financial Paper No. 4/2011 – Supplementary Estimate (Capital) totalling \$542,948,950 for the period ending 31st December, 2011.

BILL – FIRST, SECOND AND THIRD READINGS

ITEM 3 - SUPPLEMENTARY APPROPRIATION (NO. 2 FOR 2011) BILL 2011 –

Bill No. 20/2011 published on 2011-09-01

With the leave of the Speaker, and on a motion by the Prime Minister and Minister of Public Works and Communications, Standing Orders Nos. 13(n) and 54 were suspended to enable the Supplementary Appropriation (No. 2 for 2011) Bill No. 20/2011 to be introduced at that stage.

The Minister of Finance, in accordance with paragraph (2) of Article 171 of the Constitution, signified Cabinet's recommendation for the Supplementary Appropriation (No. 2 for 2011) Bill No. 20/2011 for consideration by the National Assembly.

Thereafter, on motions by the Minister of Finance, the following Bill was introduced and was read the first, second and third times and passed as printed:

A BILL intituled AN ACT to provide for the issue from the Consolidated Fund of the sums necessary to meet the expenditure (not otherwise lawfully charged on the Consolidated Fund) of Guyana for the fiscal year ending 31st December, 2011, estimates whereof have been approved by the National Assembly, and for the appropriation of those sums for the specified purposes, in conformity with the Constitution.

(iii)COMMITTEES BUSINESS

MOTIONS

**ITEM 4 - ADOPTION OF THE REPORT OF THE SPECIAL SELECT COMMITTEE
ON THE CRIMINAL RESPONSIBILITY OF HIV INFECTED INDIVIDUALS**

The Minister of Health (Chairman of the Special Select Committee on Criminal Responsibility of HIV Infected Individuals) moved the following motion:

12.

BE IT RESOLVED:

That this National Assembly adopts the Report of the Special Select Committee on the Criminal Responsibility of HIV Infected Individuals, (Resolution No. 129 of 2010).

(Notice Paper No. 541 (M185 Govt 116) published on 2011-09-01)

Dr. Vishwa Mahadeo spoke to the motion.

The motion was then put and carried.

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

Mr. Odinga Lumumba, M.P. (Chairman of the Parliamentary Sectoral Committee on Natural Resources) moved the following motion:

BE IT RESOLVED:

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

(Notice Paper No. 538 (M182 PPP/C 23) published on 2011-09-01)

The motion was put and carried.

**ITEM 6 - ADOPTION OF REPORT OF THE SPECIAL SELECT COMMITTEE ON
THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011**

At a request of the Prime Minister and Minister of Public Works and Communications (Chairman of the Special Select Committee on the Public Utilities Commission (Amendment) Bill 2011 and the Telecommunications Bill 2011), consideration of the following motion was deferred:

BE IT RESOLVED:

That this National Assembly adopts the Report of the Special Select Committee on the Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011.

(Notice Paper No. 542 (M186 Govt 117) published on 2011-09-01)

**ITEM 7 - ADOPTION OF REPORT OF THE SPECIAL SELECT COMMITTEE ON
THE TELECOMMUNICATIONS BILL 2011**

At a request of The Prime Minister and Minister of Public Works and Communications (Chairman of the Special Select Committee on the Public Utilities Commission (Amendment) Bill 2011 and the Telecommunications Bill 2011), consideration of the following motion was deferred:

BE IT RESOLVED:

That this National Assembly adopts the Report of the Special Select Committee on the Telecommunications Bill 2011 – Bill No. 18 of 2011.

(Notice Paper No. 542 (M187 Govt 118) published on 2011-09-01)

ADJOURNMENT

At 3.48 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, 15th September, 2011.

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

PARLIAMENT OFFICE,
Public Buildings,
Brickdam.

8th September, 2011.