

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 1ST SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 5TH DECEMBER, 2002
IN THE CONVENTION CENTRE, OCEAN VIEW INTERNATIONAL HOTEL,
LILIENDAAL, GREATER GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (68)

Speaker (1)

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

Members of the Government (37)

(i) People's Progressive Party/Civic (34)

(ii) Non-elected Ministers (2)

(iii) The United Force (1)

The Hon. Samuel A.A. Hinds, M.P., Prime Minister and Minister of Public Works
and Communications

The Hon. Reepu Daman Persaud, O.R., J.P., M.P., Minister of Parliamentary Affairs

The Hon. Clement J. Rohee, M.P., Minister of Foreign Trade and International Co-operation (Absent - on leave)

The Hon. Harripersaud Nokta, M.P., Minister of Local Government and Regional Development

The Hon. Gail Teixeira, M.P., Minister of Culture, Youth and Sport

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Education

The Hon. Saisnarine Kowlessar, M.P., Minister of Finance

The Hon. Shaik K.Z. Baksh, M.P., Minister of Housing and Water

The Hon. Navindranauth O. Chandarpal, M.P., Minister of Agriculture

(Region No. 4 - Demerara/Mahaica)

The Hon. J. Ronald Gajraj, M.P., Minister of Home Affairs

(Region No. 3 -Essequibo Islands/West Demerara)

The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P., Minister of Labour, Human Services and
Social Security (Absent - on leave)

The Hon. Clinton C. Collymore, M.P., Minister in the Ministry of Local Government and
Regional Development (Absent)

The Hon. Satyadeow Sawh, M.P., Minister of Fisheries, Other Crops and Livestock
(Region No. 5 - Mahaica/Berbice)

* The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P., Minister in the Office of the
President with responsibility for Foreign Affairs

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

The Hon. Dr. Jennifer R.A. Westford, M.P., Minister of the Public Service

The Hon. C. Anthony Xavier, M.P., Minister of Transport and Hydraulics

The Hon. Bibi S. Shadick, M.P., Minister in the Ministry of Labour, Human Services and
Social Security (Region No. 3 - Essequibo Islands/West Demerara)

** The Hon. Manzoor Nadir, M.P., Minister of Tourism, Industry and Commerce

The Hon. Carolyn Rodrigues, M.P., Minister of Amerindian Affairs

The Hon. Dr. Leslie S. Ramsammy, M.P., Minister of Health

Mr. S. Feroze Mohamed, M.P., Chief Whip

Mr. Cyril C.L. Belgrave, C.C.H., J.P., M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Donald R. Ramotar, M.P.

Mr. Husman Alli, J.P., M.P. (Region No. 7 - Cuyuni/Mazaruni)

Mr. Komal Chand, C.C.H., J.P., M.P.

Mrs. Indranie Chandarpal, M.P.

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

Mrs. Shirley V. Edwards, J.P., M.P.

Mr. Odinga N. Lumumba, M.P.

Mr. Heeralall Mohan, J.P., M.P. (Region No. 2 - Pomeroon/Supenaam)

Mr. Ramesh C. Rajkumar, M.P. (Region No. 6 - East Berbice/Corentyne)

Mr. Kumkaran Ramdas, M.P.

Mr. Khemraj Ramjattan, M.P. (Region No. 6 - East Berbice/Corentyne) (Absent)

Dr. Bheri S. Ramsaran, M.D., M.P. (Absent)

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P.,
Parliamentary Secretary, Ministry of Housing and Water (Absent)

Mrs. Pauline R. Sukhai, M.P. (Region No. 1 - Barima/Waini) (Absent)

*Non-Elected Minister

**Elected Member from The United Force

Members of the Opposition (30)**(i) People's National Congress/Reform (27)**

- Mr. H. Desmond Hoyte, S.C., M.P., Leader of the Opposition (Absent - on leave)
- Mr. Robert H.O. Corbin, M.P. (Absent - on leave)
- Mr. Winston S. Murray, C.C.H., M.P. (Absent - on leave)
- Mrs. Clarissa S. Riehl, M.P., Deputy Speaker of the National Assembly (Absent - on leave)
- Mr. E. Lance Carberry, M.P., Chief Whip (Absent - on leave)
- Mr. Ivor Allen, M.P. (Region No. 2 - Pomeroon/Supenaam) (Absent - on leave)
- Mrs. Deborah J. Backer, M.P. (Absent - on leave)
- Mr. Deryck M.A. Bernard, M.P. (Absent - on leave)
- Mr. C. Stanley Ming, M.P. (Absent - on leave)
- Mr. Raphael G.C. Trotman, M.P. (Absent - on leave)
- Mr. Vincent L. Alexander, M.P. (Region No. 4 - Demerara/Mahaica) (Absent)
- Mr. Andy Goveia, M.P. (Absent - on leave)
- Mrs. Volda A. Lawrence, M.P. (Absent)
- Dr. Dalgleish Joseph, M.D., M.P. (Absent - on leave)
- Miss Amna Ally, M.P. (Region No. 5 - Mahaica/Berbice) (Absent - on leave)
- Miss Sandra M. Adams, M.P. (Region No. 10 - Upper Demerara/Berbice) (Absent - on leave)
- Mr. Jerome Khan, M.P. (Absent - on leave)
- Dr. George A. Norton, M.P. (Absent - on leave)
- Miss Myrna E.N. Peterkin, M.P. (Region No. 4 - Demerara/Mahaica) (Absent - on leave)
- Mr. James K. McAllister, M.P. (Region No. 3 - Essequibo Islands/West Demerara) (Absent)
- Miss Lurlene A. Nestor, M.P. (Region No. 4 - Demerara/Mahaica) (Absent)
- Mr. Abdul Kadir, J.P., M.P. (Region No. 10 - Upper Demerara/Berbice) (Absent - on leave)
- Mr. Ricky Khan, M.P. (Region No. 1 - Barima/Waini) (Absent - on leave)
- Mrs. Rajcoomarie Bancroft, M.P. (Region No. 8 - Potaro/Siparuni) (Absent - on leave)
- Mr. Nasir Ally, J.P., M.P. (Region No. 6 - East Berbice/Corentyne) (Absent - on leave)
- Miss Judith David, M.P. (Region No. 7 - Cuyuni/Mazaruni) (Absent - on leave)
- Miss Genevieve Allen, M.P. (Region No. 4 - Demerara/Mahaica) (Absent - on leave)

4.

(ii) **Guyana Action Party/Working People's Alliance (2)**

Mrs. Sheila V.A. Holder, M.P. (Absent - on leave)

Mrs. Shirley J. Melville, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo)

(iii) **Rise, Organise and Rebuild Party (1)**

Mr. Ravindra Dev, M.P. (Absent - on leave)

OFFICERS

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 2.08 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

(i) **Pr^{og}ation and Summoning of Parliament**

The Speaker informed Members that the reason for the sitting being held away from the Parliament Chamber was communicated to them by the Clerk of the Assembly, in a letter dated 28th November, 2002.

He welcomed the Members of the Assembly and the Members of the Press, to the new location.

The Speaker stated that His Excellency the President, by Proclamation No. 1 of 2002, dated 27th November, 2002, had prorogued Parliament with effect from 27th November, 2002. He then read the Proclamation.

The Speaker also informed the Assembly that His Excellency had also, by another Proclamation No. 2 of 2002, dated 27th November, 2002, had appointed Thursday, 5th December, 2002, and the Ocean View Convention Centre as the venue where the Second Session of the Eighth Parliament would have been held. He then read the Proclamation.

The Speaker further informed Members that the prorogation of Parliament had ended the First Session of the Eighth Parliament and not the life of the Eighth Parliament and that they would have therefore, observed a change of the Session Number from First to Second, on their Order Papers and other documents.

(ii) **Sympathy to Mrs. Philomena Sahoye-Shury**

On behalf of the Members of the Assembly and himself, the Speaker extended deepest sympathy to Mrs. Philomena Sahoye-Shury, Parliamentary Secretary, on the recent death of her brother, Mr. Sylvester Vieira.

(iii) **Leave**

The Speaker announced that leave had been granted to:

The Hon. Clement Rohee

and

The Hon. Ramnauth Bisnauth, for that day's sitting

and the Hon. Members,

Mr. Desmond Hoyte

Mr. Winston Murray

Mrs. Clarissa Riehl

Mr. E. Lance Carberry

Mr. Ivor Allen

Mrs. Deborah Backer

Mr. Deryck Bernard

Mr. Stanley Ming

6.

Mr. Raphael Trotman

Mr. Andy Goveia

Dr. Dalglish Joseph

Miss Amna Ally

Mr. Jerome Khan

Dr. George Norton

Miss Myrna Peterkin

Mr. Abdul Kadir

Mr. Ricky Khan

Mrs. Rajcoomarie Bancroft

Mr. Nasir Ally

Miss Judith David

Miss Genevieve Allen, up to 31st December, 2002,

and

Mr. Ravindra Dev, for that day's sitting.

PRESENTATION OF PAPERS AND REPORTS, ETC.

(1) By the Speaker of the National Assembly:

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, 2001.

(Circulated)

(2) By the Minister of Finance:

(i) Financial Paper No. 2/2002 - Supplementary Estimates (Current and Capital) totalling \$807,480,074, for the period 17th April, 2002 to 10th October, 2002 - Advances made from the Contingencies Fund.

(Circulated)

- (ii) Financial Paper No. 3/2002 - Supplementary Estimates (Capital) totalling \$743,986,421, for the period ended 31st December, 2002.

(Circulated)

QUESTIONS TO MINISTERS -

STATEMENTS BY MINISTERS -

PERSONAL EXPLANATIONS -

**REQUESTS FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY
ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE -**

**MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE ASSEMBLY
AND MOVED BY A MINISTER -**

(1) **Suspension of Standing Order No. 68**

The Minister of Parliamentary Affairs moved the following motion which was put and carried:

BE IT RESOLVED:

That this National Assembly approve of the suspension of Standing Order No. 68 to enable the following Financial Papers to be considered at the sitting of the Assembly on Thursday, 5th December, 2002:-

- (i) Financial Paper No. 2/2002 - Supplementary Estimates (Current and Capital) totalling \$807,480,074, for the period 17th April, 2002 to 10th October, 2002 - Advances made from the Contingencies Fund.
- (ii) Financial Paper No. 3/2002 - Supplementary Estimates (Capital) totalling \$743,986,421, for the period ended 31st December, 2002.
(Notice Paper No. 1 (M1 Govt1) published 2002-11-28)

(2) **Suspension of Standing Order No. 46 (2) and (3)**

The Minister of Parliamentary Affairs moved the following motion which was put and carried:

BE IT RESOLVED:

That Standing Order No. 46 (2) and (3) be suspended to enable the Assembly to proceed at its sitting on Thursday, 5th December, 2002, with the second reading and the remaining stages of the following Bills:-

- (i) Fiscal Enactments (Amendment) Bill 2002 - Bill No. 7/2002
- (ii) Fisheries Bill 2002 - Bill No. 8/2002
- (iii) Local Authorities (Elections) (Amendment) Bill 2002 - Bill No. 13/2002

(Notice Paper No.2(M2 Govt2) published 2002-11-28)

INTRODUCTION OF BILLS -

Presentation and First Reading

1. **FISCAL ENACTMENTS (AMENDMENT) BILL 2002 - Bill No. 7/2002**

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

A BILL intituled AN ACT to amend the Tax Act and the Hotel Accommodation Tax Act 1993.

2. **LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 2002 -**

Bill No. 13/2002

The Minister of Local Government and Regional Development, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend the Local Authorities (Elections) Act to provide for the postponement of elections of councillors of local democratic organs.

3. **FISHERIES BILL 2002 - Bill No. 8/2002**

The Minister of Fisheries, Crops and Livestock, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to provide for the promotion, management, and development of fisheries and for matters connected therewith

4. **LAND REGISTRY (AMENDMENT) BILL 2002 - Bill No. 14/2002**

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 Land Registry Act.

5. **KIDNAPPING BILL 2002 - Bill No. 15/2002**

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 provide for the punishment of the offences of abduction, wrongful restraint and wrongful confinement for ransom and other related offences and for matters incidental thereto.

PUBLIC BUSINESS

MOTIONS

ITEM 1 - COMMITTEE OF SELECTION

On a proposal by the Prime Minister, the Assembly nominated the following 10 Members to comprise the Committee of Selection (with the Speaker as Chairman, in accordance with Standing Order No. 70 (1) (b)):-

From the People's Progressive Party/Civic (5)

The Hon. Reepu Daman Persaud,
Minister of Parliamentary Affairs

The Hon. Gail Teixeira,
Minister of Culture, Youth and Sport

The Hon. Dr. Henry B. Jeffrey,
Minister of Education

Mr. S. Feroze Mohamed,
Chief Whip

Mr. Donald R. Ramotar

From the People's National Congress/Reform (3)

Mr. Robert H.O. Corbin

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

Mr. E. Lance Carberry,
Chief Whip

From the Guyana Action Party/Working People's Alliance (1)

Mrs. Sheila V.A. Holder

ITEM2 - CONSIDERATION OF FINANCIAL PAPER NO. 2/2002

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:

That this Assembly approve of the proposals set out in Financial Paper No. 2/2002 - Supplementary Estimates (Current and Capital) totalling \$807,480,074, for the period 17th April, 2002 to 10th October, 2002 - Advances made from the Contingencies Fund.

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:

That this Assembly approve of the proposals set out in Financial Paper No. 2/2002 - Supplementary Estimates (Current and Capital) totalling \$807,480,074, for the period 17th April, 2002 to 10th October, 2002 - Advances made from the Contingencies Fund.”

ITEM3 - CONSIDERATION OF FINANCIAL PAPER NO. 3/2002

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:

That this Assembly approve of the proposals set out in Financial Paper No. 3/2002 - Supplementary Estimates (Capital) totalling \$743,986,421, for the period ended 31st December, 2002.

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:

That this Assembly approve of the proposals set out in Financial Paper No. 3/2002 -Supplementary Estimate (Capital) totalling \$743,986,421, for the period ending 31st December, 2002.

BILLS - Second Reading

ITEM 4 - FISCAL ENACTMENTS (AMENDMENT) BILL 2002 - Bill No. 7/2002

The Minister of Finance moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Tax Act and the Hotel
Accommodation Tax Act 1993.

(Read a first time on 2002-12-05)

The motion was then put and carried.

The Bill was read a second time and was thereafter taken through its remaining stages and passed as printed.

**ITEM 5 - LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 2002 -
Bill No. 13/2002**

The Minister of Local Government and Regional Development moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Local Authorities (Elections)
Act to provide for the postponement of elections of councillors of
local democratic organs.

(Read a first time on 2002-12-05)

The motion was then put and carried.

The Bill was read a second time and was thereafter taken through its remaining stages and passed as printed.

ITEM 6 - FISHERIES BILL 2002 - Bill No. 8/2002

The Minister of Fisheries, Crops and Livestock moved the second reading of the following Bill:

A BILL intituled AN ACT to provide for the promotion, management, and development of fisheries and for matters connected therewith.

(Read a first time on 2002-12-05)

The following Members spoke to the motion:

The Minister of Health

Mrs. Shirley Melville

Mr. Cyril Belgrave

Thereafter, the Minister of Fisheries, Crops and Livestock replied.

The motion was put and carried.

The Bill was read a second time.

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

In Committee

Clause 1 was passed as printed.

Clause 2

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Section (1)(s) - Substitute for the words "section 6" the words "section 34".

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

15.

Clause 2 was passed as amended.

Clause 3 was passed as printed.

Clause 4

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Section (2)(c) - Delete the word "and" where it appears for the second time.

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

Clause 4 was passed as amended.

Clauses 5,6,7 and 8 were passed as printed.

Clause 9

The Minister of Fisheries, Crops and Livestock moved the following amendments:

Section (5) - Insert immediately after the words "subsection (1)", the words "of this section and section 13(1)".

Section (6) - Substitute for the words "fifty thousand dollars", the words "one hundred thousand dollars".

The amendments by the Minister of Fisheries, Crops and Livestock were put and carried.

Clause 9 was passed as amended.

Clause 10 to 33 were passed as printed.

Clause 34

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Section (4) - Insert the word "to" immediately after the word "Subject".

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

Clause 34 was passed as amended.

Clauses 35 to 40 were passed as printed.

Clause 41

The Minister of Fisheries, Crops and Livestock moved the following amendments:

Section (1) - Substitute for the words "section 20(1)", the words "section 43".

Section (2) - Substitute for the words "section 21(1)", the words "section 43".

The amendments by the Minister of Fisheries, Crops and Livestock were put and carried.

Clause 41 was passed as amended.

Clauses 42 to 52 were passed as printed.

Clause 53

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Section (1) (line 4) - Substitute for the words "inspection of and any" the words "and inspection of any".

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

Clause 53 was passed as amended.

Clauses 54, 55 and 56 were passed as printed.

Clause 57

The Minister of Fisheries, Crops and Livestock moved the following amendments:

Substitute Section (1) - Where-

- (a) a fishing vessel is taken, seized or detained under this Act and an information or charge is laid against the master, owner or charterer;
- (b) an aircraft is taken, seized or detained under this Act and an information or charge is laid against the pilot, owner or charterer;
- (c) a vehicle is taken, seized or detained under this Act and an information or charge is laid against the driver or owner.

In respect of the offence for which the vessel, aircraft or vehicle has been taken, seized or detained, the master, owner or charterer of the vessel, the pilot, owner or charterer of the aircraft or the driver or owner of the vehicle, as the case may be, may at any time before the determination of the information or charge apply to the court by which the information or charge is due to be determined for the release of the vessel, aircraft or vehicle on the provision of security in accordance with this section.

Section (2) - For the word "vessel" wherever it occurs, substitute the words "vessel, aircraft or vehicle".

The amendments by the Minister of Fisheries, Crops and Livestock were put and carried.

18.

Clause 57 was passed as amended.

Clause 58 was passed as printed.

Clause 59

The Minister of Fisheries, Crops and Livestock moved the following amendments:

For the word "vessel" wherever it occurs, substitute the words "vessel, aircraft, vehicle".

Section (6) - Delete the words beginning with the words "y proceeds" and ending with the words "Consolidated Fund".

Section (9) - Delete

The amendments by the Minister of Fisheries, Crops and Livestock were put and carried.

Clause 59 was passed as amended.

Clauses 60 to 64 were passed as printed.

Clause 65

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Substitute for the words "or any vehicle", the words "any aircraft or vehicle".

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

Clause 65 was passed as amended.

Clauses 66 and 67 were passed as printed.

Clause 68

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Section (2)(b) - Substitute for the words "section 66", the words "section 68".

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

Clause 68 was passed as amended.

Clauses 69 to 78 were passed as printed.

Clause 79

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Section (2)(n) - Substitute for the word "to" where it appears for the second time the word "by".

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

Clause 79 was passed as amended.

Clauses 80 and 81 were passed as printed.

Clause 82

The Minister of Fisheries, Crops and Livestock moved the following amendment:

Insert in the marginal note thereto under "Repeals", the following - "Cap. 71:08 No. 10 of 1977".

The amendment by the Minister of Fisheries, Crops and Livestock was put and carried.

Clause 82 was passed as amended.

Assembly resumed.

On a motion by the Minister of Fisheries, Crops and Livestock, the Bill was read the third time and was passed as amended.

CONGRATULATIONS TO THE CLERK OF THE NATIONAL ASSEMBLY AND HIS STAFF

The Speaker extended thanks to the Clerk of the National Assembly and his staff for preparing the Ocean View Convention Centre for that sitting of the National Assembly.

The Minister of Parliamentary Affairs joined with the Speaker in extending thanks to the Clerk and his staff.

ADJOURNMENT

At 4.00 p.m., on a motion by the Minister of Parliamentary Affairs, the Assembly was adjourned to a date to be fixed.



HARI N. RAMKARRAN

Speaker of the National Assembly

**PARLIAMENT OFFICE,
Public Buildings,
Georgetown.**

5th December, 2002