

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 10TH SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002-2003) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 15TH MAY, 2003
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(Absent-on leave) performing the functions of the Office of President)

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)

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 (Absent)

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

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

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

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

* 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 (Absent - on leave)

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

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

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

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

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

Mr. Zulfikar Mustapha, M.P.

*Non-Elected Minister

**Elected Member from The United Force

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

Mr. Robert H.O. Corbin, M.P. (Absent)

Mr. Winston S. 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

Mr. Ivor Allen, M.P. (Region No. 2 - Pomeroon/Supenaam) (Absent - on leave)

Mrs. Deborah J. Backer, M.P.

Mr. Deryck M.A. Bernard, M.P.

Mr. C. Stanley Ming, M.P. (Absent)

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

Mr. Vincent L. Alexander, M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Andy Goveia, M.P. (Absent)

Mrs. Volda A. Lawrence, M.P.

Dr. Dalglish Joseph, M.D., M.P.

Miss Amna Ally, M.P. (Region No. 5 - Mahaica/Berbice) (Absent)

Miss Sandra M. Adams, M.P. (Region No. 10 - Upper Demerara/Berbice)

Mr. Jerome Khan, M.P.

Dr. George A. Norton, M.P.

Miss Myrna E.N. Peterkin, M.P. (Region No. 4 - Demerara/Mahaica) (Absent)

Mr. James K. McAllister, M.P. (Region No. 3 - Essequibo Islands/West Demerara)

Miss Lurlene A. Nestor, M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Abdul Kadir, J.P., M.P. (Region No. 10 - Upper Demerara/Berbice)

Mr. Ricky Khan, M.P. (Region No. 1 - Barima/Waini) (Absent)

Mrs. Rajcoomarie Bancroft, M.P. (Region No. 8 - Potaro/Siparuni)

Mr. Nasir Ally, J.P., M.P. (Region No. 6 - East Berbice/Corentyne)

Miss Judith David, M.P. (Region No. 7 - Cuyuni/Mazaruni)

Miss Genevieve Allen, M.P. (Region No. 4 - Demerara/Mahaica)

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

Mrs. Sheila V.A. Holder, M.P.

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.

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 3.08 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

Leave

The Speaker announced that leave had been granted to the following Members:

Mr. Manzoor Nadir up to the 16th May, 2003

Dr. Bheri S. Ramsaran up to the 20th May, 2003, and

Mr. Ivor Allen up to the 19th May, 2003.

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

Suspension of Standing Order No. 46(3)

The **Minister of Parliamentary Affairs**, moved the following motion:

RESOLVED:

That Standing Order No. 46(3) be suspended to enable the Assembly to proceed at its sitting on Thursday, 15th May, 2003, with the second reading and the remaining stages of the Constitution (Amendment) Bill 2003 - Bill No. 4/2003 published 2003-05-08.

(Notice Paper No. 42(M15 Govt14)published 2003-05-12)

The motion was then put and carried.

INTRODUCTION OF BILLS -
Presentation and First Reading

THE PHARMACY PRACTITIONERS BILL 2003 - Bill No. 5/2003 published 2003-05-12

The **Minister of Health**, on behalf of the Government, presented the following Bill:

A BILL intituled AN ACT to make provision for the incorporation of a pharmacy Council for the registration of pharmacists, practising pharmacists, pharmacist assistants and for matters connected therewith.

(Read a first time 2003-05-15)

PUBLIC BUSINESS**MOTIONS****ITEM 1 - CONSENSUAL MECHANISM FOR THE NOMINATION BY ENTITIES OF MEMBERS OF THE RIGHTS COMMISSIONS**

The Minister of Health moved the following motion:

Whereas, the Constitution provides for the appointment of certain Commissions and in particular the Ethnic Relations Commission by Article 212(a)&(b), the Women's Gender and Equality Commission by Article 212(q), the Indigenous Peoples' Commission by Article 212(s) and the Rights of the Child Commission by Article 212(u).

Whereas the Constitution provides for the National Assembly to determine a Consensual Mechanism to be used by entities nominating members for the Rights Commissions, i.e. Women and Gender Equality Commission, Indigenous Peoples' Commission and the Rights of the Child Commission,

Whereas the Ethnic Relations Commission has been appointed by a Consensual Mechanism determined by the National Assembly on the 11th December, 2000.

Be it resolved that the National Assembly approves of the procedures set out hereunder to be followed in nominating members and their alternates,

1. All the Entities in any group, to be invited to select a Nominee for appointment to the Commissions, should be written to by the Clerk of the National Assembly inviting them to meet, on a day/date, time and place to be agreed by them, to determine their Nominee (and one Substitute who would replace the Nominee on the Commission in the event that the Nominee is no longer able to function) for Membership of the Commission.
2. Where there is a recognised "Umbrella Organisation" for the Group, the Clerk should write to that Organisation and copy his letter to each of the "constituent entities" within the Group.
3. The Nominee and Substitute chosen by the Group must be persons who are competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges all of its functions. They should have earned public respect and be of unquestioned and unblemished honesty and integrity.

4. The "process/procedure" used must be demonstrated to be unbiased and transparent.

5. It is important that the Nominee and Substitute obtain the unquestioned support and acceptance of the Entity nominating them as well as the Entities within the Group.

6. A deadline should be set by which time the Clerk of the National Assembly shall be formally notified of the names and other requested particulars of the Nominee; the "process/procedure" used for the selection of the Nominee; the number of Entities within the Group which were "properly" represented when the Nominee was selected; and a "statement" to the effect that the Nominee is supported and accepted by the majority of Entities within the Group.

7. The report of the Clerk shall be submitted to the National Assembly and the List of Nominees approved by the National Assembly shall be forwarded to the President for appointment.

(Notice Paper No. 43(M16 Govt15) published 2003-05-13)

The following Members spoke to the motion:

Mr. Lance Carberry

The Minister of Parliamentary Affairs

Thereafter, the Minister of Health replied.

The motion was then put and carried.

ITEM 2 - FOUR PARLIAMENTARY SECTORAL COMMITTEES

The Minister of Health, moved the following motion:

WHEREAS Article 119 B of the Constitution provides:

There shall be parliamentary sectoral committees established by the National Assembly with responsibility for the scrutiny of all areas of Government policy and administration including (I) natural resources (ii) economic services (iii) foreign relations and (iv) social services

BE IT RESOLVED that:-

1. The Sectoral Committees shall consist of seven (7) members, four (4) representing the Government and three (3) representing the Opposition. The Government and Opposition are entitled to elect one alternate member each for each Sectoral Committee.

2. The Chairperson and Deputy Chairperson of each sectoral committee shall be elected from opposite sides of the National Assembly and would alternate annually with two (2) Sectoral Committees each to be chaired by the Government and Opposition respectively.

3. The committees shall, in the discharge of their scrutinising role, examine all policies and administration, for each sector, to determine whether the execution of government policy is in consonance with the principles of good governance and in the best interest of all the people of Guyana.

4. The committees shall have the authority to:
- (i) Determine areas of government activity for scrutiny or specific examination;
 - (ii) Request the Minister assigned responsibility for the sector to submit written or oral information, including government documents and records about any specific area of government policy and administration;
 - (iii) Review existing legislation on government policy and administration for any of the sectors;
 - (iv) Summon persons to give evidence, scrutinise government documents, papers and records;
 - (v) Visit any government activity or project in Guyana as agreed and arranged by the Committee;
 - (vi) In the discharge of their mandate, utilise the services of experts, specialists and other sources of advice as they determine;
 - (vii) Establish a timetable for the conduct of their work;
 - (viii) Make recommendations to the National Assembly on legislation or any other action to be taken on matters falling within their purview;
 - (ix) Submit periodic reports to the National Assembly on their work; and
 - (x) Invite comments, from the Minister assigned responsibility for the sector on their recommendations or reports.

5. The National Assembly, notwithstanding the current work programme of any sectoral committee, may request the committee to give

prompt attention to a particular aspect of the policy or administration of the government for a sector.

6. The provisions of Standing Order No. 70 A shall apply to the Sectoral Committees.

BE IT FURTHER RESOLVED that:-

7. The Gazetted ministerial responsibilities shall be allocated to each Sectoral Committee in the manner set out in Schedule 1.

(Notice Paper No. 44(M17 Govt16) published 2003-05-13)

The following Members spoke to the motion:

Mr. Dereck M. A. Bernard

The Minister of Parliamentary Affairs.

Thereafter, the Minister of Health replied.

The motion was then put and was supported by the votes of the following forty-six (46) elected Members of the Assembly:

FOR

Mr. Dev

Mrs. Melville

Mrs. Holder

Miss Allen

Miss David

Mr. Ally

Mrs. Brancroft

Mr. Kadir

Miss Nestor

Mr. McAllister

Dr. Norton

Miss Adams

Dr. Joseph

Mr. Alexander

Mr. Trotman

Mr. Bernard

Mrs. Backer

Mr. Carberry

Mrs. Riehl

Mr. Murray

FOR

Mr. Mustapha

Mrs. Sahoye-Shury

Mr. Ramjattan

Mr. Rajkumar

Mr. Mohan

Mr. Lumumba

Mrs. Edwards

Mr. DeSantos

Mrs. Chandarpal

Mr. Chand

Mr. Alli

Mr. Belgrave

Mr. Mohamed

Dr. Ramsammy

Miss Shadick

Mr. Xavier

Dr. Westford

Mr. Collymore

Dr. Bisnauth

Mr. Gajraj

Mr. Chandarpal

Mr. Baksh

Dr. Jeffrey

Miss Teixeira

Mr. Nokta

Mr. Persaud

PUBLIC BUSINESS

Bills - Second Reading

**ITEM 3 - CONSTITUTION (AMENDMENT) BILL 2003 - Bill No. 4/2003 published
2003-05-08**

The Attorney General and Minister of Legal Affairs, on behalf of the Government, moved the second reading of the following Bill:

A BILL intituled AN ACT to alter the Constitution in accordance with article 66 and 164.

(Read a first time on 2003-05-08)

The following Members spoke to the motion:

Mr. Winston Murray

Mrs. Sheila V.A. Holder

Mr. Ravi Dev.

Thereafter, the Attorney General and Minister of Legal Affairs replied.

The motion was then put and carried.

The Bill was read a second time.

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

In Committee of Supply

Clauses 1 and 2 were passed as printed.

Assembly Resumed

On a motion by the Attorney General and Minister of Legal Affairs, the Constitution (Amendment) Bill was read the third time and was passed as printed.

ITEM 4 - KIDNAPPING BILL 2002 - Bill No. 15/2002 published on 2002-12-05

On a motion by Mrs. Debra Backer, seconded by the Minister of Home Affairs, and with the approval of the Assembly, consideration of the following Bill was deferred.

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.

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

ADJOURNMENT

At 4.14 p.m., on a motion by the Minister of Parliamentary Affairs, the Assembly was adjourned to 2:00 p.m., on Friday, 16th May, 2003.



HARI N. RAMKARRAN

Speaker of the National Assembly

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

15th May, 2003.