

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 13TH 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, 5TH JUNE, 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

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

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) (Absent)

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 - on leave)

* 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. - (Absent - on leave)

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.

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)

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.

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

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

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 - on leave)

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

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

Mr. Andy Goveia, M.P. (Absent - on leave)

Mrs. Volda A. Lawrence, M.P.

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

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

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)

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)

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)

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(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 2.10 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

Preparation of a Weekly Parliamentary Agenda

The Speaker announced that the Clerk of the National Assembly had commenced the preparation of a weekly Parliamentary Agenda and that the Agenda would be displayed on the Notice Board in the Registry of the Parliament Office and in the Waiting Room of the Office of the Clerk of the National Assembly.

Leave

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

The Hon. Rudolph Insanally
Mr. Odinga N. Lumumba
Mrs. Clarissa S. Riehl
Mr. Ivor Allen, and
Mr. Andy Goveia, for that day's sitting

PRESENTATION OF PAPERS AND REPORTS, ETC.

- (1) By the Minister of Culture, Youth and Sport, on behalf of the Minister of Foreign Trade and International Co-operation:

Summary Report of the Committee on Border and National Security.

(Circulated)

- (2) By the Minister of Housing and Water:

National Policy on Land and House lot distribution.

(Circulated)

QUESTIONS TO MINISTERS**For Oral Replies****No. 1 - TRACTOR AT PARAMAKATOI**

Mrs. Sheila Holder asked the Minister of Local Government and Regional Development the following questions:

1. *Who has been assigned responsibility for the tractor and the tractor operator/driver currently in operation at Paramakatoi?
2. *From whom should the tractor operator take instructions regarding the use of the tractor at Paramakatoi?
3. *Under what conditions and/or circumstances were the tractor and its operator provided to Paramakatoi?

(Notice Paper No. 8(Q1 Opp1) published 2003-02-17)

Oral Answer by the Minister of Local Government and Regional Development

- (i) The Regional Executive Officer of Region 8 has responsibility for the tractor and operator/driver at Paramakatoi.
- (ii) The tractor operator takes instructions for the use of the tractor from the Regional Executive Officer, Region 8, through the Hinterland Affairs Worker based at Kato.
- (iii) The tractor was acquired during the year 1999 with funding of \$6M provided by the Regional Democratic Council and \$1M provided by the Villages of Kato (\$500,000) and Paramakatoi (\$500,000).

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The operator was trained and employed by the Regional Democratic Council. The tractor is used to assist in village projects throughout the sub-region. All fuel and maintenance expenses and payment to the tractor operator are borne by Region 8 RDC.

No. 2 - TRAIL FROM PARAMAKATOI TO BAMBOO CREEK

Mrs. Sheila Holder asked the Minister of Local Government and Regional Development the following question:

*Would the Minister say what plans are in place to maintain and or upgrade the trail from Paramakatoi to Bamboo Creek?

(Notice Paper No. 9(Q2 Opp 2) published 2003-02-17)

Oral replies by the Minister of Local Government and Regional Development

“The trail from Paramakatoi to Bamboo Creek is being maintained and upgraded with funds provided by the Regional Democratic Council, Region No. 8 from its budgetary allocation.”

No. 3 - MAINTENANCE OF HINTERLAND AIRSTRIPS

Mrs. Sheila Holder asked the Minister of Transport and Hydraulics the following questions:

1. *Is there a public tendering system in place for the awarding of contracts for the maintenance of airstrips in the hinterland? If so, could the Minister please say if it is on an annual basis and when last was the process used?

2. *What system is in place to ensure that equal treatment and equal opportunity are available to indigenous hinterland residents to bid for such contracts?

(Notice Paper No. 10(Q3 Opp3) published 2003-02-17)

Oral replies by the Minister of Transport and Hydraulics

Question 1.

“There are two types of maintenance works which are carried out on hinterland airstrips; a quarterly routine maintenance and a corrective or rehabilitative maintenance.

In the case of the corrective maintenance this is done through a system of public tendering. Whenever funds are provided in the budget for such works, particularly airstrips, a system of public tendering is used. The system of public tendering was last used in July 2002. This was in respect of seven (7) airstrips.

Whenever such contractual works are carried out the residents in the area are employed by the contractor.

With reference to the quarterly routine maintenance which is for amounts ranging from \$80,000 to \$120,000 per quarter - and this range depends on the size of the airstrip - it has been the practice for such maintenance works to be carried out by residents of the respective areas.”

Question 2

“The Aerodrome Section has always tried to ensure that equal treatment and opportunity are available to the indigenous hinterland residents. In consultation with the Regional Administration, thirty (30) contractor, referred to as resident contractors, were hired. These are persons who reside in the community in which the airstrip is located or who live in close proximity to the airstrip. Of the thirty (30) contractors seventeen (17) are indigenous residents and one (1) from Anna Regina.

The seventeen (17) airstrips where the indigenous residents are contracted are: Region 1 -Matthews Ridge and Kaituma; Region 7 - Kamarang, Irecheng, Baruma and Kaikan, and there are about three (3) in Regions 6, 8, 9.”

INTRODUCTION OF BILLS-**Presentation and First Reading**

1. **PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2003 - Bill No. 6/2003**
published 2003-05-30

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

A BILL intituled AN ACT to amend the Public Utilities Commission Act
1999.

(Read a first time on 2003-06-05)

2. PROCUREMENT BILL 2003 - Bill No. 7/2003 published 2003-05-30

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

A BILL intituled AN ACT to provide for the regulation of the procurement of goods, services and the execution of works, to promote competition among suppliers and contractors and to promote fairness and transparency in the procurement process.

(Read a first time on 2003-06-05)

PUBLIC BUSINESS

MOTIONS

Bills - Second Reading

ITEM 1 - KIDNAPPING BILL 2002 - Bill No. 15/2002 published 2002-12-05

The Minister of Home Affairs, on behalf of the Government, moved the second reading of the following Bill:

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)

The following Members spoke to the motion:

Mrs. Deborah J. Backer

Mrs. Sheila V. A. Holder

Mr. Ravindra Dev

Mr. Doodnauth Singh

SUSPENSION OF SITTING

At 4:55 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 5:41 p.m., the sitting was resumed.

The following Members also spoke to the motion:

Mr. Raphael G. C. Trotman

Mrs Shirley Melville

Mr. Bernard C. DeSantos

Mr. James K. McAllister

Mr. Khemraj Ramjattan

Mr. Winston S. Murray

Thereafter, the Minister of Home 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 to 5 were passed as printed.

Clause 6

The Minister of Home Affairs moved the following amendment:

Substitute the following clause for clause 6 -

“Punishment for wrongful restraint.”	“Whoever wrongfully restrains any person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred thousand dollars.”
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The amendment was put and carried.

Clause 6 was passed as amended.

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Clause 7 was passed as printed.

Clause 8

The Minister of Home Affairs moved the following amendment:

Substitute the following clause for clause 8 -

“Punishment
for wrongful
confinement.”

“Whoever wrongfully confines any person shall be guilty of
an offence and shall be liable on summary conviction to a
fine not exceeding two hundred and fifty thousand dollars.”

The amendment was put and carried.

Clause 8 was passed as amended.

Clause 9 was passed as printed.

Clause 10

The Minister of Home Affairs moved the following amendment:

Insert immediately after clause 10 the following as clause 10A-

“Knowingly negotiating to obtain or for payment of ransom.” “Whoever knowingly negotiates or assists in any negotiation to obtain any ransom for the release of any person who has been wrongfully confined shall be guilty of an offence and shall be liable on conviction on indictment to a fine of one million dollars and to imprisonment term not exceeding twenty years.”

“Subsection (1) does not apply to a person who in good faith negotiates or assists in negotiations on behalf of the kidnapped person.”

The amendment was put and carried.

Clause 10 was passed as amended.

Clause 11

The Minister of Home Affairs moved the following amendment:

Subclause (2) Insert immediately after the words “liable on” the word “summary”

The amendment was put and carried.

Clause 11 was passed as amended.

Clauses 12 and 13 were passed as printed.

Clause 14

The Minister of Home Affairs moved the following amendment:

Subclause (2) - For words "proceeding is had" substitute the words "proceeding is heard."

The amendment was put and carried.

Clause 14 was passed as amended.

Clause 15

The Minister of Home Affairs moved the following amendment:

Insert the following clause as clause 15 immediately after clause 14-

"Unless the contrary is proved to the satisfaction of a court, a person charged with an offence under section 9, 10 or 10A shall not be granted bail pending the final determination of any charge laid against him."

The amendment was put and carried on the following division:

AGAINST

Mrs. Melville
Mrs. Holder

Miss Allen
Miss David
Mr. Ally
Mrs. Bancroft
Mr. R. Khan
Mr. Kadir
Miss Nestor
Mr. McAllister
Miss Peterkin
Dr. Norton
Mr. J. Khan
Miss Adams
Miss Ally
Dr. Joseph
Mrs. Lawrence
Mr. Alexander
Mr. Trotman
Mr. Bernard
Mrs. Backer
Mr. Carberry
Mr. Murray

Mr. Corbin

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FOR

Mr. Mustapha
Mrs. Sukhai
Mrs. Sahoye-Shury
Dr. Ramsarran
Mr. Ramjattan
Mr. Rajkumar
Mr. Mohan
Mrs. Edwards
Mr. DeSantos
Mrs. Chandarpal
Mr. Chand
Mr. Alli
Mr. Ramotar
Mr. Belgrave
Mr. Mohamed
Dr. Ramsammy
Miss Rodrigues
Mr. Nadir
Miss Shadick
Mr. Xavier
Dr. Westford
Mr. Collymore
Dr. Bisnauth
Mr. Gajraj
Mr. Baksh
Mr. Kowlessar
Dr. Jeffrey
Miss Teixeira
Mr. Nokta
Mr. Rohee
Mr. Persaud
Mr. Hinds

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Clause 15 was passed as amended.

Assembly Resumed

On a motion by the Minister of Parliamentary Affairs, the Kidnapping Bill 2002 was read the third time and passed as amended on the following division:-

FOR

Mrs. Melville
Mrs. Holder

Miss Allen
Miss David
Mr. Ally
Mrs. Bancroft
Mr. R. Khan
Mr. Kadir
Miss Nestor
Mr. McAllister
Miss Peterkin
Dr. Norton
Mr. J. Khan
Miss Adams
Miss Ally
Dr. Joseph
Mrs. Lawrence
Mr. Alexander
Mr. Trotman
Mr. Bernard
Mrs. Backer
Mr. Carberry
Mr. Murray

Mr. Corbin

FOR

Mr. Mustapha
Mrs. Sukhai
Mrs. Sahoye-Shury
Dr. Ramsarran
Mr. Ramjattan
Mr. Rajkumar
Mr. Mohan
Mrs. Edwards
Mr. DeSantos
Mrs. Chandarpal
Mr. Chand
Mr. Alli
Mr. Ramotar
Mr. Belgrave
Mr. Mohamed
Dr. Ramsammy
Miss Rodrigues
Mr. Nadir
Miss Shadick
Mr. Xavier
Dr. Westford
Mr. Collymore
Dr. Bisnauth
Mr. Gajraj
Mr. Baksh
Mr. Kowlessar
Dr. Jeffrey
Miss Teixeira
Mr. Nokta
Mr. Rohee
Mr. Persaud
Mr. Hinds

ITEM 2 - THE PHARMACY PRACTITIONERS BILL 2003 - Bill No. 5/2003 published
2003-05-12

The Minister of Health, on behalf of the Government, moved the second reading of 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 on 2003-05-15)

Presiding by Ms Sandra Adams

While the Minister of Health was speaking to the motion, the Speaker withdrew from the Chamber and Ms Sandra Adams presided during his absence.

The Minister of Health continued and concluded his speech.

The following Members spoke to the motion:

Dr. Dagleish Joseph

Dr. Bheri Ramsarran

Thereafter, the Minister of Health replied.

On a motion by the Minister of Parliamentary Affairs, and with the leave of the Assembly, the Pharmacy Practitioners Bill 2003, was referred to a Special Select Committee.

ADJOURNMENT

At 8:12 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 June, 2003.