

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 26TH SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002-2004) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON FRIDAY, 19TH MARCH, 2004
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)

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. 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)

* 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) (Absent - on leave)

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) (Absent)

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.

Mr. Neendkumar, M.P. (Region No. 4 - Demerara/Mahaica)

*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. (Absent)

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

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

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

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

Mr. Deryck M.A. Bernard, M.P. (Absent - on leave)

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

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

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

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

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

Dr. Dagleish Joseph, M.D., M.P. (Absent)

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

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

Mr. Jerome Khan, M.P. (Absent)

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

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)

Dr. Carl Max Hanoman, M.P. (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)

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

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

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

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

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

(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. (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 2.07 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

(i) **Manner of Dress in the National Assembly**

The Speaker directed the Clerk not to allow admission to the National Assembly any Member or person who is dressed in a manner as to detract from the dignity of the National Assembly.

(ii) **Leave:**

The Speaker announced that leave had been granted to:

Mr. Deryck Bernard and Miss Myrna Peterkin, up to 30th April, 2004, and

Mr. Ravindra Dev, up to 26th March, 2004.

PRESENTATION OF PAPERS AND REPORTS, ETC.

By the Minister of Finance:

- (i) Customs Duties (Amendment) (No.2) Order No. 7/2004.
(Circulated)
- (ii) Customs Duties (Amendment) (No. 3) Order No. 9/2004.
(Circulated)
- (iii) Customs Duties (Amendment) (No. 4) Order No. 8/2004.
(Circulated)
- (iv) The Constitutional Offices (Remuneration of Holders) Order No. 10 of 2004.
(Circulated)

INTRODUCTION OF BILLS-

Presentation and First Reading

INCOME TAX (AMENDMENT) BILL 2004 - Bill No. 6/2004

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 Income Tax Act.

PUBLIC BUSINESS

BILLS - Second Reading

ITEM 1 - AUDIT BILL 2004 - Bill No. 5/2004 published on 2004-03-11

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

A BILL intituled AN ACT to set out the responsibilities and authority of the Auditor General; to strengthen parliamentary oversight of the working of the Auditor General; to provide for the establishment and administration of an independent Audit Office; and to regulate such other matters connected with or incidental to the independent auditing of the finances of Guyana.

(Read a first time on 2004-03-15)

The following Members spoke to the motion:

Mrs. Sheila Holder

The Minister of Tourism, Industry and Commerce

Mrs. Indranie Chandarpal

Welcome to the Minister of Health

The Speaker welcomed Dr. Leslie Ramsammy back to Guyana and to the National Assembly and wished him continued good health.

The Minister of Health also spoke to the motion.

Thereafter, the Minister of Finance replied.

The Bill was read a second time.

On a motion by the Minister of Parliamentary Affairs, the Audit Bill 2004 - Bill No. 5/2004 was referred to a Special Select Committee.

ITEM 2 - CUSTOMS DUTIES (AMENDMENT) (NO. 2) ORDER 2003] VALIDATION
BILL 2004 - Bill No. 1/2004 published on 2004-03-04

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

A BILL intituled AN ACT to validate the Customs Duties (Amendment) (No. 2) Order 2003 (No. 29 of 2003) published in the Gazette on 1st September, 2003.

(Read a first time on 2004-03-15)

The Bill was read a second time.

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

In Committee

Clauses 1 and 2 were passed as printed.

Assembly resumed

On a motion by the Attorney General and Minister of Legal Affairs the Customs Duties (Amendment) (No. 2) Order 20003] Validation Bill was read the third time and passed as printed.

MOTIONS

ITEM 3 - CONSIDERATION OF FINANCIAL PAPER NO. 6/2003

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. 6/2003 - Supplementary Estimates (Current and Capital) totalling \$130,321,278 for the period 2003-11-18 to 2003-12-31.

(Notice Paper No. 104 (M46 Govt 42) published on 2004-03-16)

(Paper presented on 2004-03-15)

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. 6/2003 - Supplementary Estimates (Current and Capital) totalling \$130,321,278 for the period 2003-11-18 to 2003-12-31.

ITEM 4 - CONSIDERATION OF FINANCIAL PAPER NO. 7/2003

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. 7/2003 - Supplementary Estimates (Current and Capital) totalling \$6,295,602,453 for the period ending 2003-12-31.

(Notice Paper No. 105 (M47 Govt 43) published on 2004-03-16)

(Paper presented on 2004-03-15)

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. 7/2003 - Supplementary Estimates (Current and Capital) totalling \$6,295,602,453 for the period ending 2003-12-31.

ITEM 5 - CONSIDERATION OF FINANCIAL PAPER NO. 8/2003

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. 8/2003 - Supplementary Estimates (Current and Capital) totalling \$1,048,407,320 for the period 2003-12-29 to 2003-12-31.

(Notice Paper No. 106 (M48 Govt 44) published on 2004-03-16)

(Paper presented on 2004-03-15)

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. 8/2003 - Supplementary Estimates (Current and Capital) totalling \$1,048,407,320 for the period 2003-12-29 to 2003-12-31.

**ITEM 6 - CONFIRMATION OF THE CUSTOMS DUTIES (AMENDMENT) (No. 2) ORDER
NO. 7/ 2004**

The Minister of Finance moved the following motion:

RESOLVED,

That this National Assembly, in accordance with section 8 of the Customs Act, Chapter 82:01, confirms the Customs Duties (Amendment) (No. 2) Order No. 7 of 2004, which was made on 1st March, 2004, under section 8 of the Customs Act, Chapter 82:01, and published in the Official Gazette dated 1st March, 2004.

(Notice Paper No. 101 (M43 Govt 39) published on 2004-03-16)

The motion was put and carried.

**ITEM 7 - CONFIRMATION OF THE CUSTOMS DUTIES (AMENDMENT) (No. 3) ORDER
NO. 9/2004**

The Minister of Finance moved the following motion:

RESOLVED,

That this National Assembly, in accordance with section 8 of the Customs Act, Chapter 82:01, confirms the Customs Duties (Amendment) (No. 3) Order No. 9 of 2004, which was made on 1st March, 2004, under section 8 of the Customs Act, Chapter 82:01, and published in the Official Gazette dated 1st March, 2004.

(Notice Paper No. 102 (M44 Govt 40) published on 2004-03-16)

The motion was put and carried.

ITEM 8 - CONFIRMATION OF THE CUSTOMS DUTIES (AMENDMENT) (No. 4) ORDER NO. 8/2004

The Minister of Finance moved the following motion:

RESOLVED,

That this National Assembly, in accordance with section 8 of the Customs Act, Chapter 82:01, confirms the Customs Duties (Amendment) (No. 4) Order No. 8 of 2004), which was made on 1st March, 2004, under section 8 of the Customs Act, Chapter 82:01, and published in the Official Gazette dated 1st March, 2004.

(Notice Paper No. 103 (M45 Govt 41) published on 2004-03-16)

The motion was put and carried.

ITEM 9 - CONVENTION ON THE SAFETY OF UNITED NATIONS AND ASSOCIATED PERSONNEL

The Minister of Foreign Affairs moved the following motion:

WHEREAS the Convention on the Safety of United Nations and Associated Personnel was opened for signature by the United Nations General Assembly on December 9, 1994 and entered into force on January 15, 1999;

AND WHEREAS the United Nations Secretary-General has appealed to Member States to ratify or accede to the said Convention in light of the recent fatal attacks on UN diplomats, workers and other personnel in the Middle East;

AND WHEREAS the Government of Guyana supports the international effort to afford all United Nations and associated personnel greater protection than they currently enjoy.

RESOLVED,

That this National Assembly hereby agrees to the Secretary-General of the United Nations being informed of Guyana's intention to accede to the Convention on the Safety of United Nations and Associated Personnel and for Guyana to formally accede to the said Convention by the deposit of an appropriate Instrument of Accession.

(Notice Paper No. 83 (M33 Govt 30) published on 2004-01-26)

The motion was put and carried.

ITEM 10 - RATIFICATION OF THE GUYANA-BRAZIL VISA ABOLITION AGREEMENT

The Minister of Foreign Affairs moved the following motion:

WHEREAS an Agreement was concluded between the Government of the Republic of Guyana and the Government of the Federative Republic of Brazil on July 30, 2003, for the Partial Abolition of Visa Requirements;

AND WHEREAS the said Agreement allows for nationals of both countries who are holders of valid national passports to enter and stay in the territory of the other Contracting Party for the purposes of tourism, vacation or visiting relatives for a period not exceeding 90 (ninety) days;

AND WHEREAS Article 9 paragraph 1 of the said Agreement stipulates that the Agreement will enter into force when the internal legal procedures for each Contracting Party have been completed.

RESOLVED,

That this National Assembly hereby agrees to the Government of the Federative Republic of Brazil being informed of Guyana's intention to ratify the Agreement for the Partial Abolition of Visa Requirements.

(Notice Paper No. 92 (M34 Govt 31) published on 2004-02-10)

The motion was put and carried.

**ITEM 11 - EXCLUSIVE ECONOMIC ZONE COOPERATION TREATY
BETWEEN THE REPUBLIC OF GUYANA AND THE STATE OF BARBADOS
CONCERNING THE EXERCISE OF JURISDICTION IN THEIR EXCLUSIVE
ECONOMIC ZONES IN THE AREA OF BILATERAL OVERLAP WITHIN EACH OF
THEIR OUTER LIMITS AND BEYOND THE OUTER LIMITS OF THE EXCLUSIVE
ECONOMIC ZONES OF OTHER STATES**

The Minister of Foreign Affairs moved the following motion:

WHEREAS as a result of states' entitlements under the United Nations Convention on the Law of the Sea (UNCLOS), there exists an area of overlap within the outer limits of the exclusive economic zones of Guyana and Barbados;

AND WHEREAS the two countries are in agreement that it is necessary to establish a precise and equitable regime for the orderly and cooperative exercise of jurisdiction in the area of overlap of their exclusive zones, whilst taking into account the legitimate interests of other states;

AND WHEREAS the two countries are convinced that an Exclusive Economic Zone Cooperation Treaty is the best way to preserve the rights and interests of both states over the resources in the area where their Exclusive Economic Zones overlap;

AND WHEREAS the conclusion of the afore-mentioned Treaty is wholly consistent with Article 83(3) of UNCLOS which states that pending delimitation of the continental shelf between States with opposite or adjacent coasts, the States concerned shall make every effort to enter into provisional arrangements of a practical nature in a spirit of understanding and cooperation;

AND WHEREAS the Exclusive Economic Zone Cooperation Treaty between Guyana and Barbados forms part of the said provisional arrangements between the two countries for the management and exploitation of the living and non-living resources within the area of overlap of their exclusive economic zones and does not prejudice the conclusion of a final maritime delimitation agreement between the two sides;

AND WHEREAS the afore-mentioned Treaty was signed by the President of the Republic of Guyana and the Prime Minister of Barbados on December 2, 2003 in London;

AND WHEREAS Articles 11 and 12 of the Treaty makes provision for this Treaty to enter into force 30 days after the date on which the Parties have notified each other in writing that their respective requirements for the entry into force of this Treaty have been met and for this Treaty to be registered with the Secretaries General of the United Nations and the Caribbean Community respectively.

RESOLVED,

That this National Assembly:

- (i) endorses the conclusion and entry into force of the Exclusive Economic Zone Cooperation Treaty between the Republic of Guyana and the State of Barbados and,
- (ii) agrees to the Secretaries General of the United Nations and the Caribbean Community being informed of the entry into force of the said Treaty.

(Notice Paper No. 95 (M37 Govt 33) published on 2004-02-16)

The motion was put and carried.

ITEM 12 - FINAL REPORT OF THE DISCIPLINED FORCES COMMISSION

The Minister of Parliamentary Affairs, moved the following motion:

WHEREAS by Resolution No. 21 dated 16th May, 2003, the National Assembly approved of the establishment of a Disciplined Forces Commission to enquire into the Disciplined Forces, that is, the Guyana Police Force, the Guyana Defence Force, the Guyana Prison and the Guyana Fire Services, and all their Branches, Departments and Units focusing on making recommendations for their reform, sustained professional development and structure;

AND WHEREAS the Commission was required to present its report and findings, recommendations and implementation timetable to the National Assembly within six (6) months save that the Commission shall give priority to its Inquiry into the Guyana Police Force and shall present an Interim Report thereon to the National Assembly within three (3) months;

AND WHEREAS the Interim Report of the Commission on the Guyana Police Force was laid in the National Assembly on 11th December, 2003;

AND WHEREAS the Commission was required to present its Final Report to the National Assembly by the 18th March, 2004;

AND WHEREAS due to a number of factors, the Commission was unable to submit its Final Report to the National Assembly by 18th March, 2004;

AND WHEREAS the Commission has requested an extension of the deadline for the submission of the Final Report from 18th March, 2004 to 1st May, 2004.

RESOLVED,

That this National Assembly approves of an extension of the deadline for the submission of the Final Report of the Disciplined Forces Commission from 18th March, 2004 to 1st May, 2004.

(Notice Paper No. 107 (M49 Govt45) published on 2004-03-16)

The motion was put and carried.

ADJOURNMENT

At 4.05 p.m., on a motion by the Minister of Parliamentary Affairs, the sitting was adjourned to 2.00 p.m., on Monday, 29th March, 2004.



HARI N. RAMKARRAN

Speaker of the National Assembly

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

19th March, 2004