

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 39TH SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002-2004) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 4TH NOVEMBER, 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

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) (Absent - on leave)

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 (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 (Absent - on leave)

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)

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)

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

*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 (Absent - on leave)

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.

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

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

Mr. Basil Williams, M.P.

Mrs. Volda A. Lawrence, M.P.

Dr. Dalgleish Joseph, M.D., M.P.

Miss Amna 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) (Absent - on leave)

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

Dr. Carl Max Hanoman, M.P.

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

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)

4.

(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

Mr. Rawle Small, Chief Administrative Officer

COMMENCEMENT OF SITTING

The Sitting commenced at 2.00 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

(i) Leave:

The Speaker announced that leave had been granted to:

Hon. Anthony Xavier

Hon. S. Rudolph Insanally

Mr. E. Lance Carberry

Mr. Ivor Allen

Miss Myrna Peterkin, for that day's sitting

Miss Lurlene Nestor, up to 30th November, 2004

and

Mr. Ravindra Dev, for that day's sitting

(ii) **Training Needs Assessment for MPs**

The Speaker informed Members that, the Parliamentary Management Committee, in order to assess the training needs of Members of Parliament, had, sometime ago, directed the Clerk of the National Assembly to distribute a questionnaire to Members for their urgent attention.

He stated that only twelve (12) Members had filled out the questionnaire, resulting in the Parliamentary Management Committee being unable to obtain the information required to plan and implement suitable training programmes for Members.

He also stated that, as Chairman of the Parliamentary Management Committee, he had again instructed the Clerk to re-distribute the questionnaire at that day's sitting for Members immediate attention.

He requested Members to fill out the questionnaire and leave it on their tables to be collected by the Parliament staff at the end of that day's sitting.

PRESENTATION OF PAPERS AND REPORTS, ETC.

By the Speaker (Chairman of the Committee of Selection):

Minutes of the proceedings of the 10th Meeting of the Committee of Selection held on Wednesday, 27th October, 2004.

(Circulated)

PUBLIC BUSINESS

BILLS - Second Readings

ITEM 1 - CARIBBEAN COURT OF JUSTICE BILL 2004 - Bill No. 15/2004 published on 2004-10-05

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

A BILL intituled AN ACT to implement the Agreement Establishing the Caribbean Court of Justice and to provide for other related matters.

(Read a first time on 2004-10-21)

The following Members spoke to the motion::

Mr. Robert Corbin

Mrs. Sheila Holder

Mr. Raphael Trotman

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

The Bill was read a second time.

The motion was put and carried on the following division:

FOR

FOR

Mrs. Melville

Mrs. Holder

Miss Allen

Mr. Ramjattan

Mr. Needkumar

Mr. Mustapha

Mrs. Sukhai

Mrs. Sahoye-Shury

Dr. Ramsarran

Mr. Rajkumar

Mr. Mohan

Mr. Lumumba

Mrs. Edwards

Mr. DeSantos

7.

Miss David

Mr. Ally

Mrs. Bancroft

Mr. R. Khan

Mr. Kadir

Mr. McAllister

Dr. Norton

Mr. J. Khan

Miss Adams

Miss Ally

Dr. Joseph

Mrs. Lawrence

Mr. Hanoman

Mr. Williams

Mr. Trotman

Mr. Alexander

Mr. Ming

Mr. Bernard

Mrs. Backer

Mr. Murray

Mr. Corbin

Mrs. Chandarpal

Mr. Chand

Mr. Alli

Mr. Ramotar

Mr. Belgrave

Mr. Mohamed

Dr. Ramsammy

Miss Rodrigues

Mr. Nadir

Miss Shadick

Dr. Westford

Mr. Sawh

Mr. Collymore

Dr. Bisnauth

Mr. Baksh

Mr. Kowlessar

Dr. Jeffrey

Miss Teixeira

Mr. Nokta

Mr. Rohee

Mr. Persaud

Mr. Hinds

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

In Committee

Clauses 1 to 25 were passed as printed.

Clause 26

Mr. Raphael Trotman moved the following amendment to Clause 26 Sub clause 2:

26(2) insert immediately after the word "order" the words " , which shall be subject to affirmative resolution of the National Assembly,"

The amendment was put and carried on the following division:

FOR

FOR

Mrs. Melville

Mrs. Holder

Miss Allen

Miss David

Mr. Ally

Mrs. Bancroft

Mr. R. Khan

Mr. Ramjattan

Mr. Needkumar

Mr. Mustapha

Mrs. Sukhai

Mrs. Sahoye-Shury

Dr. Ramsarran

Mr. Rajkumar

Mr. Mohan

Mr. Lumumba

Mrs. Edwards

Mr. DeSantos

Mrs. Chandarpal

Mr. Chand

Mr. Alli

Mr. Ramotar

Mr. Kadir

Mr. McAllister

Dr. Norton

Mr. J. Khan

Miss Adams

Miss Ally

Dr. Joseph

Mrs. Lawrence

Mr. Hanoman

Mr. Williams

Mr. Trotman

Mr. Alexander

Mr. Ming

Mr. Bernard

Mrs. Backer

Mr. Murray

Mr. Corbin

Mr. Belgrave

Mr. Mohamed

Dr. Ramsammy

Miss Rodrigues

Mr. Nadir

Miss Shadick

Dr. Westford

Mr. Sawh

Mr. Collymore

Mr. Baksh

Mr. Kowlessar

Dr. Jeffrey

Miss Teixeira

Mr. Nokta

Mr. Rohee

Mr. Persaud

Mr. Hinds

Clause 26 was passed as amended.

The Schedule was passed as printed.

The Appendices were passed as printed.

Assembly resumed.

On a motion by the Attorney General and Minister of Legal Affairs, the Caribbean Court of Justice Bill 2004 - Bill No. 15/2004, was read a third time and passed as amended.

ITEM 2 - PROTOCOL TO THE AGREEMENT ESTABLISHING THE CARIBBEAN COURT OF JUSTICE BILL 2004 - Bill No. 16/2004 published on 2004-10-05

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

A BILL intituled AN ACT to enable the implementation by Guyana of the Protocol to the Agreement Establishing the Caribbean Court of Justice.

(Read a first time on 2004-10-21)

Mr. Raphael Trotman spoke to the motion.

The Bill was read a second time.

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

In Committee

Articles 1 to 6 were passed as printed.

Assembly resumed.

On a motion by the Attorney General and Minister of Legal Affairs, the Protocol to the Agreement Establishing the Caribbean Court of Justice Bill 2004 - Bill No. 16/2004, was read a third time and passed as printed.

ITEM 3 - PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE CARIBBEAN COURT OF JUSTICE AND THE REGIONAL JUDICIAL AND LEGAL SERVICES COMMISSION BILL 2004 - Bill No. 17/2004 published on 2004-10-05

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

A BILL intituled AN ACT to enable the implementation by Guyana of the Protocol on the Privileges and Immunities of the Caribbean Court of Justice and the Regional Judicial and Legal Services Commission and for related matters.

(Read a first time on 2004-10-21)

Mr. Raphael Trotman spoke to the motion.

The Bill was read a second time.

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

In Committee

Clauses 1 to 6 were passed as printed.

12.

The Schedule was passed as printed.

Articles 1 to 19 were passed as printed.

Assembly resumed.

On a motion by the Attorney General and Minister of Legal Affairs the Protocol on the Privileges and Immunities of the Caribbean Court of Justice and the Regional Judicial and Legal Services Commission Bill 2004 - Bill No. 17/2004, was read a third time and passed as printed.

ITEM 4 - CARIBBEAN COURT OF JUSTICE TRUST FUND AGREEMENT BILL 2004 - Bill No. 18/2004 published on 2004-10-05

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

A BILL intituled AN ACT to enable the implementation by Guyana of the Agreement for the establishment of the Caribbean Court of Justice Trust Fund and for purposes connected therewith.

(Read a first time on 2004-10-21)

Mr. Raphael Trotman spoke to the motion.

The Bill was read a second time.

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

In Committee

Clauses 1 to 7 were passed as printed.

The Schedule was passed as printed.

Assembly resumed.

On a motion by the Attorney General and Minister of Legal Affairs the Caribbean Court of Justice Trust Fund Agreement Bill 2004 - Bill No. 18/2004, was read a third time and passed as printed.

ITEM 5 - LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 2004 - Bill No. 19/2004 published on 2004-10-15

The Minister in the Ministry 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 2004-10-21)

While the Minister in the Ministry of Local Government and Regional Development was speaking to the motion the time for the suspension of the sitting was reached.

SUSPENSION OF SITTING

At 4.00 p.m., the sitting was suspended for refreshment.

RESUMPTION OF SITTING

At 4.41 p.m., the sitting was resumed.

The Minister in the Ministry of Local Government and Regional Development continued and concluded his speech.

14.

The following Members spoke to the motion:

Mr. Vincent Alexander

Mrs. Sheila Holder

Thereafter, the Minister in the Ministry of Local Government and Regional Development replied.

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 following amendment by Mr. Vincent Alexander was put and negatived:

insert immediately after the word "amendment" the words "PROVIDED that nothing in this Act shall affect the holding of annual elections for Mayors and Deputy Mayors of Municipalities and Chairman and Vice Chairman of the Neighbourhood Democratic Councils as required by the relevant substantive legislation."

Clause 2 was passed as printed.

Assembly resumed.

On a motion by the Minister in the Ministry of Local Government and Regional Development the Local Authorities (Elections) (Amendment) Bill 2004 - Bill No. 19/2004, was read a third time and passed as printed.

ADJOURNMENT

At 5.39 p.m., on a motion by the Minister of Parliamentary Affairs, the sitting was adjourned to a date to be fixed.



HON. HARI N. RAMKARRAN, S.C., M.P.,

Speaker of the National Assembly

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

4th November, 2004.