

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 57TH SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002-2005) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 24TH MARCH, 2005
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,
BRICKDAM, 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 (Absent - on leave)

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

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

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 (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)

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) (Absent)

*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

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

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

Mrs. Deborah J. Backer, M.P.

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

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

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

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

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

Mrs. Volda A. Lawrence, M.P. (Absent - on leave)

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) (Absent - on Leave)

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) (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. (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)

OFFICERS

Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly

Mr. Maurice B. Henry, Head Committees Division

COMMENCEMENT OF SITTING

The sitting commenced at 2.08 p.m.

PRAYERS

The Deputy Clerk read prayers.

ANNOUNCEMENTS BY THE SPEAKER

(i) Leave:

The Speaker announced that leave had been granted to:

Hon. Dr. Henry Jeffrey,

Mr. E. Lance Carberry,

Mrs. Volda Lawrence,

Miss Sandra Adams,

Miss Lurlene Nestor,

5.

Miss Myrna Peterkin

and

Mrs. Sheila Holder for that day's sitting.

(ii) **Unveiling of a full-length portrait of the late President Cheddi Jagan in the Parliament Chamber**

The Speaker stated that during last Tuesday afternoon, 22nd March, 2005, a full length portrait of the late President Jagan, the fourth President of this country was unveiled in the Chamber by Mrs. Janet Jagan, herself a former President. The unveiling ceremony took place in the presence of a number of Members of the Assembly from both the government and opposition benches, close relatives of the late President, Members of the Diplomatic Corp and other invitees.

The portrait was a gift from the Government of India to the National Assembly and was entrusted to the family of the late President for presentation to the National Assembly. He had in turn received the portrait on behalf of the Members of National Assembly and, on their behalf and on his own, he thanked the Government of India for the gift which had enabled the Assembly to continue the tradition of hanging the portraits of Guyana's Presidents on the wall of the August Chamber. He pointed out to Members an empty panel between the late President Jagan and the late President Burnham. That panel, he remarked, was intended to be occupied by the third President.

He reminded Members that Dr. Jagan had served as a Parliamentarian in the Chamber from 1947 to 1992 and along with the National Assembly constituted the Parliament from 1992 to 1997. He had held offices as Member of the Legislative Council, Leader of the House, Premier and Leader of the Minority.

(iii) **Circulation in the Parliament Chamber, the new quarterly Newsletter of the National Assembly**

The Speaker drew Members' attention to copies of the new quarterly Newsletter of the National Assembly which were circulated in the Parliament Chamber. He said it was an initiative of the staff of the Parliament Office and its compilation, printing and publication took a great deal of effort.

He congratulated those members of staff who worked to produce the Newsletter and indicated that the publication was meant for Members of Parliament and the Press. However when resources became available, it would be enlarged and circulated to the public.

(iv) **Mr. James Pender, Parliamentary Staff Adviser**

The Speaker informed Members that Mr. James Pender, Parliamentary Staff Adviser, who had been attached to the Parliament Office for the past six weeks, would be leaving Guyana over the weekend. His attachment had been facilitated by the Commonwealth Secretariat and the Commonwealth Parliamentary Association.

Mr. Pender was an Australian and derived his knowledge and experience from the Australian Parliament, but his knowledge was vast and wide and he had placed it at their disposal enabling them to learn a great deal from him.

On behalf of Members he thanked Mr. Pender for his invaluable work and assistance both to himself and the staff. He said that he had compiled a document called the Pender File and it would be with them for many years to come.

PUBLIC BUSINESS

MOTIONS

ITEM 1 - CONSIDERATION OF FINANCIAL PAPER NO. 4/2004

Assembly resolved itself into Committee of Supply.

In Committee of Supply

The Minister of Finance signified the recommendation of the Cabinet and moved the following motion:

BE IT RESOLVED:

That this Assembly approve of the proposals set out in Financial Paper No.4/2004 - Supplementary Estimates (Current and Capital) totalling \$1,458,826,253 for the period ending 2004-12-31.

(Notice Paper No. 179 (M74 Govt68) published on 2005-03-22)

(Paper presented on 2005-02-16)

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.4/2004 - Supplementary Estimates (Current and Capital) totalling \$1,458,826,253 for the period ending 2004-12-31.

ITEM2 - CONSIDERATION OF FINANCIAL PAPER NO. 5/2004

Assembly resolved itself into Committee of Supply.

In Committee of Supply

The Minister of Finance signified the recommendation of the Cabinet and moved the following motion:

BE IT RESOLVED:

That this Assembly approve of the proposals set out in Financial Paper No.5/2004 - Supplementary Estimates (Current and Capital) totalling \$4,748,096,251 for the period ending 2004-12-31.

(Notice Paper No. 180 (M75 Govt69) published on 2005-03-22)

(Paper presented on 2005-02-16)

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.5/2004 - Supplementary Estimates (Current and Capital) totalling \$4,748,096,251 for the period ending 2004-12-31.

BILL - FIRST, SECOND AND THIRD READINGS**ITEM 3 - SUPPLEMENTARY APPROPRIATION (NO. 3 FOR 2004) BILL 2005 -****Bill No. 1/2005**

With the leave of the Speaker, and on a motion by the Minister of Parliamentary Affairs, Standing Orders Nos. 12 and 46 were suspended to enable the Supplementary Appropriation (No. 3 for 2004) Bill No. 1 of 2005 to be introduced at this stage.

The Minister of Finance, in accordance with paragraph (2) of article 171 of the Constitution, signified Cabinet's recommendation for the Supplementary Appropriation (No. 3 for 2004) Bill No. 1 of 2005 for consideration by the National Assembly.

Thereafter, on motions by the Minister of Finance, the following Bill was introduced and was read the first, second and third times and passed as printed:

A BILL intituled AN ACT to provide for the issue from the Consolidated Fund of the sums necessary to meet the expenditure (not otherwise lawfully charged on the Consolidated Fund) of Guyana for the fiscal year ending 31st December, 2004, estimates whereof have been approved by the National Assembly, and for the appropriation of those sums for the specified purposes, in conformity with the Constitution.

MOTION**ITEM 4 - CONFIRMATION OF THE CUSTOMS DUTIES (AMENDMENT) ORDER 2004**

The Minister of Finance moved the following motion:

BE IT RESOLVED:

That this National Assembly, in accordance with section 9 of the Customs Act, Chapter 82:01, confirm the Customs Duties (Amendment) Order 2004, which was made

on 10th December, 2004, under section 8 of the Custom Act, Chapter 82:01, and published in the Official Gazette dated 10th December, 2004.

(Notice Paper No. 172 (M67 Govt62) published on 2004-12-23)

Mr. Winston Murray spoke to the motion.

Thereafter the motion was put and carried.

BILL - Second and Third Readings

ITEM 5 - REGIONAL HEALTH AUTHORITIES BILL 2004 - Bill No. 26/2004 published on 2004-12-16

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

A BILL intituled AN ACT to establish regional health authorities with responsibility for providing for the delivery of and administering health services and health programmes in specified geographic areas and for matters incidental thereto or connected therewith.

(Read a first time on 2004-12-30)

Mr. Vincent Alexander was speaking to the motion when the time for the suspension of the sitting was reached.

SUSPENSION OF SITTING

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

RESUMPTION OF SITTING

At 4.32 p.m., the sitting was resumed.

Mr. Vincent Alexander continued and concluded his speech.

The following Members also spoke to the motion:

The Minister of the Public Service,

Dr. Dagleish Joseph,

Mr. Ramesh Rajkumar,

Dr. Carl Max Hanoman,

Dr. George Norton,

Mrs. Shirley Melville

and

Dr. Bheri Ramsarran.

Thereafter the Minister of Health replied.

The motion was then put and carried.

The Bill was read the second time.

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

In Committee

Clauses 1, 2 and 3 were passed as printed.

Clause 4

The following amendment by the Minister of Health was put and carried:

Before the words "a regional health authority" insert the words "be discharged by" in subsection (2).

Clause 4 was then passed as amended.

12.

Clauses 5 to 14 were passed as printed.

Clause 15

The following amendment by the Minister of Health was put and carried:

Immediately before the words “the first board” insert the words “members of” in subsection (3).

Clause 15 was then passed as amended.

Clause 16

The following amendments by the Minister of Health were put and carried:

(i) Immediately after the word “members” insert the words “,appointed by the Minister,” in subsection (3)(d).

(ii) Immediately after the words “subsection (3)” insert the words “(a), (b) and (c)” in subsection (4).

(iii) Substitute the following for subsection (5) -

“(5) Five members of a board shall constitute a quorum.”.

Clause 16 was then passed as amended.

Clauses 17 to 22 were passed as printed.

Clause 23

The following amendment by the Minister of Health was put and carried:

Substitute the following for subsection (2) -

“(2) A professional advisory committee shall consist of not more than fifteen members appointed by a board, one of whom shall be a medical doctor, one a dentist, one a nurse and one a pharmacist.”

Clause 23 was then passed as amended.

Clauses 24 to 28 were passed as printed.

Clause 29

The following amendment by the Minister of Health was put and carried:

Substitute the following for subsection (2) -

“(2) A regional health authority may not enter into an agreement with another regional health authority, a for-profit or a not-for-profit business without the prior approval of the Minister.”.

Clause 29 was then passed as amended.

Clauses 30 to 34 were passed as printed.

Clause 35

The following amendment by the Minister of Health was put and carried:

Substitute the following for clause 35 -

“35. (1) No action or other proceeding for damages or otherwise may be commenced against a member of the board of a regional health authority or its officers and employees or anyone acting under the authority of the regional health authority for anything done or not done by that person in good faith while carrying out duties or exercising powers under this Act or the regulations or any other law.

(2) Subsection (1) shall not relieve a regional health authority from liability for injuries caused by negligence by a person referred to in subsection (1), and the regional health authority shall be liable for such damage in the same manner as if subsection (1) had not been enacted.

(3) Every person mentioned in subsection (1) shall be indemnified and saved harmless out of the funds of the regional health authority with respect to all costs, charges and expenses that the person incurs in relation to any action or other proceeding brought or prosecuted against the person in connection with the duties of the person and with respect to all other costs, charges and expenses the person incurs in connection with those duties, except costs, charges and expenses that are occasioned by the person's own wilful neglect or wilful default.”.

Clause 35 was then passed as amended.

Clause 36

The following amendment by the Minister of Health was put and carried:

Substitute the following for clause 36 -

“36. Every person who violates or fails to comply with section 33(7) or (8) or section 34 commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and to imprisonment for six months.”.

Clause 36 was then passed as amended.

Clause37

The following amendment by the Minister of Health was put and carried:

Substitute the following for subsection (2) (i) -

“(i) respecting appointments to the committees referred to in sections 22, 23 and 24 and the operations of such committees;”.

Clause 37 was then passed as amended.

Clause 38 was passed as printed.

Clause 39

The following amendment by the Minister of Health was put and carried:

Before the word “continue” insert the word “shall” in subsection (3).

Clause 39 was then passed as amended.

Clause 40 was passed as printed.

Assembly resumed.

On a motion by the Minister of Health the Regional Health Authorities Bill 2004 - Bill No. 26/2004 was read a third time and passed as amended.

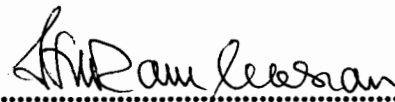
PHAGWAH AND EASTER GREETINGS

The Speaker extended Phagwah and Easter greetings to Members of the Assembly, the Press and the staff of the Parliament Office.

The Minister of Parliamentary Affairs and Mr. Winston Murray reciprocated the greetings.

ADJOURNMENT

At 7.10 p.m., on a motion by the Minister of Parliamentary Affairs, the sitting was adjourned to 2.00 p.m., on Thursday, 31st March, 2005.



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HON. HARI N. RAMKARRAN, S.C., M.P.,
Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.

24th March, 2005.