

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 57th SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (2012-2013) OF THE TENTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON WEDNESDAY, 22ND MAY, 2013
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,
BRICKDAM, GEORGETOWN.

MEMBERS OF THE NATIONAL ASSEMBLY (68)

Speaker (1)

The Hon Raphael G.C. Trotman, M.P., Speaker of the National Assembly (Absent – on leave)

MEMBERS OF THE GOVERNMENT (34)

(i) People's Progressive Party/Civic (34)

Hon. Samuel A.A. Hinds, O.E., M.P., Prime Minister and Minister of Parliamentary Affairs

Hon. Clement J. Rohee, M.P., Minister of Home Affairs

Hon. Dr. Leslie S. Ramsammy, M.P., Minister of Agriculture (Absent – on leave)

Hon. Mohabir A. Nandlall, M.P. (Region No. 4 – Demerara/Mahaica),
Attorney General and Minister of Legal Affairs

Hon. Carolyn Rodrigues-Birkett, M.P. (Region No. 9 – Upper Takutu/Upper Essequibo),
Minister of Foreign Affairs

Hon. Dr. Ashni K. Singh, M.P., Minister of Finance (Absent – on leave)

Hon. Robert M. Persaud, M.P. (Region No. 6 – East Berbice/Corentyne),
Minister of Natural Resources and Environment (Absent)

Hon. Dr. Jennifer Westford, M.P. (Region No. 7 – Cuyuni/Mazaruni),
Minister of the Public Service

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Hon. Dr. Bheri S. Ramsarran, M.P., Minister of Health (Absent – on leave)

Hon. Mohamed I. Alli, M.P., Minister of Housing and Water

Hon. Dr. Frank C.S. Anthony, M.P., Minister of Culture, Youth and Sport

Hon. Brindley H.R. Benn, M.P., Minister of Public Works

Hon. Priya D. Manickchand, M.P. (Region No. 5 – Mahaica/Berbice),
Minister of Education (Absent – on leave)

Hon. Ganga Persaud, M.P., Minister of Local Government and Regional Development

Hon. Jennifer I.M. Webster, M.P., Minister of Human Services
and Social Security

Hon. Pauline Campbell-Sukhai, M.P., Minister of Amerindian Affairs (Absent – on leave)

*Hon. Dr. Nanda K. Gopaul, M.P., Minister of Labour

Hon. Alli Baksh, M.P. (Region No. 2 – Pomeroon/Supernaam),
Minister in the Ministry of Agriculture (Absent)

Hon. Norman A. Whittaker, J.P., M.P. (Region No. 1 – Barima/Waini),
Minister in the Ministry of Local Government and Regional Development

Hon. Bishop Juan A. Edghill, M.S., J.P., M.P., Minister in the
Ministry of Finance

Ms Gail Teixeira, M.P., Government Chief Whip

Mr. Manzoor Nadir, M.P.

Mrs. Indranie Chandarpal, M.P. (Region No. 4 – Demerara/Mahaica)

Bibi S. Shaddick, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

***Non-Elected Minister**

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3.

Mr. Komal Chand, C.C.H., J.P., M.P. (Region No. 3 – Essequibo Islands/
West Demerara)

Mr. Odinga Lumumba, M.P.

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

Mr. Dharamkumar Seeraj, M.P.

Dr. Vishwa D.B. Mahadeo, M.P.

Rev. Dr. Kwame A. Gilbert, M.P.

**Mr. Joseph Hamilton, M.P., Parliamentary Secretary in the Ministry of Health

Dr. Vindhya Vasini Persaud, M.S., M.P.

Mr. Cornel Damon, M.P. (Region No. 2 – Pomeroon/Supernaam)

Mr. Faizal M. Jafarally, M.P. (Region No. 6 – East Berbice/Corentyne)

Members of the Opposition (33)

(ii) Members of A Partnership for National Unity(26)

Brigadier (Ret'd) David A. Granger, M.S.S., M.P., Leader of the Opposition

Dr. Rupert Roopnarine, M.P.

Ms Amna Ally, M.P., Opposition Chief Whip

Mr. Basil Williams, M.P. (Region No. 4 – Demerara/Mahaica)

Mrs. Volda Lawrence, M.P. (Region No. 4 – Demerara/Mahaica)

Dr. George Norton, M.P.

Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly

****Non-Elected Member**

4.

Mr. Carl B. Greenidge, M.P.

Lieutenant Colonel (Ret'd) Joseph F. Harmon, M.S.M., M.P.

Mr. Keith Scott, M.P.

Ms Dawn Hastings, M.P. (Region No. 7 – Cuyuni/Mazaruni)

Mr. Winston Felix, D.S.M., M.P.

Ms Jennifer J. Wade, M.P. (Region No. 5 – Mahaica/Berbice)

Mr. Sydney Allicock, M.S., M.P.

Ms Africo Selman, M.P. (Region No. 4 – Demerara/Mahaica)

Mr. Desmond Trotman, M.P.

Ms Vanessa Kissoon, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Mr. James A. Bond, M.P.

Mr. Ronald A. Bulkan, M.P.

Mr. Jaipaul Sharma, M.P. (Region No. 4 – Demerara/Mahaica)

Mrs. Mabel Baveghems, M.P.

Mr. John Adams, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Mr. Christopher A. Jones, M.P.

Ms Rennita L. Williams, M.P., (Region No. 1 – Barima/Waini)

Mr. Renis Morian, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Miss Annette N. Ferguson, M.P.

(iii)Members of The Alliance For Change (7)

Mr. Khemraj Ramjattan, M.P.

Mr. Moses Nagamootoo, J.P., M.P.

Mrs. Catherine Hughes, M.P.

Mrs. Valerie Garrido-Lowe, M.P.

Dr. Veersammy Ramayya, M.P. (Region No. 6 – East Berbice/Corentyne)

Ms June Eula Marcello, M.P. (Region No. 8 – Potaro/Siparuni)

Mr. Trevor Williams, M.P.

OFFICERS

Mr. Sherlock E. Isaacs, Clerk of the National Assembly

Ms Hermina Gilgeours, Deputy Clerk of the National Assembly (a.g.)

COMMENCEMENT OF SITTING

The Sitting commenced at 2.30 p.m.

PRAYERS

The Clerk read the prayers.

MESSAGES FROM THE PRESIDENT

**Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill
2013**

The Prime Minister and Minister of Parliamentary Affairs read a message from the President calling on the parliamentary political parties and their representatives in the Parliamentary Special Select Committee on the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill, No. 12 of 2013, to do all that is possible to complete their review of the bill and to return it to the House expeditiously.

6.

ANNOUNCEMENTS BY THE SPEAKER

Leave

The Deputy Speaker also informed Members that leave had been granted to:

The Speaker of the National Assembly,

The Minister of Health and

The Minister of Education, for that day's sitting.

PRESENTATION OF PAPERS AND REPORTS-

(1) By the Minister of Home Affairs:

The Motor Vehicles and Road Traffic (Amendment) Regulations 2013 – No. 2 of 2013.

(Circulated)

(2) By the Minister of Finance:

The Annual Report of the Guyana Power and Light Inc. for the year ended 31st December, 2011.

(Circulated)

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS-

Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill 2013

The Attorney General and Minister of Legal Affairs made a statement on the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill 2013.

7.

REQUESTS FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE-

The status of Guyana's Report to the May, 2013 Caribbean Financial Action Task Force/International Cooperation Review Group Plenary in Managua, Nicaragua and the status of the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill 2013, No. 12 of 2013

The Speaker informed Members that Prime Minister and Minister of Parliamentary Affairs had made a request for leave to move the adjournment of the National Assembly to discuss a matter of Urgent Public Importance with respect of the status of Guyana's Report to the May, 2013 Caribbean Financial Action Task Force/International Cooperation Review Group Plenary in Managua, Nicaragua and the status of the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill 2013, No. 12 of 2013.

The Prime Minister's request was disallowed.

PUBLIC BUSINESS

(i) GOVERNMENT'S BUSINESS

BILLS – Second Readings

ITEM 1 - CUSTOMS (AMENDMENT) BILL 2013 – Bill No. 2/2013 published on 2013-01-08

The Minister in the Ministry of Finance, on behalf of the Minister of Finance, moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Customs Act.

(Read a first time on 2013-01-10)

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8.

The following Members spoke to the motion:

Mr. Carl Greenidge

The Minister of Foreign Affairs

Mr. Khemraj Ramjattan

The Attorney General and Minister of Legal Affairs

SUSPENSION OF SITTING

At 4.05 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 5.16 p.m., the sitting was resumed.

The Assembly resumed the debate on the Customs (Amendment) Bill 2013.

The following Members also spoke to the motion:

Mr. Manzoor Nadir

Lt. Col. (Ret'd) Joseph Harmon

Thereafter the Minister in the Ministry of Finance replied.

The second reading of the Customs (Amendment) Bill 2013 was put and negatived on the following division:

AGAINST

Mr. T. Williams

Ms Marcello

Mrs. Garrido-Lowe

Mrs. Hughes

Mr. Nagamootoo

FOR

Mr. Jafarally

Mr. Damon

Dr. Persaud

Rev. Gilbert

Dr. Mahadeo

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Mr. Ramjattan
Ms Ferguson
Mr. Morian
Ms Williams
Mr. Jones
Mr. Adams
Ms Baveghems
Mr. Sharma
Mr. Bulkan
Mr. Bond
Ms Kissoon
Mr. Trotman
Ms Selman
Mr. Allicock
Ms Wade
Mr. Felix
Mr. Hastings
Mr. Scott
Lt. Col. (Ret'd) Harmon
Mr. Greenidge
Dr. Norton
Mrs. Lawrence
Mr. B. Williams
Ms Ally
Dr. Roopnarine
Brig. (Ret'd) Granger

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Mr. Seeraj
Mr. Neendkumar
Mr. Lumumba
Mr. Chand
Ms Shaddick
Mrs. Chandarpal
Mr. Nadir
Ms Teixeira
Bishop Edghill
Mr. Whittaker
Ms Webster
Mr. G. Persaud
Mr. Benn
Dr. Anthony
Mr. Ali
Dr. Westford
Mrs. Rodrigues-Birkett
Mr. Nandlall
Mr. Rohee
Mr. Hinds

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ITEM 2 - EVIDENCE (AMENDMENT) BILL 2013 – Bill No. 7/2013 published on 2013-02-14

At the request of the Minister of Home Affairs the second reading of the following Bill was deferred:

A BILL intituled AN ACT to amend the Evidence Act.

(Read a first time on 2013-03-14)

ITEM 3 - MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) BILL 2013 – Bill No. 8/2013 published on 2013-02-14

At the request of the Minister of Home Affairs the second reading of the following Bill was deferred:

A BILL intituled AN ACT to amend the Motor Vehicles and Road Traffic Act.

(Read a first time on 2013-03-14)

ITEM 4 - FIRE SERVICE (CHANGE OF NAME) BILL 2013 – Bill No. 13/2013 published on 2013-05-02

At the request of the Minister of Home Affairs the second reading of the following Bill was deferred:

A BILL intituled AN ACT to rename the Fire Service Act, the Fire Service and for related purposes.

(Read a first time on 2013-05-07)

ITEM 5 - POLICE (CHANGE OF NAME) BILL 2013 – Bill No. 14/2013 published on 2013-05-02

At the request of the Minister of Home Affairs the second reading of the following Bill was deferred:

A BILL intituled AN ACT to rename the Police Act, the Police Force, the Police (Discipline) Act and for related purposes.

(Read a first time on 2013-05-07)

ITEM 6 TELECOMMUNICATIONS BILL 2012 – Bill No. 18/2012 published on 2012-08-09

At the request of the Prime Minister and Minister of Parliamentary Affairs the second reading of the following Bill was deferred:

A BILL intituled AN ACT to provide for the establishment of the Telecommunications Agency and for a regular, coordinated, open and competitive telecommunications sector and for matters incidental thereto or connected therewith.

(Read a first time on 2012-08-09)

ITEM 7 - PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2012 – Bill No. 17/2012 published on 2012-08-09

At the request of the Prime Minister and Minister of Parliamentary Affairs the second reading of the following Bill was deferred:

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

(Read a first time on 2012-08-09)

(i) PRIVATE MEMBERS' BUSINESS

MOTIONS

**ITEM 8 - THE MARRIED PERSONS (PROPERTY) (AMENDMENT) BILL 2013 –
Bill No. 9 of 2013**

At the request of Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly, consideration of the following motion was deferred:

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Married Persons (Property) (Amendment) Bill 2013 – Bill No. 9 of 2013:-

A Bill intituled AN ACT to amend the Married Persons (Property) Act.

(Notice Paper No. 164 (M 60 Opp.37) published on 2013-03-13)

**ITEM 9 - HONOURING THE 21ST AUGUST, 2012 AGREEMENT BETWEEN THE
GOVERNMENT OF GUYANA AND THE REGIONAL DEMOCRATIC
COUNCIL, REGION #10**

At the request of Ms Vanessa Kissoon, M.P. consideration of the following motion was deferred:

WHEREAS the people of Linden have from the time of the announcement by the Government that there would be an increase in electricity tariff, consequent to the government's intended withdrawal of the subsidy, indicated through their pronouncements in the national media, peaceful picketing exercises and other forms of peaceful protest that the community did

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not have the economic capacity to pay the steep and unconscionable increase in the cost of electricity and therefore saw the decision as an unjust imposition on the people of Linden;

AND WHEREAS the Government continued to take action to impose the increase in the cost of electricity on the people of Linden in total violation of the people's right to be involved in decisions that directly affect them as is explicit in Article 13 of the Constitution which states that, "The principal objective of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organizations in the management and decision-making processes of the State, with particular emphasis on those areas of decisions-making that directly affect their well being";

RECOGNISING that the Government was not responsive to the concerns and interests of the people of Linden and therefore left the people of Linden with no alternative, but to continue to protest;

AND WHEREAS the people of Linden were involved in peaceful protest and were subjected to the uncalled for use of excessive and lethal force by the Guyana Police Force resulting in the death of Mr. Allen Lewis, Mr. Ron Sommerest, Mr. Shemroy Bouyea and the injuring of scores of unarmed protestors;

AND WHEREAS the use of lethal force rather than instilling fear that was intended, increased the resolve of the people and escalated the protest forcing the Government to respond to concerns of the people of Linden and enter into negotiations with the people of Region 10, represented by their elected and legitimate representatives;

CONCERNED that even while the negotiations were ongoing the Guyana Police and Guyana Defence Forces were used against the people of Linden, including the indiscriminate shooting and injuring of innocent people in their homes on a quiet Sunday;

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NOTING that in the face of such provocation, the Region continued to negotiate with the Government in good faith;

AND WHEREAS these negotiations resulted in the Agreement of 21st August, 2012, between the Government of Guyana and Region 10 Regional Democratic Council signed, on behalf of the Government of Guyana, by the Hon. Prime Minister, Mr. Samuel Hinds, O.E., M.P., and on behalf of Region 10, Regional Democratic Council, by Mr. Sharma Solomon;

AND WHEREAS the full text of the aforesaid written Agreement, which is attached to this motion, contains the details of the Agreement, inclusive of the deadlines for implementation and the actions required to be undertaken by all parties to the Agreement; (See Appendix)

CONCERNED that six (6) months after the signing of the Agreement many aspects of the Agreement have not been implemented, especially the commitment to return the dish and transmitter to the people of Linden, inter alia;

BE IT RESOLVED:

That this National Assembly calls on the Government of Guyana to immediately adhere to its commitments and obligations under the written Agreement of 21st August, 2012 thereby ensuring that the benefits which were to accrue to the residents of Region 10 are realized; and

BE IT FURTHER RESOLVED:

That the Government of Guyana be held solely accountable and responsible for all direct and indirect consequences flowing from its continued unwillingness to adhere to the letter and spirit of the written Agreement of 21st August, 2012.

(Notice Paper No. 165 (M 61 Opp.38) published on 2013-03-13)

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**ITEM 10 - APPOINTMENT OF A COMMISSION OF INQUIRY TO INVESTIGATE
THE INCIDENCE OF TRAFFICKING IN PERSONS IN GUYANA**

Brig. (Ret'd) David Granger, M.S.S., M.P., Leader of the Opposition
moved the following motion:

WHEREAS the Constitution of the Co-operative Republic of Guyana prescribes at Article 140(1) that “No person shall be held in slavery or servitude;” and, at Article 140(2) that “No person shall be required to perform forced labour;”

AND WHEREAS the state of Guyana is a signatory to the United Nations Convention against Trans-National Organised Crime adopted by General Assembly Resolution 55/25 of 15th November, 2000 and to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; and, further, Guyana has prohibited all forms of trafficking in persons through the Combating of Trafficking in Persons Act 2005;

AND WHEREAS there have been credible reports that undetermined numbers of persons, have been trafficked, kept in involuntary servitude and required to perform forced labour, particularly in the hinterland regions of Guyana, but also elsewhere;

AND WHEREAS in accordance with the Commission of Inquiry Act, Ch. 19:03, “The President may issue a commission appointing one or more Commissioners and authorizing such Commissioner or Commissioners to inquire into any matter in which an inquiry would, in the opinion of the President, be for the public welfare;”

BE IT RESOLVED:

That the National Assembly declares its abhorrence at the crime of trafficking in persons; expresses its sympathy with the victims of trafficking; calls for victims to be treated humanely – not as offenders and asserts the responsibility of the State to protect all of its citizens; and

BE IT RESOLVED:

That the National Assembly calls upon the President of the Co-operative Republic of Guyana, in accordance with the Commission of Inquiry Act, Ch. 19:03, to appoint a commission of inquiry to inquire into the allegations, and to determine the extent, of trafficking in persons and to make recommendations for suppression and abolition of the unlawful trade.

(Notice Paper No. 186 (M 73 Opp 46) published on 2013-05-09)

The following Members spoke to the motion:

The Minister of Human Services and Social Security

Presiding of Dr. Vindhya V. Persaud, M.S., M.P.

At 6.53 p.m., while Mrs. Volda Lawrence was speaking to the motion, the Speaker withdrew from the Chamber and Dr. Vindhya V. Persaud took the Chair.

Return of Speaker

At 7.00 p.m., the Speaker returned to the Chamber.

Mrs. Volda Lawrence continued and concluded her speech.

SUSPENSION OF SITTING

At 7.03 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 7.40 p.m., the sitting was resumed.

The Assembly resumed the debate on the motion for the Appointment of a Commission of Inquiry to Investigate the Incidence of Trafficking in Persons in Guyana.

The following Members also spoke to the motion:

Ms Bibi Shaddick

Ms Africo Selman

Mr. James Bond

Mrs. Catherine Hughes

Ms Annette Ferguson

The Attorney General and Minister of Legal Affairs

The Minister of Home Affairs

Thereafter, Brig. (Ret'd) David Granger replied.

The motion was then put and carried.

ITEM 11 - APPOINTMENT OF A COMMISSION OF INQUIRY TO INVESTIGATE THE INCIDENCE OF ILLNESS AND DEATHS IN THE BARIMA-WAINI REGION OF GUYANA

At the request of Brig. (Ret'd) David Granger, M.S.S., M.P., Leader of the Opposition the consideration of the following motion was deferred:

WHEREAS the Constitution of the Co-operative Republic of Guyana prescribes at Article 24 that "Every citizen has the right to free medical attention etc;" and, at Article 36 that, "The well-being for the nation depends upon preserving clean air, fertile soils, pure water, etc;"

AND WHEREAS there have been credible reports that several persons – including a two-month old child, a seven-month old child and a twelve-month old child – have died and over 500 persons became ill since February, 2013 and several other persons had died and become ill from time to time, from similar causes said to be associated with the supply of water, elsewhere in the same Barima-Waini Region;

AND WHEREAS in accordance with the Commission of Inquiry Act, Ch. 19:03, “The President may issue a commission appointing one or more Commissioners and authorising such Commissioner or Commissioners to inquire into any matter in which an inquiry would, in the opinion of the President, be for the public welfare;”

BE IT RESOLVED:

That the National Assembly expresses its sympathy with the relatives of the deceased children and with the victims of the illness in the Barima-Waini Region; and

BE IT FURTHER RESOLVED:

That the National Assembly calls upon the President of the Co-operative Republic of Guyana, in accordance with the Commission of Inquiry Act, Ch. 19:03, to appoint a commission of inquiry to inquire into the illness and deaths of persons and to make recommendations to prevent a recurrence of such illness and deaths and to preserve the well-being of the residents of the Barima-Waini Region.

(Notice Paper No. 187 (M 74 Opp 47) published on 2013-05-09)

(iii) COMMITTEES BUSINESS

MOTION

ITEM 12 - ADOPTION OF THE REPORT OF THE SPECIAL SELECT COMMITTEE OF THE NATIONAL ASSEMBLY ON THE UNITED NATIONS HUMAN RIGHTS COUNCIL WITH REGARD TO THE ABOLITION OF CORPORAL PUNISHMENT IN THE SCHOOLS, THE ABOLITION OF THE DEATH PENALTY AND THE DECRIMINALIZATION OF CONSENSUAL ADULT SAME SEX RELATIONS AND DISCRIMINATION AGAINST LESBIANS, GAYS, BI-SEXUAL AND TRANSGENDER PERSONS (RESOLUTION NO. 23 OF 2012)

The Minister of Human Services and Social Security moved the following motion:

BE IT RESOLVED:

That the Report of the Special Select Committee of the National Assembly on the United Nations Human Rights Council with regard to the Abolition of Corporal Punishment in the schools, the Abolition of the Death Penalty and the Decriminalization of Consensual Adult Same Sex Relations and Discrimination against Lesbians, Gays, Bi-Sexual and Transgender Persons (Resolution No. 23 of 2012), outlining its work programme on the abolition of corporal punishment in the schools be adopted.

(Notice Paper No. 166 (M 62 Committee 3) published on 2013-03-18)

Dr. Rupert Roopnarine spoke to the motion.

Thereafter, the motion was put and carried.

INDEPENDENCE GREETINGS

Brig. (Ret'd) David Granger, M.S.S., M.P., Leader of the Opposition, extended Independence Anniversary Greetings to all Guyanese.

The Prime Minister and Minister of Parliamentary Affairs joined the Leader of the Opposition in extending Independence Anniversary Greetings to all Guyanese.

ADJOURNMENT

At 9.35 p.m., on a motion by the Prime Minister and Minister of Parliamentary Affairs, the Assembly was adjourned to 2.00 p.m., on Tuesday, 28th May, 2013.

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MRS. DEBORAH BACKER, M.P.,
Deputy Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.

22nd May, 2013.