

NATIONAL ASSEMBLY

ORDER PAPER

FOR THE 43RD SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1992-1994) OF THE SIXTH PARLIAMENT OF GUYANA TO BE HELD

AT 2.00 P.M.

ON THURSDAY, 22ND SEPTEMBER, 1994

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS GEORGETOWN

BUSINESS FOR SITTING

PRAYERS

OATH OF A NEW MEMBER -

MESSAGES FROM THE PRESIDENT -

ANNOUNCEMENTS BY THE SPEAKER -

PRESENTATION OF PETITIONS

PRESENTATION OF PAPERS AND REPORTS, ETC.-

(1) By the Prime Minister:

Local Democratic Organs (Neighbourhood
Democratic Councils) (Amendment) (No. 2)
Order 1994 (No. 39 of 1994), made under
sections 5 and 12 of the Local Democratic
Organs Act 1980 (No. 12 of 1980) on 6th
September, 1994, and published in the
Gazette on 7th September, 1994.

(Circulated)

(2) By the Senior Minister of Finance:

(i) Annual Report of the Inland Revenue
Department for the year 1993.

(Circulated)

(ii) Annual Report of the National Insurance
Board and Accounts of the Fund for
the year 1991.

(Circulated)

2.

(iii) Annual Report and Accounts of the
Mahaica-Mahaicony-Abary Agricultural
Development Authority for the year
1992.

(Circulated)

(3) By the Senior Minister of Labour, Human Services
and Social Security:

Annual Report of the Ministry of
Labour, Human Services and Social
Security for the year 1993.

(Circulated)

QUESTIONS TO MINISTERS -

STATEMENTS BY MINISTERS -

PERSONAL EXPLANATIONS -

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

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE ASSEMBLY
AND MOVED BY A MINISTER -

INTRODUCTION OF BILLS

Presentation and First Reading

CUSTOMS (AMENDMENT) (NO. 2) BILL 1994 - Bill
No. 18/1994

The Senior Minister of Finance, on behalf of
the Government, to present the following Bill:

A BILL intituled AN ACT to
amend the Customs Act.

/...

PUBLIC BUSINESS

MOTION

1. APPROVAL TO EMPLOY MEMBERS OF THE GDF OUT OF GUYANA

The Senior Minister of Foreign Affairs to move the following motion:

WHEREAS Guyana is a Party to the decisions which emanated from the 15th Meeting of the Conference of Heads of Government of the Caribbean Community held in Barbados from 4 - 7 July, 1994;

AND WHEREAS the aforementioned Conference of Heads of Government of Caricom emphasised its recognition that the resolution of the political crisis in Haiti, a Caribbean country, is one to which all the countries of this geo-political region, in cooperation with the international community in general, must make a meaningful contribution, and reiterated its readiness to do so;

AND WHEREAS the aforementioned Conference recognised the necessity of now considering the early implementation of all appropriate measures towards the resolution of the Haitian crisis, the restoration of the democratic process and the return of President Jean Bertrand Aristide to his rightful place as elected President of Haiti;

AND WHEREAS the aforementioned Conference agreed to provide assistance in concert with other members of the international community, in the development of a civilian force as a professional organisation for maintaining the peace and respect for human rights in that strife-torn country;

AND WHEREAS the United Nations Security Council has adopted Resolution 940(1994) on 31 July 1994;

AND WHEREAS the aforementioned Resolution recorded that the Security Council was gravely concerned by the significant further deterioration of the humanitarian situation in Haiti, in particular the continuing escalation by the illegal de facto regime of systematic violations of civil liberties, the desperate plight of Haitian refugees and the recent expulsion of the staff of the International Civilian Mission (MICIVIH), which was condemned in its Presidential statement of 12 July 1994;

AND WHEREAS the Security Council in the aforementioned Resolution recognised the unique character of the present situation in Haiti, and that its deteriorating, complex and extraordinary nature, required an exceptional response;

AND WHEREAS the Security Council by the aforesaid Resolution 940, acting under Chapter VII of the Charter of the United Nations, authorized Member States to form a multinational force under unified command and control and, in this framework, to use all necessary means to facilitate the departure from Haiti of the military leadership, consistent with the Governors Island Agreement, the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti, and to establish and maintain a secure and stable environment that will permit implementation of the Governors Island Agreement;

AND WHEREAS the aforementioned Resolution invited all States, in particular those in the region, to provide appropriate support for the actions undertaken by the United Nations and by Member States pursuant to this and other relevant Security Council resolutions;

AND WHEREAS Guyana, being a Member of the United Nations, is obligated to abide by mandatory Resolutions of the Security Council;

AND WHEREAS Guyana participated in the Meeting of Caricom policy makers and Heads of Military and Police Personnel regarding the implementation of Resolution 940;

AND WHEREAS the aforesaid Meeting agreed that those CARICOM Forces which will be participating in the MNF, would concentrate on peacekeeping and reconstruction;

AND WHEREAS the aforesaid Meeting also agreed that such forces would only be deployed once a fair degree of stability had been established;

AND WHEREAS it is the collective intention of the Caricom countries to participate in the MNF at approximately stage 3 of the first phase of implementation of Resolution 940, that is following the departure from Haiti of the military Regime and the establishment of a fairly stable environment;

AND WHEREAS under section 7 of the Defence Act, Cap 15:01 of the laws of Guyana, the approval of the National Assembly is required for the employment of any part of the Guyana Defence Force out of or beyond Guyana:

BE IT RESOLVED:

That the National Assembly hereby approves of the employment of troops of the Guyana Defence Force outside of Guyana to participate in the implementation of United Nations Security Council Resolution No. 940 in compliance with the decision of the Caricom Heads of Government.

(Notice Paper No. 51 (M41 Govt 35) published 15.9.94)

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BILLS - Second Reading

2. LICENSED PREMISES (AMENDMENT) BILL 1994 - Bill No. 14/1994
published 30.7.94

The Senior Minister of Labour, Human Services and Social Security to move the second reading of the following Bill.

A BILL intituled AN ACT to amend
the Licensed Premises Act

(Read a first time on 4 8 94)

- 3 LABOUR (CONDITIONS OF EMPLOYMENT OF CERTAIN WORKERS)
(AMENDMENT) BILL 1994 - Bill No 15/1994 published
30 7 94

The Senior Minister of Labour, Human Services and Social Security to move the second reading of the following Bill:

A BILL intituled AN ACT to amend
the Labour (Conditions of
Employment of Certain Workers)
Act.

(Read a first time on 4.8.94)

4. BAKERIES (HOURS OF WORK) (AMENDMENT) BILL 1994 -
Bill No. 16/1994 published 30.7.94

The Senior Minister of Labour, Human Services and Social Security to move the second reading of the following Bill:

A BILL intituled AN ACT to amend
the Bakeries (Hours of Work) Act

(Read a first time on 4.8.94)

- 5 LABOUR (AMENDMENT) BILL 1994 - Bill No. 17/1994

The Senior Minister of Labour, Human Services and Social Security to move the second reading of the following Bill:

A BILL intituled AN ACT to amend
the Labour Act.

(Read a first time on 4.8.94)

*6. MEDICAL TERMINATION OF PREGNANCY BILL 1993 - Bill
No. 27/1993 published 11 12.93

The Senior Minister of Health to move the second reading of the following Bill:-

A BILL intituled AN ACT to reform the law relating to abortion and to provide for matters connected therewith.

(Read a first time on 3.12.93)

*7. FINANCIAL INSTITUTIONS BILL 1993 - Bill No. 28/1993

The Senior Minister of Finance to move the second reading of the following Bill:

A BILL intituled AN ACT to regulate the business of banking and other financial business.

(Read a first time on 30.12.93)

F.A. NARAIN

Clerk of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.

15th September, 1994

*Not to be proceeded with at this sitting

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 43RD SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1992-1994) OF THE SIXTH PARLIAMENT OF GUYANA BELD

AT 2.00 P.M.

ON THURSDAY, 22ND SEPTEMBER, 1994

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (73)

Speaker (1)

The Hon. Derek C. Jagan, S.C., J.P., M.P., Speaker of the National Assembly

Members of the Government - People's Progressive Party/Civic (43)

The Hon. Samuel A. Hinds, M.P., Prime Minister

The Hon. Reepu Daman Persaud, J.P., M.P., Senior Minister of Agriculture (Leader of the House)

The Hon. S. Feroze Mohamed, M.P., Senior Minister of Home Affairs (Government Chief Whip)

The Hon. Harripersaud Nokta, M.P., Senior Minister in the Ministry of Public Works, Communications and Regional Development

* The Hon. Asgar Ally, M.P., Senior Minister of Finance

The Hon. Rev. Dr. Ramnauth Bisnauth, M.P., Senior Minister of Education and Cultural Development (Absent - on leave)

* The Hon. Bernard C. DeSantos, S.C., M.P., Attorney General and Minister of Legal Affairs

* The Hon. Dr. Henry B. Jeffrey, M.P., Senior Minister of Labour, Human Services and Social Security

The Hon. Clement J. Rohee, M.P., Senior Minister of Foreign Affairs

The Hon. Gail Teixeira, M.P., Senior Minister of Health

The Hon. M. Shree Chan, M.P., Senior Minister of Trade, Tourism and Industry

Mrs. Janet Jagan, O.E., M.P.

The Hon. Clinton C. Collymore, M.P., Minister in the Ministry of Agriculture

The Hon. Indranie Chandarpal, M.P., Minister in the Ministry of Labour, Human Services and Social Security

* The Hon. F. Vibert DeSouza, M.P., Minister in the Ministry of Public Works, Communications and Regional Development

* The Hon. George E. Fung-On, M.P., Minister in the Office of the President

* The Hon. Bharrat Jagdeo, M.P., Minister in the Ministry of Finance

Non-elected Member

Mr. Moses V. Nagamootoo, M.P.
 Mr. Cyril C. Belgrave, M.P.
 Mr. Fazil M. Ali, M.P.
 Mr. Husman Alli, M.P.
 Mr. Shaik K.Z. Baksh, M.P.
 Mr. Komal Chand, M.P.
 Mrs. Shirley V. Edwards M.P. (Absent)
 Dr. Bughley H. Hanoman, M.P.
 Mrs. Una A. James, M.P.
 Mr. Alston A. Kissoon, M.P. (Absent - on leave)
 Dr. Moti Lall, M.P.
 Mr. Khemraj Ramjattan, M.P.
 Mr. Donald Ramotar, M.P.
 Mr. Lawrence E. Rodney, M.P.
 Mrs. Pauline Sukhai M.P.
 Mr. Winslow M. Zephyr, M.P.
 Mr. Reuben A. Gilbert M.P.
 Mr. Edward DaSilva, M.P.
 Mr. Khadim Bacchus, M.P. (National Congress of Local Democratic Organs)
 Mr. Samad A. Baksh, M.P. (Region No. 2 - Pomeroon/Supenaam)
 Mr. Harrinarine Baldeo, M.P. (Region No. 5 - Mahaica/Berbice)
 Mr. Joseph DeSouza, M.P. (Region No. 1 - Barima/Waini) (Absent - on leave)
 Mr. Eugene La Cruz, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo) (Absent)
 Mr. Bagot Paul, M.P. (Region No. 8 - Potaro/Siparuni) (Absent)
 Mr. Kum Karan Ramdas, M.P. (Region No. 6 - East Berbice/Corentyne)
 Mr. Ramrattan, M.P., a/k Balkarran (Region No. 3 - Essequibo Islands/
 West Demerara)

Members of the Minority (29)

(i) People's National Congress (26)

Mr. H. Desmond Hoyte, S.C., M.P., Minority Leader
 Mr. Robert H.O. Corbin, M.P.
 Mr. Winston S. Murray, C.C.H., M.P.
 Dr. Patrick L. McKenzie, A.A., M.P., Chief Whip
 Mrs. Clarissa Riehl, M.P.
 Dr. Kenneth F.S. King, M.P.
 Mr. Deryck M.A. Bernard, M.P.
 Miss Amna Ally, M.P.
 Miss Jean M.G. Persico, A.A., M.P.
 Mr. Arthur A. Alexander, M.P., Deputy Speaker of the National Assembly
 Mr. Simon H. Ng-See-Quan, M.P. (Absent)
 Mr. Dunstan Barrow, M.P.
 Mr. David Subnauth, M.P.
 Mr. Reynold N. David, M.P. (Region No. 7 - Cuyuni/Mazaruni) (Absent)
 Mr. M. Idris Deen, M.P. (Absent)
 Mr. Aftabuddin Ahamad, M.P.
 Mrs. Cyrilda A. DeJesus, M.P.
 Mr. Kenrick Tyndall, M.P.
 Mr. Phillip Bynoe, M.P. (Region No. 10 - Upper Demerara/Berbice)
 Mr. Andy Gouveia, M.P.
 Mr. Hukumchand, M.P., a/k Parag
 Miss Joan C. Richards, M.P. (Absent)
 Miss Gwenneth A. Brouet, M.P. (Absent)
 Mr. John A. Fredericks, M.P. (Absent)
 Mr. Ivan Peters, M.P. (Region No. 4 - Demerara/Mahaica)

(There is one vacancy)

(ii) Working People's Alliance (2)

Dr. Clive Y. Thomas, C.C.H., M.P.

Mr. Matheson Williams, M.P. (National Congress of Local Democratic Organs) (Absent)

(iii) The United Force (1)

Mr. Manzoor Nadir, M.P.

OFFICERS

Mr. Frank A. Narain, A.A., Clerk of the National Assembly

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

COMMENCEMENT OF SITTING

The Sitting commenced at 2.00 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

(i) Production of Hansard

The Speaker made the following announcement:

"Hon. Members, I have been informed by the Clerk of the National Assembly that, in order to regularise the arrangements for the production of Hansard, it was necessary for the matter to be put out to tender.

Following the required notice, the Central Tender Board of the Ministry of Finance met, examined and carefully considered the Tenders received and made an award.

That award was made to Mr. Leslie Forrester whose business is registered as F.C.E. Systems and is at A137 Duncan Street, Bel Air Park, Georgetown.

A formal legally approved agreement has been entered into with the Company.

F.C.E. Systems is therefore, with effect from today's sitting, contracted to produce our Hansard. We extend our good wishes to the Company.

Members are kindly asked to give their full support and co-operation in the matter and to return promptly transcripts of their speeches which may be sent to them for revision."

(ii) Leave

The Speaker announced that leave had been granted to the following Members for that day's Sitting:

The Hon. Rev. Dr. Ramnauth Bisnauth
Mr. Alston Kissoon
Mr. Joseph DeSouza

PRESENTATION OF PAPERS AND REPORTS, ETC.-

(1) By the Prime Minister:

Local Democratic Organs (Neighbourhood Democratic Councils) (Amendment) (No. 2) Order 1994 (No. 39 of 1994), made under sections 5 and 12 of the Local Democratic Organs Act 1980 (No. 12 of 1980) on 6th September, 1994, and published in the Gazette on 7th September, 1994.

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(2) By the Senior Minister of Finance:

(i) Annual Report of the Inland Revenue Department for the year 1993.

(Circulated)

(ii) Annual Report of the National Insurance Board and Accounts of the Fund for the year 1991.

(Circulated)

(iii) Annual Report and Accounts of the Mahaica-Mahaicony-Abary Agricultural Development Authority for the year 1992.

(Circulated)

(iv) Report of the Auditor General on the Public Accounts of Guyana and on the Accounts of Ministries/Departments/Regions for the Fiscal Year ended 31st December, 1993.

(Circulated)

- (v) Ministers, Members of the National Assembly and Special Offices (Emoluments) Order 1994 (No. 41), made under section 8 of the Ministers, Members of the National Assembly and Special Offices (Emoluments) Act, Chapter 1:07, on 21st September, 1994.

(Circulated)

- (vi) Constitutional Offices (Remuneration of Holders) Order 1994 (No. 42), made under section 5 of the Constitutional Offices (Remuneration of Holders) Act, Chapter 27:11, on 21st September, 1994.

(Circulated)

- (3) By the Senior Minister of Labour, Human Services and Social Security:

Annual Report of the Ministry of Labour, Human Services and Social Security for the year 1993.

(Circulated)

INTRODUCTION OF BILLS

Presentation and First Reading

CUSTOMS (AMENDMENT) (NO. 2) BILL 1994 - Bill No. 18/1994 published 24.9.94

The Senior 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 Customs Act.

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PUBLIC BUSINESS

MOTION

ITEM 1 - APPROVAL TO EMPLOY MEMBERS OF THE GDP OUT OF GUYANA

The Senior Minister of Foreign Affairs moved the following motion:

WHEREAS Guyana is a Party to the decisions which emanated from the 15th Meeting of the Conference of Heads of Government of the Caribbean Community held in Barbados from 4 - 7 July, 1994;

AND WHEREAS the aforementioned Conference of Heads of Government of Caricom emphasised its recognition that the resolution of the political crisis in Haiti, a Caribbean country, is one to which all the countries of this geo-political region, in cooperation with the international community in general, must make a meaningful contribution, and reiterated its readiness to do so;

AND WHEREAS the aforementioned Conference recognised the necessity of now considering the early implementation of all appropriate measures towards the resolution of the Haitian crisis, the restoration of the democratic process and the return of President Jean Bertrand Aristide to his rightful place as elected President of Haiti;

AND WHEREAS the aforementioned Conference agreed to provide assistance in concert with other members of the international community, in the development of a civilian force as a professional organisation for maintaining the peace and respect for human rights in that strife-torn country;

AND WHEREAS the United Nations Security Council has adopted Resolution 940(1994) on 31 July 1994;

AND WHEREAS the aforementioned Resolution recorded that the Security Council was gravely concerned by the significant further deterioration of the humanitarian situation in Haiti, in particular the continuing escalation by the illegal de facto regime of systematic violations of civil liberties, the desperate plight of Haitian refugees and the recent expulsion of the staff of the International Civilian Mission (MICIVIH), which was condemned in its Presidential statement of 12 July 1994;

AND WHEREAS the Security Council in the aforementioned Resolution recognised the unique character of the present situation in Haiti, and that its deteriorating, complex and extraordinary nature, required an exceptional response;

AND WHEREAS the Security Council by the aforesaid Resolution 940, acting under Chapter VII of the Charter of the United Nations, authorized Member States to form a multinational force under unified command and control and, in this framework, to use all necessary means to facilitate the departure from Haiti of the military leadership, consistent with the Governors Island Agreement, the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti, and to establish and maintain a secure and stable environment that will permit implementation of the Governors Island Agreement;

AND WHEREAS the aforementioned Resolution invited all States, in particular those in the region, to provide appropriate support for the actions undertaken by the United Nations and by Member States pursuant to this and other relevant Security Council resolutions;

AND WHEREAS Guyana, being a Member of the United Nations, is obligated to abide by mandatory Resolutions of the Security Council;

AND WHEREAS Guyana participated in the Meeting of Caricom policy makers and Heads of Military and Police Personnel regarding the implementation of Resolution 940;

AND WHEREAS the aforesaid Meeting agreed that those CARICOM Forces which will be participating in the MNF, would concentrate on peacekeeping and reconstruction;

AND WHEREAS the aforesaid Meeting also agreed that such forces would only be deployed once a fair degree of stability had been established;

AND WHEREAS it is the collective intention of the Caricom countries to participate in the MNF at approximately stage 3 of the first phase of implementation of Resolution 940, that is following the departure from Haiti of the military Regime and the establishment of a fairly stable environment;

AND WHEREAS under section 7 of the Defence Act, Cap. 15:01 of the laws of Guyana, the approval of the National Assembly is required for the employment of any part of the Guyana Defence Force out of or beyond Guyana:

BE IT RESOLVED:

That the National Assembly hereby approves of the employment of troops of the Guyana Defence Force outside of Guyana to participate in the implementation of United Nations Security Council Resolution No. 940 in compliance with the decision of the Caricom Heads of Government.

The Minority Leader spoke to the motion.

Dr. Clive Thomas 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 4.30 p.m., the Sitting was resumed.

RESUMPTION OF DEBATE ON MOTION

Assembly resumed the debate on the motion seeking approval to employ members of the Guyana Defence Force outside of Guyana.

Dr. Clive Thomas continued and concluded his speech.

The following Members spoke to the motion:

The Attorney General and Minister
of Legal Affairs

Mr. Phillip Bynoe

Mr. Manzoor Nadir

The Senior Minister of Health

Mrs. Clarissa Riehl

Thereafter, the Senior Minister of Foreign Affairs replied.

The Assembly agreed to the substitution of the word "conformity" for the word "compliance" in the resolved clause.

The motion with the substitution was then put and carried on the following division:

FOR

Mr. Ramrattan
Mr. Ramdass
Mr. Baldeo
Mr. Baksh
Mr. Bacchus
Mr. Da'Silva
Mr. Gilbert
Mr. Zephyr
Mrs. Sukhai
Mr. Rodney
Mr. Ramotar
Mr. Ramjattan
Dr. Lall
Mrs. James
Dr. Hanoman
Mr. Chand
Mr. Samad Baksh
Mr. H. Alli
Mr. Fazil Ali

AGAINST

Mr. Nadir
Dr. Thomas
Mr. Peters
Mrs. DeJesus
Mr. Subnauth
Mr. Barrow
Mr. Alexander
Miss Persico
Miss Amna Ally
Dr. King
Mrs. Riehl
Dr. McKenzie
Mr. Hoyte

FOR

AGAINST

Mr. Belgrave
Mr. Nagamootoo
Mr. Collymore
Mrs. Jagan
Mr. Chan
Miss Teixeira
Mr. Rohee
Mr. Nokta
Mr. Mohamed
Mr. Persaud
Mr. Hinds

Total 30

Total 13

ADJOURNMENT

At 6.55 p.m., on a motion by the Senior Minister of Agriculture (Leader of the House), the Assembly was adjourned to a date to be fixed.



D.C. JAGAN

Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.

22nd September, 1994.