

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 81ST SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1992-1996) OF THE SIXTH PARLIAMENT OF GUYANA HELD

AT 2.00 P.M.

ON THURSDAY, 30TH MAY, 1996
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN
MEMBERS OF THE NATIONAL ASSEMBLY (72)

Speaker (1)

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

Members of the Government - People's Progressive Party/Civic (42)

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

The Hon. Reepu Daman Persaud, O.R., 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 and Communications (Absent-on leave)

*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 (Absent-on leave)

The Hon. Clement J. Rohee, M.P., Senior Minister of Foreign Affairs (Absent-on leave)

The Hon. Gail Teixeira, M.P., Senior Minister of Health (Absent-on leave)

The Hon. M. Shree Chan, M.P., Senior Minister of Trade, Tourism and Industry (Absent-on leave)

*The Hon. Bharrat Jagdeo, M.P., Senior Minister of Finance

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

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

The Hon. Indranie Chandarpal, M.P., Minister in the Ministry of Labour, Human Services and Social Security (Absent-on leave)

*The Hon. F. Vibert DeSouza, M.P., Minister in the Ministry of Local Government

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

The Hon. Moses V. Nagamootoo, M.P., Senior Minister of Local Government

*Non-elected Member

Mr. Cyril C. Belgrave, M.P.
 Mr. Fazil M. Ali, M.P.
 Mr. Husman Alli, M.P.
 Mr. Shaik K.Z. Baksh, M.P. (Absent-on leave)
 Mr. Komal Chand, C.C.H., M.P.
 Mrs. Shirley V. Edwards, M.P.
 Dr. Hughley H. Hanoman, M.P.
 Mrs. Una A. James, M.P.
 Mr. Alston A. Kissoon, M.P.
 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)
 Mr. Eugene La Cruz, M.P. (Region No.9 - Upper Takutu/Upper Essequibo) (Absent-on leave)
 Mr. Bagot Paul, M.P. (Region No.8 - Potaro/Siparuni) (Absent-on leave)
 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 (Absent-on leave)
 Mr. Robert H.O. Corbin, M.P.
 Mr. Winston S. Murray, C.C.H., M.P. (Absent)
 Dr. Kenneth F.S. King, M.P.
 Mrs. Clarissa Riehl, M.P.
 Mr. Dunstan Barrow, M.P.
 Mr. M. Idris Deen, M.P.
 Dr. Faith A. Harding, 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. Dharamdeo Sawh, M.P.
 Mr. Simon Ng-See-Quan, M.P.
 Mr. David Subnauth, M.P.
 Mr. Reynold N. David, M.P. (Region No. 7 - Cuyuni/Mazaruni)
 Mr. Aftabuddin Ahamad, M.P. (Absent-on leave)
 Mrs. Cyrilda A. DeJesus, M.P. (Absent-on leave)
 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.
 Mr. John A. Fredericks, M.P.
 Mr. Ivan Peters, M.P. (Region No. 4 - Demerara/Mahaica)
 Mr. Hubert K.H. Hyman, M.P. (Absent-on leave)
 Mr. Ivor Allen, M.P.

(ii) Working People's Alliance (2)

Dr. Rupert Roopnaraine, 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) Congratulations to M.P.s awarded National Honours

The Speaker announced that on the occasion of the 30th Anniversary of Guyana's attainment of Independence, among the persons honoured were two Members of the National Assembly.

The Hon. Reepu Daman Persaud received Guyana's second highest national award - the Order of Roraima (O.R) for long and outstanding service as a Parliamentarian and for his involvement in the struggle for the restoration of free and fair elections and democracy in Guyana.

The Honourable Member, Mr. Komal Chand, received The Cacique's Crown of Honour (C.C.H.) for long and dedicated service of an exceptionally high quality in trade unionism and industrial relations.

On behalf of Members of the Assembly and himself, the Speaker extended congratulations and best wishes to Mr. Persaud and to Mr. Chand.

(ii) Leave

The Speaker announced that leave from that day's sitting had been granted to -

The Hon. Rev. Dr. Ramnauth Bisnauth,

The Hon. Dr. Henry Jeffrey,

4.

The Hon. Clement Rohee,
The Hon. Michael Shree Chan,
Mr. Desmond Hoyte,
Mr. Aftabuddin Ahamad, and
Mrs. Cyrilda DeJesus,
and to
The Hon. Harripersaud Nokta up to 15th
June, and
Mr. Shaik Baksh up to 7th June.

CONGRATULATIONS TO SPEAKER ON AWARD OF C.C.H.

The Senior Minister of Agriculture (Leader of the House), on behalf of Members of the Assembly, the Staff of the Parliament Office, and himself, extended congratulations to the Speaker on the award made to him on the occasion of the 30th Anniversary of Guyana's attainment of Independence, of the Cacique's Crown of Honour (C.C.H.), for service of an exceptionally high quality and beyond the normal call of duty in the field of Parliamentary Affairs.

PRESENTATION OF PAPERS AND REPORTS, ETC.

(1) By the Speaker:

Minutes of the Proceedings of the 7th
Meeting of the Committee of Selection held
on Monday, 6th May, 1996.

(Circulated)

(2) By the Prime Minister:

- (i) Matarkai Development Authority (Dissolution and Transfer of Assets and Liabilities) Order 1995 (No.40 of 1995), made under section 18 of the Regional Development Authorities Act 1977 (No. 14 of 1977), on 15th December, 1995, and published in the Gazette on 23rd December, 1995.

(Circulated)

- (ii) National Registration (Residents) (Amendment) Regulations 1996 (No. 6 of 1996), made under section 19 of the National Registration Act, Chapter 19:08, on 15th May, 1996, and published in the Gazette on 25th May, 1996.

(Circulated)

(3) By the Senior Minister of Finance:

(i) Customs (Amendment) Order 1996 (No. 24 of 1996), made under section 8 of the Customs Act, Chapter 82:01, on 14th May, 1996, and published in the Gazette on 18th May, 1996.

(Circulated)

(ii) Agreements (3) between the International Development Association and the Government of Guyana as detailed below:

✓ (a) Development Credit Agreement No. 2669 GUA dated January 11, 1995 for Financial Sector and Business Environment Project.

✓ (b) Development Credit Agreement No. 2746-GUA dated June 21, 1995 for Private Sector Development Adjustment Credit; and

(c) Development Credit Agreement No. 2746-GUA dated June 21, 1995 for Private Sector Development Adjustment Credit.

(Circulated)

(iii) Agreement (1) between the Caribbean Development Bank and the Government of Guyana as detailed below:

(a) Loan Contract No.11/SFR-GU dated March 7, 1995 for the Guyana Water Rehabilitation Project.

(Circulated)

(iv) Agreements (2) between the Commodity Credit Corporation, an agency of the United States of America and the Government of Guyana as detailed below:

(a) Loan Contract PL 480 FY-1995 dated August 17, 1995 for the Sales of Agricultural Commodities; and

(b) Loan Contract PL 480 FY-1996 dated December 7, 1995 for the Sales of Agricultural Commodities.

(Circulated)

6.

- (v) Agreement (1) between the Venezuelan Investment Fund and the Government of Guyana as detailed below:
(a) Loan Contract No. PC-GUY-02-269 dated December 19, 1991 for Guyana Housing Project.

(Circulated)

- (vi) Agreement (1) between the European Investment Bank and the Government of Guyana as detailed below:
(a) Loan Contract No. FI No. 7.1035 Guyana dated December 14th, 1995 for Guyana - Rose Hall Water Supply Project (Conditional Loan on Risk Capital Resources).

(Circulated)

- (vii) Agreements (2) between the Government of the Republic of Germany and the Government of Guyana on (i) the reduction and consolidation of the foreign debt of the Cooperative Republic of Guyana (Guyana 111) and (ii) Second Supplement to the Agreement on the Reconsolidation of Guyanese Commercial Debts dated April 26, 1991 (Second Supplement Guyana 11) in accordance with the third Paris Club Agreed Minute signed in Paris on May 6, 1993: Agreements dated March 9, 1995.

(Circulated)

STATEMENTS BY MINISTERS

Shooting Incident of Germain Wilkinson.

The Senior Minister of Home Affairs (Government Chief Whip) made the following statement:

" Mr. Speaker, Recent events have compelled me to address the issue of the shooting of Germain Wilkinson by a member of the Guyana Police Force. The Government deeply regrets the incident which resulted in the tragic death of the young man in the prime of his youth. Such regrets have already been expressed to the parents and relatives of the deceased by me when I met them on two occasions. Other members of the Government have also expressed their condolences to the bereaved relatives.

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7.

The Government places a premium on life, and more so on the lives of its youthful citizens. The Government also firmly rejects any excessive use of force by members of the Police Force towards the citizens and will always insist that full and fair investigations be done in every case in which such force is allegedly used.

Guided by this conviction, in every such case the law must take its course. In this matter I directed a full, fair, and expeditious investigation. This was done.

Following the investigations, the police officer allegedly involved in the shooting incident was charged and is before the court. I am advised, Mr. Speaker, that if the evidence produced at the preliminary hearing so warrants the magistrate may commit the accused for trial for an offence greater than charged.

I wish to reiterate that this Government does not condone brutality, the use of force unnecessarily or excessive force by the Police. Though the Police must face up to various demands, pressures and stiff challenges in our times, we nevertheless expect that they carry out their duties in accordance with our laws. As a Government, and even before, we have emphasised that they must carry out their tasks in a professional way, with integrity and in a manner becoming of their vocation. To strengthen such an approach, we have urged them to develop and forge links with communities, involve the public more in the administration and various aspects of the Force's work, which in turn, will only serve to enhance their performance.

While the Police Force is one of the agencies in society responsible to ensure that our laws are upheld, it must also be emphasised that they, too are subjected to these laws.

Where allegations of police wrong-doings and misconduct are made, as a rule, these are investigated and legal advice is sought on the course of action to be taken. Members will know, that several members of the Force have had to face charges in court for one or another offence. Some of these have been highlighted in the media and these are apart from other internal disciplinary measures.

Our sense and strong feelings for justice suggest that we respect due process. We do not interfere with the court system. The court should be allowed to consider all the evidence and make its decision.

Mr. Speaker, I have conveyed sincere condolences to the bereaved relatives of the deceased when I met with them. I take the opportunity to once again do so. I also take the opportunity to call on the leadership of the Police Force to ensure that the Police respect citizens' rights and adhere to the laws in carrying out their duties. I appeal to all Guyanese, let us work together not only to build our country economically but to establish a system that is just and based on the rule of law.

Mr. Speaker, I feel sure that justice will prevail."

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

SUSPENSION OF STANDING ORDER NO. 46 (2) AND (3)

The Senior Minister of Agriculture (Leader of the House) moved the following motion which was put and carried:-

BE IT RESOLVED:

That Standing Order No. 46 (2) and (3) be suspended to enable the Assembly to proceed at its sitting on Thursday, 30th May, 1996, with the second reading and the remaining stages of the Election Laws (Amendment) Bill 1996 - Bill No. 11/1996. (Notice Paper No. 99 (M79 Govt 64) published 23.5.96)

INTRODUCTION OF BILLS -

Presentation and First Reading

- (1) ELECTION LAWS (AMENDMENT) BILL 1996 - Bill No. 11/1996
published 23.5.96

The Attorney General and Minister of Legal Affairs, on behalf of the Government, presented the following Bill which was read the first time:-

A BILL intituled AN ACT to make certain amendments in the law relating to registration of persons and to elections to choose the President, the members of the National Assembly and the members of the regional democratic councils and for matters connected therewith.

- (2) REVENUE AUTHORITY BILL 1996 -Bill No. 10/1996 published 11.5.96

The Senior Minister of Finance, on behalf of the Government, presented the following Bill which was read the first time:-

9.

A BILL intituled AN ACT to establish and define the functions of a Revenue Authority: to define the functions of the Governing Board of the Authority: to transfer from the Government to the Authority the functions and powers of the Inland Revenue Department and the Customs Department: to transfer from the Government to the Authority the assets used by the said Departments and the liabilities to which they were subject; and to provide for matters connected therewith or incidental thereto.

(3) LOCAL GOVERNMENT (AMENDMENT) BILL 1996 - Bill No. 12/1996 published 30.5.96.

The Senior Minister of Agriculture (Leader of the House), on behalf of the Senior Minister of Local Government, presented the following Bill which was read the first time:-

A BILL intituled AN ACT to amend the Local Government Act.

PUBLIC BUSINESS

BILL - Second Reading, Committee and Third Reading

ITEM 1 - ELECTION LAWS (AMENDMENT) BILL 1996 - Bill No. 11/1996 published 23.5.96

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

A BILL intituled AN ACT to make certain amendments in the laws relating to registration of persons and to elections to choose the President, the members of the National Assembly and the members of the regional democratic councils and for matters connected therewith.

The following Members spoke to the motion:-

Mr. Robert Corbin

Dr. Rupert Roopnaraine

Mr. Manzoor Nadir

The Senior Minister of Agriculture
(Leader of the House)

Dr. Kenneth King.

10.

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

The motion was then put and carried.

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.

Clause 8

The following amendments by the Attorney General and Minister of Legal Affairs were agreed to:-

Substitution of the following for the words beginning with the words "appoint a chief scrutineer" in subsection (1) to the end of the subsection:-

"appoint a chief scrutineer for the whole of Guyana, a deputy chief scrutineer and an assistant chief scrutineer for each registration district or part thereof, and one chief scrutineer for each registration division, and any subdivision thereof, and the appointment shall terminate on the date on which the preliminary list as revised is published under section 5:

Provided that one scrutineer in each registration division and one in any subdivision thereof appointed by -

- (a) the majority party;
 - (b) the combined minority parties,
- in the National Assembly shall be paid such remuneration by, and as may be determined by, the Elections Commission in accordance with section 19."

Substitution of the following for subsection (7):-
"(7) A chief scrutineer shall in respect of the whole of Guyana, a deputy chief scrutineer and an assistant chief scrutineer shall in respect of the registration district or part thereof, for which he is appointed, be entitled to perform all the functions, and shall have all the rights, of a scrutineer and, subject to the above, references in this Act to a scrutineer shall be deemed to include references to the chief scrutineer, every deputy chief scrutineer and every assistant chief scrutineer."

Clause 8 was passed as amended.

Clauses 9 to 19 were passed as printed.

Clause 20

Dr King moved the following amendment:-

Substitution of the words "the Minister shall on the advice of two-thirds the members of the Elections Commission" for the words "the Minister shall on the advice of the Elections Commission" in subsection (1).

The amendment was put and negatived on the following division:-

12.

FOR

Mr. Nadir
Dr. Roopnaraine
Mr. Allen
Mr. Peters
Mr. Fredericks
Miss Richards
Mr. Hukumchand
Mr. Gouveia
Mr. Bynoe
Mr. Tyndall
Mr. David
Mr. Subnauth
Mr. Ng-See-Quan
Mr. Sawh
Mr. Alexander
Miss Persico
Miss Ally
Dr. Harding
Mr. Deen
Mr. Barrow
Mrs. Riehl
Dr. King
Mr. Corbin

AGAINST

Mr. Ramratan
Mr. Ramdass
Mr. DeSouza
Mr. Baldeo
Mr. Bacchus
Mr. Da'Silva
Mr. Gilbert
Mr. Zephyr
Mrs. Sukhai
Mr. Rodney
Mr. Ramotar
Mr. Ramjattan
Dr. Lall
Mr. Kissoon
Mrs. James
Dr. Hanoman
Mrs. Edwards
Mr. Chand
Mr. Husman Alli
Mr. Fazil Ali
Mr. Belgrave
Mr. Nagamootoo
Mrs. Jagan
Mr. Mohamed
Mr. Persaud
Mr. Hinds

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Clause 20 was passed as printed.

Clauses 21 and 22 were passed as printed.

Assembly resumed.

On a motion by the Attorney General and Minister of Legal Affairs, the Bill was read the third time and passed as amended.

MOTIONS

ITEM 2 - AFFIRMATION OF THE MATARKAI DEVELOPMENT AUTHORITY
(DISSOLUTION AND TRANSFER OF ASSETS AND LIABILITIES)
ORDER 1995 (NO.40)

The Prime Minister moved the following motion:

BE IT RESOLVED:

That this National Assembly, in terms of section 18 of the Regional Development Authorities Act 1977 (No. 14 of 1977), affirm the Matarkai Development Authority (Dissolution and Transfer of Assets and Liabilities) Order 1995 (No. 40 of 1995), which was made on 15th December, 1995, and published in the Gazette on 23rd December, 1995.

(Notice Paper No. 100 (M80 Govt65) published 23.5.96)

Mr. Robert Corbin spoke to the motion.

Thereafter the Prime Minister replied.

The motion was then put and carried.

ITEM 3 - CONFIRMATION OF THE CUSTOMS (AMENDMENT) ORDER 1996 (No.24)

The Senior 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 (Amendment) Order 1996 (No. 24 of 1996), which was made on 14th May, 1996, under section 8 of the Customs Act, Chapter 82:01, and published in the Gazette on 18th May, 1996.

(Notice Paper No. 101 (M81 Govt 66) published 23.5.96)

The following Members spoke to the motion:-

Mr. M. Idris Deen

Mr. Manzoor Nadir.

Thereafter, the Senior Minister of Finance replied.

The motion was then put and carried.

ADJOURNMENT

At 4.02 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.

30th May, 1996.