

**NATIONAL ASSEMBLY**  
**SUPPLEMENTARY ORDER PAPER**  
**FOR THE 16<sup>TH</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION**  
**(1998) OF THE SEVENTH PARLIAMENT OF GUYANA TO BE HELD**  
**AT 2.00 P.M.**  
**ON MONDAY, 16<sup>TH</sup> NOVEMBER, 1998**  
**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN**

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**SUPPLEMENTARY BUSINESS FOR SITTING**

**PRESENTATION OF PAPERS AND REPORTS, ETC. -**

**(3) By the Minister of Finance:**

- (i) State Pensions (Michael Hope)  
Order 1998 (No. 21 of 1998).  

(Circulated)
  
- (ii) Financial Paper No. 2/1998 - Supplementary Estimates  
(Current and Capital) totalling \$937,204,479 for the  
period ended 30<sup>th</sup> October, 1998 - Advances made  
from the Contingencies Fund.  

(Circulated)
  
- (iii) Financial Paper No. 3/1998 - Supplementary Estimates  
(Current and Capital) totalling \$3,057,000,000 for the  
period ended 31<sup>st</sup> December, 1998.  

(Circulated)

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**F.A. NARAIN**  
**Clerk of the National Assembly**

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

**NATIONAL ASSEMBLY**

**MINUTES OF PROCEEDINGS**

**OF THE 16TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST  
SESSION (1998) OF THE SEVENTH PARLIAMENT OF GUYANA HELD**

**AT 2.00 P.M.**

**ON MONDAY, 16<sup>TH</sup> NOVEMBER, 1998**

**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN**

**MEMBERS OF THE NATIONAL ASSEMBLY (76)**

**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 (46)**

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

The Hon. Reepu Daman Persaud, O.R., J.P., M.P., Minister of Agriculture and  
Parliamentary Affairs

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

The Hon. Bharrat Jagdeo, M.P., Minister of Finance (Absent - on leave)

\*The Hon. Charles R. Ramson, S.C., M.P., Attorney General and Minister of Legal Affairs

\*The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P., Minister of Education

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

\*The Hon. Indranie Chandarpal, M.P., Minister of Human Services and Social Security (Absent-  
on leave)

\*The Hon. Clinton C. Collymore, M.P., Minister in the Ministry of Local Government

\*The Hon. F. Vibert DeSouza, M.P., Minister of Amerindian Affairs

\*The Hon. George E. Fung-On, M.P., Minister of the Public Service

\*The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Health and Labour (Absent - on leave)

The Hon. Moses V. Nagamootoo, J.P., M.P., Minister of Information

The Hon. Harripersaud Nokta, M.P., Minister of Local Government

\*The Hon. Satyadeow Sawh, M.P., Minister of Livestock and Fisheries (Absent - on leave)

The Hon. Gail Teixeira, M.P., Minister of Culture, Youth and Sports (Absent)

\*The Hon. C. Anthony Xavier, M.P., Minister of Transport and Hydraulics

\*The Hon. Shaik K. Z. Baksh, M.P., Minister of Housing and Water

\*Non-elected Minister

Mr. S. Feroze Mohamed, M.P.

Mr. Cyril C. Belgrave, M.P.

Mr. Donald Ramotar, M.P.

Mr. Fazil M. Ali, M.P.

Mr. Husman Alli, M.P.

Mr. Komal Chand, C.C.H., J.P., M.P.

Mr. Navindranauth O. Chandarpal, M.P.

Mr. Bernard C. DeSantos, S.C., M.P.

Mrs. Shirley V. Edwards, J.P., M.P.

Dr. Hughley H. Hanoman, M.P.

Dr. Cheddi B. Jagan, M.P. (Absent - on leave)

Mr. Alston A. Kissoon, M.P.

Dr. Moti Lall, C.C.H., M.P.

Mr. Odinga N. Lumumba, M.P.

Mr. Khemraj Ramjattan, M.P. (Absent)

Mr. Hari Narayen Ramkarran, S.C., M.P.

Dr. Leslie S. Ramsammy, M.P.

Mr. Lawrence E. Rodney, M.P.

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P.,  
Parliamentary Secretary, Ministry of Local Government

Mrs. Pauline R. Sukhai, M.P.

Mr. Winslow M. Zephyr, M.P., Deputy Speaker of the National Assembly

Mr. Joseph M. DeSouza, M.P. (Region No. 1 - Barima/Waini)

Mr. Heeralall Mohan, M.P. (Region No. 2 - Pomerook/Supenaam)

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

Mr. Geoffrey A. Fraser, M.P. (Region No. 5 - Mahaica/Berbice)

Mr. Ramsundar Sankat, M.S., M.P. (Region No. 6 - East Berbice/Corentyne)

Mr. Eustace S. Rodrigues, M.S., M.P. (National Congress of Local Democratic Organs)

Mr. Kumkaran Ramdas, M.P. (National Congress of Local Democratic Organs)

**Members of the Minority (29)**

**(i) People's National Congress (25)**

Mr. H. Desmond Hoyte, S.C., M.P.

Mr. Winston S. Murray, C.C.H., M.P. (Absent - on leave)

Mr. Dunstan Barrow, M.P., Chief Whip

Mrs. Clarissa S. Riehl, M.P.

Mr. E. Lance Carberry, M.P.

Dr. Faith A. Harding, M.P.

Mr. Ivor Allen, M.P.

Mr. Kadim A. Khan, M.P.

Miss Jean M.G. Persico, A.A., M.P.

Mr. Aubrey C. Norton, M.P. (Absent)

Mrs. Cyrilda A. DeJesus, M.P.

Mr. Andy G. Goveia, M.P. (Absent)

Mrs. Deborah J. Backer, M.P.

Mr. John S. DeFreitas, M.P.

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

Dr. Dagleish Joseph, M.P. (Absent)

Mrs. Volda A. Lawrence, M.P.

Mr. Joseph L. Hamilton, M.P. (Region No. 4 - Demerara/Mahaica) (Absent)

Mr. Sherwood A. J. Lowe, M.P.

Mr. Andrew Hicks, M.P.

Mr. Neaz Subhan, M.P. (Absent - on leave)

Mr. Colin Bynoe, M.P.

Ms Sandra M. Adams, M.P. (Region No. 10 - Upper Demerara/Berbice)

Mr. Kelly Andries, M.P. (Region No. 7 - Cuyuni/Mazaruni)

Mr. Thakechand Ramnauth, M.P.

**(ii) The United Force (2)**

Mr. Manzoor Nadir, M.P.

Mr. Matthew R. Charlie, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo) (Absent)

**(iii) Alliance for Guyana (2)**

Dr. Rupert Roopnaraine, M.P. (Absent - on leave)

Mr. Albertino Peters, M.P. (Region No. 8 - Potaro/Siparuni) (Absent)

**OFFICERS**

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

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

**COMMENCEMENT OF SITTING**

The Sitting commenced at 2.05 p.m.

**PRAYERS**

The Clerk read Prayers.

**ANNOUNCEMENTS BY THE SPEAKER**

**Leave**

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

The Hon. Bharrat Jagdeo,

The Hon. M. Shree Chan,

The Hon. Indranie Chandarpal,

The Hon. Dr. Henry B. Jeffrey,

The Hon. Satyadeow Sawh,

Dr. Cheddi Jagan,

Mr. Winston S. Murray,

Mr. Neaz Subhan,

Dr. Rupert Roopnaraine.

**PRESENTATION OF PAPERS AND REPORTS, ETC. -**

**(1) By the Prime Minister:**

Immigration (Amendment) Regulations 1998 (No. 6 of 1998)  
made under section 37 of the Immigration Act,  
Chapter 14:02, on 12<sup>th</sup> August, 1998, and published in  
the Gazette on 22<sup>nd</sup> August, 1998.

(Circulated)

**(2) By the Minister of Foreign Affairs:**

Optional Protocol to the International Covenant on  
Civil and Political Rights.

(Circulated)

**(3) By the Minister of Agriculture and Parliamentary Affairs, on behalf of the Minister of Finance:**

- (i) State Pensions (Michael Hope)  
Order 1998 (No. 21 of 1998).

(Circulated)

- (ii) Financial Paper No. 2/1998 - Supplementary Estimates  
(Current and Capital) totalling \$937,204,479 for the  
period ended 30<sup>th</sup> October, 1998 - Advances made  
from the Contingencies Fund.

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- (iii) Financial Paper No. 3/1998 - Supplementary Estimates  
(Current and Capital) totalling \$3,057,000,000 for the  
period ending 31<sup>st</sup> December, 1998.

(Circulated)

The Minister of Agriculture and Parliamentary Affairs named Monday, 30<sup>th</sup> November, 1998, as the day for the consideration of the two Financial Papers.

**QUESTIONS TO MINISTERS**

**No. 12 - REPORT ON SEA DEFENCE BREACH AT MON REPOS**

Question by Mr. H. Desmond Hoyte

Would the Minister of Transport and Hydraulics say why the Government has not laid in the National Assembly the Report of the Commission established under the Commissions of Inquiry Act, Chapter 19:03, into the sea defence breach at Mon Repos which was handed over to the Government in January, 1997?

(Notice Paper 12(Q2 Opp 2) published 27.7.98)

**Reply submitted by the Minister of Transport and Hydraulics (and circulated)**

The Report of the Commission of Inquiry was released publicly at a press conference held by the Head of the Presidential Secretariat which I attended.

There does not appear to be any specific provision in the Commissions of Inquiry Act, Chapter, 19:03, which requires the Report to be laid in the National Assembly.

Government is however pleased to accommodate the implied request by Mr. Hoyte and takes this opportunity to indicate that the Report will be laid in the National Assembly at the earliest possible opportunity.

**STATEMENTS BY MINISTERS**

**Dumping of Cocaine in the Atlantic Ocean**

The Prime Minister made a Statement concerning the issue of the cocaine which was seized on 21<sup>st</sup> October, 1998, on the M.V. Danielsen and which was dumped in the Atlantic Ocean on 29<sup>th</sup> October, 1998.

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

**Reinstatement of Mr. Clarence Chue as Comptroller of Customs and Excise**

A request by Mr. H. Desmond Hoyte to move the adjournment of the Assembly to discuss the re-instatement of Mr. Clarence Chue as Comptroller of Customs and Excise pursuant to an Order of the High Court, was allowed.

The motion accordingly stood over for moving at the appropriate time.

**PUBLIC BUSINESS**

**MOTION**

**ITEM 1 - DENUNCIATION OF THE OPTIONAL PROTOCOL TO THE  
INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS**

The Minister of Foreign Affairs moved the following motion:

WHEREAS the Government of Guyana became a State Party to the International Covenant on Civil and Political Rights on 15 February, 1977;

AND WHEREAS Guyana acceded to the Optional Protocol to the International Covenant on Civil and Political Rights on 10 May, 1993, thereby allowing individuals who claim to be victims of violations of the rights set forth in the Covenant to approach the Human Rights Committee which was set up under Article 28 of the Covenant;

AND WHEREAS the Government of Guyana is becoming increasingly concerned over the abuse of procedures provided for under the Optional Protocol by persons condemned to death after due legal process and whose sentences have been upheld by the Guyana Court of Appeal;

AND WHEREAS the Government of Guyana is committed to the protection of the rights and freedoms of all persons including those whose lives are threatened by persons who commit heinous crimes for which death penalty is the only punishment;



AND WHEREAS it is Guyana's intention to continue to afford all persons the right of recourse to the Committee on Human Rights should they consider that their rights have been violated;

NOW THEREFORE BE IT RESOLVED:

That this National Assembly of the Parliament of Guyana approve the denunciation of the Optional Protocol to the International Covenant on Civil and Political Rights in accordance with Article 12 thereof and Guyana's simultaneous re-accession thereto with the following Reservation:-

While the Government of Guyana recognises the competence of the Human Rights Committee under Article 41 of the International Covenant on Civil and Political Rights and Article 1 of the Optional Protocol thereto, it reserves the right in accordance with its Constitution and other Laws of Guyana, to carry out capital punishment on any person duly convicted of crimes for which the death penalty is imposed. The Government of Guyana therefore does not recognise the competence of the Human Rights Committee to consider any Communication relating to any prisoner under its jurisdiction who is under sentence of death after due legal process in respect of any matter relating to his detention, prosecution, conviction, sentence and the execution thereof and/or any matter connected therewith.

The Government of Guyana wishes to stress that its Reservation to the Optional Protocol in no way detracts from its obligations under the Covenant including its undertaking to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognised in the Covenant as set out in Article 2 thereof, as well as its undertaking to report to the Human Rights Committee under the monitoring mechanism established by Article 40 thereof.

(Notice Paper No. 26(M14 Govt 12) published 9.11.98)

The following Members spoke to the motion:

Mrs. Deborah J. Backer  
Mr. Manzoor Nadir  
The Prime Minister  
Mr. H. Desmond Hoyte  
Mr. Bernard C. DeSantos.

Thereafter, the Minister of Foreign Affairs replied.

The motion was then put and carried.

#### **SUSPENSION OF SITTING**

At 4.25 p.m., the Sitting was suspended for refreshments.

#### **RESUMPTION OF SITTING**

At 4.55 p.m., the Sitting was resumed.

#### **MOTION FOR THE ADJOURNMENT OF THE ASSEMBLY ON A DEFINITE MATTER OF URGENT PUBLIC IMPORTANCE**

##### **Re-instatement of Mr. Clarence Chue as Comptroller of Customs and Excise**

In accordance with the permission granted earlier, Mr. H. Desmond Hoyte moved the adjournment of the Assembly and spoke on the re-instatement of Mr. Clarence Chue as Comptroller of Customs and Excise pursuant to an Order of the High Court.

The following Members spoke on the matter:-

The Minister of Agriculture and Parliamentary Affairs  
Mr. John S. DeFreitas  
Mr. Manzoor Nadir  
The Prime Minister.

**BILL - Second Reading, Committee and Third Reading**

**ITEM 2 - DENTAL REGISTRATION (AMENDMENT) BILL 1998 - Bill No. 11/1998**  
**published 10.10.98**

The Minister Agriculture and Parliamentary Affairs, on behalf of the Minister Health and Labour, moved the second reading of the following Bill:

A BILL intituled AN ACT to amend  
the Dental Registration Act.

(Read a first time on 29.10.98)

The following Members spoke to the motion:

Mr. Andrew Hicks

Mr. Manzoor Nadir.

The motion was then put and carried.

The Bill was read a second time and was, thereafter, taken through its remaining stages and passed with the following corrections:-opkl; .

- (i) Insertion of "1996" at the end of the Long Title
- (ii) Insertion of "1996" at the end of the first line of Clause 1
- (iii) Deletion of the words from "To amend" to "voluntary service" in Clause 2.

**ADJOURNMENT**

At 5.52 p.m., on a motion by the Minister of Agriculture and Parliamentary Affairs, the Assembly was adjourned to 2.00 p.m. on Monday, 30<sup>th</sup> November, 1998.

  
D.C. JAGAN

Speaker of the National Assembly

PARLIAMENT OFFICE,  
Public Buildings,  
Georgetown.  
16<sup>th</sup> November, 1998.