

**NATIONAL ASSEMBLY**  
**SUPPLEMENTARY ORDER PAPER**  
**FOR THE 40<sup>TH</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION**  
**(1998-2000) OF THE SEVENTH PARLIAMENT OF GUYANA TO BE HELD**

**AT 2.00 P.M.**

**ON THURSDAY, 10<sup>TH</sup> FEBRUARY, 2000**  
**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN**

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**SUPPLEMENTARY BUSINESS FOR SITTING**

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

(2A) By the Minister of Agriculture and Parliamentary Affairs:

- (iii) Time-bound plan for the drafting of Constitutional Revisions, prepared by the Oversight Committee, for the approval of the National Assembly.

(Circulated)

**PUBLIC BUSINESS**

**MOTION**

**APPROVAL OF TIME-BOUND PLAN FOR CONSTITUTIONAL REVISIONS.**

The Minister of Agriculture and Parliamentary Affairs to move the following motion:

BE IT RESOLVED:

That this National Assembly approve of the time-bound plan for the drafting of Constitutional Revisions which has been prepared by the Oversight Committee.

(Notice Paper No. 73 (M32 Govt 28) published 2000-02-09)

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

**PARLIAMENT OFFICE,**  
**Public Buildings,**  
**Georgetown**  
**10<sup>th</sup> February, 2000**

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 40<sup>th</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST**  
**SESSION (1998 - 2000) OF THE SEVENTH PARLIAMENT OF GUYANA HELD**  
**AT 2.00 P.M.**  
**ON THURSDAY, 10<sup>th</sup> FEBRUARY, 2000**  
**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)**

Mr. 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. 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 (Absent)

The Hon. Indranie Chandarpal, M.P., Minister of Human Services and Social Security

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

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

The Hon. Harripersáud Nokta, M.P., Minister of Local Government (Absent - on leave)

\*The Hon. Satyadeow Sawh, M.P., Minister of Livestock and Fisheries

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

\*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

\*The Hon. J. Ronald Gajraj, M.P., Minister of Home Affairs

\*The Hon. Saisnarine Kowlessar, M.P., Minister in the Office of the President with responsibility  
for Finance

\*The Hon. Geoffrey Da Silva, M.P., Minister of Trade, Tourism and Industry

\*Non elected Minister

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Mr. S. Feroze Mohamed, M.P., Chief Whip

Mr. Cyril C. Belgrave, M.P.

Mr. Donald Ramotar, M.P. (Absent)

Mr. Husman Alli, M.P.

Mr. Komal Chand, C.C.H., J.P., M.P. (Absent - on leave)

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. (Absent)

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.

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.

Dr. Bheri Ramsaran, M.P.

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

Mr. Heeralall Mohan, M.P. (Region No. 2 - Pomeroon/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)  
(Absent - on leave)

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. (Absent-on leave)

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., Deputy Speaker of the National Assembly

Mr. E. Lance Carberry, M.P.

Dr. Faith A. Harding, M.P. (Absent - on leave)

Mr. Ivor Allen, M.P.

Mr. Kadim A. Khan, M.P. (Absent - on leave)

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

Mrs. Cyrilda A. DeJesus, M.P.

Mr. Andy Goveia, M.P. (Absent-on leave)

Mrs. Deborah J. Backer, M.P.

Mr. John S. DeFreitas, M.P.

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

Dr. Dagleish Joseph, M.D., M.P.

Mrs. Volda A. Lawrence, M.P.

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

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

Mr. Andrew Hicks, M.P.

Mr. Neaz Subhan, M.P.(Absent)

Mr. Colin Bynoe, M.P.

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

Mr. Kelley Andres, M.P. (Region No. 7 - Cuyuni/Mazaruni)

Mr. Thakechand Ramnauth, M.P.

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

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

Mr. Manzoor Nadir, M.P.

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

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

Dr. Rupert Roopnaraine, M.P.

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****(i) Welcome**

As that was the first sitting for 2000, the Speaker welcomed Members and extended best wishes to them for the new year.

**(ii) Declaration of Election of Hon. F. Vibert DeSouza and Hon. Indranje Chandarpal**

The Speaker said that, with the death of Mr. Fazil M. Ali and Mr. Michael Shree Chan on 23<sup>rd</sup> December, 1999, and 12<sup>th</sup> January, 2000, respectively, two seats in the National Assembly became vacant.

The vacancies had to be filled by persons whose names were to be extracted by the Representative of the List of Candidates from which the names of Mr. Ali and Mr. Chan had been extracted.

As Mr. Ali's and Mr. Chan's names had been extracted from the People's Progressive Party/Civic List of Candidates, he had called upon the Representative of that List, in accordance with section 99A of the Representation of the People Act, Chapter 1:03, to further extract from the said List the names of two persons who were willing to become Members of the National Assembly, to fill the vacancies.

He was informed that the names of Mr. F. Vibert DeSouza and Mrs. Indranie Chandarpal had been extracted from the List and that Mr. DeSouza and Mrs Chandarpal were declared on 8<sup>th</sup> and 9<sup>th</sup> February, 2000, respectively, to be elected Members of the National Assembly to fill the vacancies.

As these two persons, who were non-elected Ministers, had become elected Members, they could now vote in the Assembly.

(iii) **Leave**

The Speaker announced that leave had been granted to -

the Hon. Harripersaud Nokta for that day's sitting,

Mr. Komal Chand up to 15<sup>th</sup> February, 2000,

Mr. Eustace Rodrigues for that day's sitting,

Mr. Desmond Hoyte up to 15<sup>th</sup> February, 2000,

Mr. Winston Murray for that day's sitting, and

Dr. Faith Harding up to 31<sup>st</sup> August, 2000.

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

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

Annual Reports (6) of the Guyana Gold Board for the years 1993 to 1998.  
(Circulated)

(2) By the **Minister of Agriculture and Parliamentary Affairs:**

- (i) Second Report on the Oversight Committee on Constitutional Reform  
(Dated 31<sup>st</sup> January, 2000).

(Circulated)

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- (ii) Time-bound plan for the drafting of Constitutional Revisions, prepared by the Oversight Committee, for the approval of the National Assembly.

(Circulated)

- (iii) Annual Report of the Guyana Sugar Corporation for the year 1998.

(Circulated)

(3) By the Minister of Foreign Affairs:

- (i) Treaty for Amazonian Cooperation.

(Circulated)

- (ii) Protocol of Amendment of Article 22 of the Amazon Cooperation Treaty.

(Circulated)

(4) By the Minister of Agriculture and Parliamentary Affairs, on behalf of the Minister of Education:

- (i) Education (Vesting of Land in the State) (Plaisance Primary School)

Order 1999 (No. 51 of 1999).

(Circulated)

- (ii) Education (Vesting of Land in the State) (Graham's Hall Primary School)

Order 1999 (No. 52 of 1999).

(Circulated)

(5) By the Minister in the Office of the President with responsibility for Finance:

National Insurance and Social Security (CARICOM Agreement on Social Security)

Order 1999 (No. 9 of 1999).

(Circulated)

**INTRODUCTION OF BILLS -**

**Presentation and First Reading**

1. **DRAINAGE AND IRRIGATION (AMENDMENT) BILL 2000 - Bill No. 3/2000**  
**published 2000-02-12**

The Minister of Agriculture and Parliamentary Affairs, on behalf of the Government, presented the following Bill which was read the first time:

A BILL Intituled AN ACT to amend  
the Drainage and Irrigation Act.

2. **BUSINESS NAMES (REGISTRATION) (AMENDMENT) BILL 2000 - Bill No. 4/2000**  
**published 2000-02-26**

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 amend the Business Names (Registration) Act.

3. **THE NEW BUILDING SOCIETY (AMENDMENT) BILL 2000 - Bill No. 1/2000**  
**published 2000-01-20**

The Minister of Housing and Water, on behalf of the Government, presented the following Bill which was read the first time:

A BILL Intituled AN ACT to amend the  
New Building Society Act.

4. **INCOME TAX (AMENDMENT) BILL 2000 - Bill No. 2/2000 published 2000-01-20**

The Minister in the Office of the President with responsibility for Finance, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend  
the Income Tax Act.



**PUBLIC BUSINESS**

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

**ITEM 1 - MONEY LAUNDERING (PREVENTION) BILL 1998 - Bill No. 10/1998**  
**published 1998 -10-10**

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

A BILL intituled AN ACT to provide for the prevention of money laundering and for matters connected therewith or incidental thereto.

(Read a first time on 1998-10-29)

Mr. Raphael Trotman spoke to the motion.

Dr. Bheri Ramsaran 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.

Dr. Bheri Ramsaran continued and concluded his speech on the motion.

The following Members spoke to the motion:

Dr. Rupert Roopnaraine

Mr. Khemraj Ramjattan

Mr. John De Freitas

The Minister of Home Affairs

Mr. Lance Carberry

Mr. Manzoor Nadir.

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

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The motion was the put and carried.

The Bill was read a second time.

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

### **In Committee**

**Clause 1** was passed as printed.

### **Clause 2**

The following amendment by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “bringing into or removing from” for the words “bringing into” in paragraph (j) (ii) of subsection (1).

Clause 2 was passed as amended.

**Clause 3** was passed as printed.

### **Clause 4**

The following amendment by Dr. Roopnaraine was negatived:

Insertion of the words “or unofficial” after the word “official”.

Clause 4 was passed as printed.

**Clause 5** was passed as printed.

### **Clause 6**

The following amendment by Dr. Roopnaraine was negatived:

Insertion of the words “which shall be interpreted as US dollars, if the laundering act originated in a country outside of Caricom” after the word “dollars”.

Clause 6 was passed as printed.

**Clauses 7 and 8** were passed as printed.

**Clause 9**

The following amendment by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “and regardless of whether or not a” for the words “regardless of whether or not the”.

Clause 9 was passed as amended.

**Clause 10**

The following amendment by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the following clause for clause 10 -

“Supervisory Authority. 10. (1) The Minister of Finance may appoint the Governor of the Bank of Guyana as the Supervisory Authority to supervise the financial institutions in accordance with this Act.

(2) Where the Minister does not so appoint the Governor, the Minister shall appoint a fit and proper person to be known as the Supervisory Authority, and such other officers and employees as may be necessary, to supervise the financial institutions in accordance with this Act.”.

The new Clause 10 was approved.

**Clause 11**

The following amendments by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “law enforcement agencies” for the words “law enforcement authority” in paragraph (ii).

Substitution of the words “law enforcement agencies” for the words “law enforcement authority” in paragraph (iv).

Substitution of the words “law enforcement agencies” for the words “law enforcement authority” in paragraph (v).

Clause 11 was passed as amended.

**Clause 12**

The following amendments by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “any business transaction in respect of which it has made a report under section 13(2)” for the words “any business transaction” in paragraph (i).

Clause 12 was passed as amended.

**Clause 13**

The following amendments by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “Supervisory Authority after consultation with the Minister of Finance” for the words “competent authority” in subsection (6).

Clause 13 was passed as amended.

**Clause 14**

The following amendments by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the following for clause 14 -

“Supervisory Authority’s power to obtain search warrant. 14. (1) The Supervisory Authority or a law enforcement agency may apply to a Judge of the High Court and upon satisfying him that there are reasonable grounds that a financial institution has failed -

(i) to keep a business transaction record as provided by the provisions of section 12(i); or

(ii) to report any business transaction as provided by the provisions of section 13 (2),

he may make an order authorising the Supervisory Authority to enter any premises belonging to, or in the possession or under

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the control of the financial institution and to search the premises and remove any document, material or other thing therein for the purposes of the Supervisory Authority or law enforcement agency as ordered by the Judge and specified in the warrant.

(2) The Supervisory Authority or a law enforcement agency may apply to a Judge of the High Court and upon satisfying him that there are reasonable grounds that an officer or employee of a financial institution is committing, has committed or is about to commit a money laundering offence, he may make an order authorising the Supervisory Authority to enter any premises belonging to, or in the possession or under the control of such officer or employee of such institution and to search the premises and remove any document, material or other thing therein for the purposes of the Supervisory Authority or law enforcement agency as ordered by the Judge and specified in the warrant.”.

The following amendment by Dr. Roopnaraine to the new Clause 14 was carried:

Insertion of the words “, on issuing a receipt therefor,” after the word “remove” in subsections (1) and (2).

The new Clause 14 was approved as amended.

Clauses 15 and 16 were passed as printed.

**Clause 17**

The following amendment by Dr. Roopnaraine was negatived:

Substitution of the word “shall” for the word “may”.

Clause 17 was passed as printed.

**Clause 18**

The following amendments by the Attorney General and Minister of Legal Affairs were carried:

Substitution of the words “Commissioner-General” for the words “Comptroller of Customs” wherever they occurred.

Insertion of the following subsection as subsection (7) -

“(7) In this section “foreign currency” does not include any currency or notes issued by the Government or under the law of any part of the scheduled territories but save as aforesaid, includes any currency other than Guyana dollars and any notes of a class which are or have at any time been legal tender in any territory outside Guyana, and any reference to foreign currency, except so far as the context otherwise requires, includes a reference to any right to receive foreign currency in respect of any credit or balance at a bank.”.

Clause 18 was passed as amended.

**Clause 19**

The following amendment by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “The competent authority” for the words “A competent authority” in subsection (1).

The following amendment by Dr. Roopnaraine was negatived:

Substitution of the words “seven days” for the words “forty-eight hours” in subsection (3).

Clause 19 was passed as amended.

**Clause 20**

The following amendments by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “subject to any regulations made therefor under section 29, disposed” for the word “disposed” in subsection (1).

The following amendment by Dr. Roopnaraine was carried:

Addition of the words “provided that the Minister shall publicly announce the directions given for the disposal of the property” after the word “direct” at the end of subsection (1).

Clause 20 was passed as amended.

**Clause 21**

The following amendment by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “claiming a legitimate legal interest” for the words “claiming legitimate legal interest” in subsection (2).

Clause 21 was passed as amended.

**Clause 22**

The following amendment by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “property acquired,” for the word “property”.

Clause 22 was passed as amended.

**Clause 23**

The following amendment by the Attorney General and Minister of Legal Affairs was carried:

Substitution of the words “requested State” for the words “requested States” in subsection (5).

Clause 23 was passed as amended.

Clauses 24 to 29 were passed as printed.

First Schedule was passed as printed.

### Second Schedule

The following amendment by Dr. Roopnaraine was carried:

Addition of the word "Bribery" to the list of Prescribed Offences.

The Second Schedule was passed as amended.

### Third Schedule

The following amendment by Dr. Roopnaraine was negated:

The inclusion in the Form of the following:

"Foreign currency of the amount of ..... United States dollars".

And also the following:

"(1) It shall not be lawful for any person, having brought into the country an amount in excess of 10,000 US dollars to store the same in a place other than a financial institution or a legally registered organisation.

(2) Any person who gives information to any unauthorised person about the declaration of money made on landing in Guyana shall be guilty of a felony."

The Third Schedule was passed as printed.

### Correction of Printing Errors

Printing errors in the Bill were corrected, as on the list circulated, as follows:-

#### Page 2 - Section 5

Substitution of a semi-colon for the comma after "Attempts" and "abetting".

#### Page 6 - Third Line from the bottom

Substitution of "(2)" for "(3)" for the subsection number.

#### Page 8 - Section 8(2) - Second Line

Insertion of "conviction" between "liable on" and "to a fine".

#### Page 9 - Section 11(iii) - Sixth Line

Substitution of "section 12(i)" for "section 12(1)".



**Page 13 - Section 16(1) - First Line**

Substitution of "Supervisory" for "Supvisory".

**Page 13 - Section 16(1) - Fourth Line**

Insertion of "of" between "provisions" and "paragraphs".

**Page 14 - Section 18(2) - Second Line**

Substitution of "United" for "Untied".

**Page 15 - Section 18(5) - Fourth Line**

Insertion of "a" between "conviction to" and "fine".

**Page 15 - Section 18(6) - Second Line**

Substitution of "Customs Act" for "Customs act".

**Page 18 - Section 23(3) - First Line**

Substitution of "or" for "of" between "order" and "judgement".

**Page 19 - Section 23(5) - Fifth Line**

Substitution of "State" for "state".

**Page 22 - Third Schedule - Form - Third Line**

Deletion of "10."

**Assembly resumed.**

On a motion by the Attorney General and Minister of Legal Affairs, the Money Laundering (Prevention) Bill 1998 was read the third time and passed as amended.

**BILL - Second Reading - Deferred**

**ITEM 2 - CARIBBEAN INVESTMENT FUND BILL 1999 - Bill No. 11/1999 published**

**1999-07-03**

At the request of the Minister of Agriculture and Parliamentary Affairs, and with the leave of the Assembly, the second reading of the following Bill was deferred:

A BILL intituled AN ACT to give effect to the Agreement establishing the Caribbean Investment Fund and to provide for matters connected therewith.

(Read a first time on 1999-07-01)

**MOTION**

**APPROVAL OF TIME-BOUND PLAN FOR CONSTITUTIONAL REVISIONS**

The Minister of Agriculture and Parliamentary Affairs moved the following motion which was put and carried:

BE IT RESOLVED:

That this National Assembly approve of the Time-bound Plan for the drafting of Constitutional Revisions which has been prepared by the Oversight Committee.

(Notice Paper No. 73 (M32 Govt 28) published 2000-02-09)

**ADJOURNMENT**

At 7.04 p.m., on a motion by the Minister of Agriculture and Parliamentary Affairs, the Assembly was adjourned to a date to be fixed.



**D.C. JAGAN**

**Speaker of the National Assembly**

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

**10<sup>th</sup> February, 2000**