

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 36TH SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND  
SESSION (1990) OF THE FIFTH PARLIAMENT OF GUYANA HELD

ON FRIDAY, 28TH DECEMBER, 1990

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (73)

Speaker (1)

- \* Cde. Sase Narain, O.R., S.C., J.P., M.P., Speaker of the National Assembly

Members of the Government - People's National Congress (62)

+ Prime Minister (1)

Cde. H. Green, M.P., Prime Minister

Other Vice-President and Deputy Prime Minister (1)

- + Cde. Viola V. Burnham, O.R., M.P., Vice-President, Culture and Social Development and Deputy Prime Minister

Attorney General and Minister of Legal Affairs (1)

- +\* Cde. K.S. Massiah, O.R., S.C., M.P., Attorney General and Minister of Legal Affairs

Other Deputy Prime Ministers (2)

- + Cde. W.A.L.H. Parris, C.C.H., M.P., Deputy Prime Minister, Planning and Development
- + Cde. R.H.O. Corbin, M.P., Deputy Prime Minister, Public Utilities

- +\* Cde. C.B. Greenidge, M.P., Minister of Finance
- + Cde. S. Prashad, M.P., Senior Minister in the Ministry of Planning & Development
- + Cde. W.S. Murray, C.C.H., M.P., Minister of Trade and Tourism
- + Cde. J.R. Thomas, M.P., Minister of Regional Development
- + Cde. Yvonne V. Harewood-Benn, M.P., Senior Minister in the Office of the President
- \* Cde. Dr. P.L. McKenzie, A.A., M.P., Minister of Agriculture
- \* Cde. D.M.A. Bernard, M.P., Minister of Education
- \* Cde. J.R. Kranenburg, M.P., Minister of Communications and Works

Ministers (8)

- + Cde. Urmia E.H. Johnson, M.P., Minister in the Ministry of Regional Development
- + Cde. C.G. Sharma, A.A., J.P., M.P., Minister of Labour and Co-operatives (Absent on leave)
- + Cde. D. Sawh, M.P., Minister in the Ministry of Public Utilities
- \* Cde. V.V. Parvatan, M.P., Minister in the Ministry of Agriculture
- + Cde. J.T. Kissoon, M.P., Minister in the Office of the Prime Minister
- + Cde. Dr. Faith A. Harding, M.P., Minister of the Public Service
- + Cde. Stella Odie-Ali, M.P., Minister of Home Affairs
- + Cde. Jean M.G. Persico, A.A., M.P., Minister in the Ministry of Culture & Social Development

+ Cabinet Member

\* Non-elected Member

Parliamentary Secretary (1)

\* Cde. L.E. Scotland, M.P., Parliamentary Secretary, Office of the Prime Minister (Absent)

Government Chief Whip (1)

Cde. R.E. Jackson, M.P.  
 Cde. K.B. Bancroft, M.P.  
 Cde. K.W.E. Denny, M.P.  
 Cde. M. Corrice, M.P.  
 Cde. Philomena A. Rayman, M.P.  
 Cde. E.H.A. Fowler, M.P.  
 Cde. Joyce Gill-Mingo, M.P.  
 Cde. H. Doobay, M.P.  
 Cde. Joyce M. Munroe, J.P., M.P.  
 Cde. Edwiha Melville, M.P.  
 Cde. Amna Ally, M.P.  
 Cde. N. Calistro, M.P.  
 Cde. F.M. Cumberbatch, M.P. (Absent-on leave)  
 Cde. M.I. Deen, M.P.  
 Cde. Cyrilda A. DeJesus, M.P.  
 Cde. Edith Daygo, M.P. (Absent)  
 Cde. Glarice A. Edwards, M.P.  
 Cde. C.L. Geddes, M.P.  
 Cde. G. Marshall, M.P.  
 Cde. B. Persaud, J.P., M.P.  
 Cde. K. Sankar, M.S., M.P.  
 Cde. E.L. Fraser, M.P.  
 Cde. Mignon D. Griffith, M.P.  
 Cde. P.E. Rockliffe, M.P. (Absent)

(There are two Vacancies)

Members from the National Congress of Local Democratic Organs (2)

Cde. Rose I. Semple, M.P.  
 Cde. P. Singh, J.P., M.P.

Members from the Regional Democratic Councils (10)

Cde. Nellie R. Charles, M.P. (Region No. 7 - Cuyuni/Mazaruni) (Absent)  
 Cde. R. Bishop, M.S., M.P. (Region No. 4 - Demerara/Mahaica) (Absent)  
 Cde. C. Vandenburg, M.P. (Region No. 10 - Upper Demerara/Berbice) (Absent)  
 Cde. Y. Khan, M.P. (Region No. 2 - Pomeroon/Supenaam)  
 Cde. Enid E. Abrahams, M.S., J.P., M.P. (Region No. 3 - Essequibo Island/West Demerara)  
 Cde. I. Ally, M.P. (Region No. 6 - East Berbice/Gorentyne)  
 Cde. S.I. McGarrell, M.P. (Region No. 8 - Potaro/Siparuni)  
 Cde. M. Stephens, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo) (Absent)  
 Cde. Ajoodhia, J.P., M.P. (Region No. 5 - Mahaica/Berbice)  
 Cde. D. Fernandes, M.P. (Region No. 1 - Barima/Wairi)

Members of the Minority (11)

(i) People's Progressive Party (8)

Minority Leader (1)

Cde. Dr. C. Jagan, M.P., Minority Leader (Absent-on leave)

Deputy Speaker (1)

Cde. Reepu Daman Persaud, J.P., M.P., Deputy Speaker of the National Assembly

\* None-elected Member

Other Members (6)

Cde. Janet Jagan, M.P. (Absent-on leave)  
Cde. C.C. Collymore, M.P.  
Cde. S.F. Mohamed, M.P., Minority Chief Whip  
Cde. H. Nektá, M.P.  
Cde. I. Basir, M.P.  
Cde. C.C. Belgrave, M.P.

(ii).

Mr. M.F. Singh, C.C.H., J.P., M.P. (Absent)  
Mr. M.A. Abraham, A.A., M.P.

Mr. E. Kwayana, M.P.

OFFICER

Cde. M.B. Henry, Acting Clerk of the National Assembly

PRAYERS

The Acting Clerk read Prayers.

OATHS

The Speaker informed Members that the names Cdes. Kenneth Denny and Malcolm Corrica had been extracted from the People National Congress' List of Candidates, and that Cdes. Denny and Corrica had been declared to be elected Members of the National Assembly from 27th December, 1990.

Cdes. Denny and Corrica, who were present made and subscribed as Members of the National Assembly the Oath of office as required by Article 167 of the Constitution.

ANNOUNCEMENTS BY THE SPEAKER

(i) Resignation of Cde. Elaine B. Davidson

The Speaker informed Members that he had received a letter from Cde. Elaine B. Davidson tendering her resignation as a Member of the National Assembly with effect from October, 1990, and that with Cde. Davidson's resignation, a vacancy had been created in the National Assembly.

In accordance with section 99A of the Representation of the People Act, Chapter 1:03, he had called upon the Representative of the List of Candidates from which Cde. Davidson's name was extracted, to further extract from the said List the name of a person to fill the vacancy.

(ii) Leave

The Speaker announced that leave has been granted to --

- (a) Cde. Sharma from 27th to 31st December, 1990 and
- (b) Cde. Cumberbatch, from 26th December, 1990 to 31st January, 1991.

PRESENTATION OF PAPERS AND REPORTS, ETC.

Constitutional Offices (Remuneration of Holders) (No. 3) Order 1990 (No. 81), made under sections 5 and 6 of the Constitutional Offices (Remuneration of Holders) Act, Chapter 27:11 on 19th December, 1990 and published in the Extra Ordinary Gazette on 19th December, 1990.

(Circulated)

INTRODUCTION OF BILLS

(1) CUSTOMS (AMENDMENT) (NO. 2) BILL 1990 - Bill No. 36/1990

The 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.

PUBLIC BUSINESS

ITEM 1 - APPROVAL OF FINANCIAL PAPER NO. 3/1990

Assembly resolved itself into Committee of Supply to consider Financial Paper No. 3/1990.

In Committee of Supply

In accordance with article 171(2) of the Constitution, the Minister of Finance signified Cabinet's recommendation and moved the following motion:

BE IT RESOLVED:

That this National Assembly approves of the proposals set out in Financial Paper No. 3/1990 - Schedule of Supplementary Provision on the Current and Capital Estimates -- Advances made from the Contingencies Fund for the period ended 14th December, 1990, totalling \$163,561,985.

After consideration of the Financial Paper the motion was put

Assembly resumed

On a motion by the Minister of Finance the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly agree with the Committee of Supply in the following Resolution:

RESOLVED, That this National Assembly approves of the proposals set out in Financial Paper No. 3/1990 - Schedule of Supplementary Provision on the Current and Capital Estimates Advances made from the Contingencies Fund for the period ended 14th December, 1990, totalling \$163,561,985.

ITEM 2 - APPROVAL OF FINANCIAL PAPER NO. 4/1990

Assembly resolved itself into Committee of Supply to consider Financial Paper No. 4/1990.

In Committee of Supply

In accordance with article 171(2) of the Constitution, the Minister of Finance signified Cabinet's recommendation and moved the following motion:

BE IT RESOLVED:

That this National Assembly approves of the proposals set out in Financial Paper No. 4/1990 - Schedule of Supplementary Provision on the Capital Estimates for the period ended 14th December, 1990, totalling \$381,738,000.

After consideration of the Financial Paper the motion was put and carried.

Assembly resumed

On a motion by the Minister of Finance the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly agree with the Committee of Supply in the following Resolution:

RESOLVED, That this National Assembly approves of the proposals set out in Financial Paper No. 4/1990 - Schedule of Supplementary Provision on the Capital Estimates for the period ended 14th December, 1990, totalling \$381,738,000.

BILLS - Second and Third Readings

ITEM 3 - ELECTION LAWS (AMENDMENT) (NO. 2) BILL 1990 - Bill No. 34/1990 published 1990-12-17

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

A Bill intituled An Act to amend the Election Laws (Amendment) Act 1990.

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.

The Deputy Speaker, Mr Kwayana and Mr. M. Abraham spoke to the motion.

Thereafter The Attorney General and Minister of Legal Affairs replied.

The motion was 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 and 2 were passed as printed.

Clause 3 The Deputy Speaker moved the following amendment:

Substitution for the words "30th June, 1991" the words "30th April, 1991" in the proposed new subsection(1).

The amendment was put and negatived on the following division:

FOR

Cde. Basir  
Cde. Nokta  
Cde. S.F. Mohamed  
Cde. Collymore  
Cde. Reepu Daman Persaud  
Mr. Kwayana  
Mr. Abraham

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AGAINST

Cde. Fernandes	Cde. Harewood-Benn
Cde. Ajoodhia	Cde. Thomas
Cde. I. Ally	Cde. Murray
Cde. Abrahams	Cde. Prashad
Cde. Khan	Cde. Corbin
Cde. P. Singh	Cde. Parris
Cde. Semple	Cde. Burnham
Cde. Griffith	Cde. Green
Cde. Fraser	
Cde. Sankar	42
Cde. B. Persaud	
Cde. Geddes	
Cde. Edwards	
Cde. DeJesus	
Cde. Deen	
Cde. Calistro	
Cde. A. Ally	
Cde. Melville	
Cde. Munroe	
Cde. Doobay	
Cde. Gill-Mingo	
Cde. Fowler	
Cde. P. Rayman	
Cde. Carrica	
Cde. Denny	
Cde. Dancroft	
Cde. Jackson	
Cde. Ferreira	
Cde. Persico	
Cde. Odie-Ali	
Cde. Harding	
Cde. Kissoon	
Cde. Sawh	
Cde. Johnson	

Assembly resumed

SUSPENSION OF SITTING

At 6.30 p.m. the sitting was suspended.

RESUMPTION OF SITTING

At 8.00 p.m. the sitting was resumed.

Assembly resolved itself into Committee to continue consideration of the Election Laws (Amendment) (No. 2) Bill 1990

In Committee

Clause 4 The Deputy Speaker moved the following amendments:-

(i) Amendment to the proposed new Section 3B(1)

Insertion of the words "and shall have transmitted to each political party contesting the elections not less than five certified copies of such list" after the words "section 3A".

(ii) Amendments to the proposed new Section 3E -

(a) renumbering of subsections (5), (6), (7), (8), and (9) as subsections (6), (7), (8), (9) and (10) respectively;

(b) insertion of the following as subsection (5)

"(5) Any vacancy created pursuant to subsections (3) and/or (4) shall be filled in like manner by which the original appointment was made.";

(c) insertion of the following as subparagraph (iii) of the renumbered subsection (6)(a) -

"(iii) birth certificate, passport or any other document substantiating the age and/or identification of the applicant.";

(d) Insertion of the following immediately after subsection (1) -

"(1)(a) Every scrutineer appointed in accordance with this section shall be paid from funds provided by Parliament such remuneration as may be determined by the Elections Commission."

(e) substitution of the following for the renumbered subsection (6)(b) -

"(b) shall, by virtue of his appointment as a scrutineer, be entitled as of right to visit any house or the premises thereof in company with an enumerator, while the enumerator is performing

his duties under this Act, in the registration division for which the scrutineer is appointed and shall be entitled to receive from the enumerator all particulars given by the elector upon application for registration.";

(f) substitution of the following for subsection (2) -

"(2) The Commissioner or Divisional Registrar shall be given notice in writing of the appointment of a person as scrutineer, by the authorised person, Chief Scrutineer or Assistant Chief Scrutineer appointing him, and the Commissioner or Divisional Registrar shall issue to him an identification card which should be surrendered promptly by the scrutineer to the Commissioner on the termination of his appointment and references in the following sub-sections to a scrutineer shall, unless the context otherwise requires, be deemed to be references to a person appointed as a scrutineer under sub-section (1) and to whom an identification card has been issued by the Commissioner."

On a motion by Mr. Kwayana the following words "with the consent of the householder" were substituted for the words "as of night" in the amendment to the renumbered subsection 6(b).

The amendments were put and negatived.

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

In the proposed new section 3F for the words "Section 12 of that Act" substitution of the words "section 12 of the National Registration Act" and insertion of "Cap. 19:08" in the margin.

Clause 4 was then passed as amended.

#### 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.

#### ITEM 4 - REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL 1990 - Bill No. 35/1990 published 1990-12-17

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

A Bill intituled An Act to amend the  
Representation of the People Act.

The Deputy Speaker, Mr. Abraham and Mr. Kwayana spoke to the motion.

Thereafter the Attorney General and Minister of Legal Affairs replied.



The motion was put and carried.

The Bill was read a second time.

#### SUSPENSION OF STANDING ORDER NO. 9(1)

At 9.55 p.m., on a motion by the Minister of Regional Development, Standing Order No. 9(1) was suspended to enable the Assembly to sit beyond 10.00 p.m. to complete the business on the Order Paper.

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

#### In Committee

Clauses 1 to 3 were passed as printed.

Clause 4 The following amendment by the Attorney General and Minister of Legal Affairs was put and carried:

Substitution of the following for the proviso in subsection (4) inserted in section 65L of the Principal Act -

"Provided that in their application by virtue of this subsection, sections 87, 88 and 90 shall have effect as if for the reference in those sections to a counting agent there had been substituted reference to an election agent."

Clause 4 was then passed as amended.

Clause 5 The following amendments by Mr. Abraham were withdrawn:

(1) substitution of the following for the proposed new section 83A(1) -

"At least two polling agents or duly appointed candidates to be determined by the majority of the opposition polling agents at a polling place shall accompany the ballot boxes in the same conveyance carrying ballot boxes from that polling place to a returning officer." and

(ii) Insertion of the following as subsection (3) in the proposed new section 83A -

"(3) upon delivery of a ballot box to a returning officer, the presiding officer in the presence of contesting political parties shall publicly declare the results of the preliminary count".

The Deputy Speaker moved the following amendment:

Insertion in the proposed new section 83A(2) the words

"and to remain with the said ballot boxes upon same being delivered to the returning officer until the final count is declared" after the words "a returning officer".

The amendment was put and negatived.

Clauses 6 to 13 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.

ITEM 5 - GUYANA AND TRINIDAD MUTUAL LIFE INSURANCE COMPANY (AMENDMENT)  
BILL 1990 - Bill No. 32/1990 published 1990-11-17, 1990-11-24 and  
1990-12-01

Cde. Bancroft moved the second reading of the following private Bill:

A Bill intituled An Act to amend the  
Guyana and Trinidad Mutual Life  
Insurance Company Ordinance.

Cde. Denny seconded the motion.

The motion was put and carried.

The Bill was read a second time and was, thereafter, taken through the remaining stages and passed as printed.

ITEM 6 - GUYANA AND TRINIDAD MUTUAL FIRE INSURANCE COMPANY AMENDMENT  
BILL 1990 - Bill No. 33 1990 published 1990-11-17 1990-11-24 and  
1990-12-01

Cde. Bancroft moved the second reading of the following private Bill:

A Bill intituled An Act to amend the  
Guyana and Trinidad Mutual Fire  
Insurance Company Ordinance.

Cde. Denny seconded the motion.

The motion was put and carried.

The Bill was read a second time and was, thereafter, taken through its remaining stages and passed as printed.

NEW YEAR GREETINGS

The Speaker extended New Year greeting to Members of the National Assembly, the staff of Parliament Office the Press and other officials and their families.

The Prime Minister, Deputy Speaker and Mr. Abraham reciprocated the wishes to the Speaker and also extended greetings to other Members of the National Assembly, the staff of Parliament Office, the Press and other officials and their families.

ADJOURNMENT

At 10.20 p.m., on a motion by the Minister of Regional Development, the Assembly was adjourned to a date to be fixed.

.....  
S. NARAIN.  
Speaker of the National Assembly

PARLIAMENT OFFICE,  
Public Buildings,  
Georgetown,  
1st January, 1991.