

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 10TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION 16 OF THE FIFTH PARLIAMENT OF GUYANA HELD

AT 14:00 HRS

ON MONDAY 1986-04-14

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 (61)

Ministers in the Cabinet (10)

Prime Minister (1)

Cde. H. Green, M.P., Prime Minister (Absent)

Other Vice-President and First Deputy Prime Minister (1)

Cde. Dr. M. Shahabuddeen, O.R., S.C., M.P., Vice-President, First Deputy Prime Minister and Attorney General (Absent - on leave)

Other Vice-Presidents and Deputy Prime Ministers (2)

Cde. R. Chandisingh, M.P., Vice-President, National Mobilisation, and Deputy Prime Minister (Absent - on leave)

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

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, Agriculture (Absent - on leave)

Senior Ministers (4)

Cde. R.E. Jackson, M.P., Minister of Foreign Affairs (Absent - on leave)

*Cde. C.B. Greenidge, M.P., Minister of Finance

Cde. S. Prashad, M.P., Minister of Transport

*Cde. W.S. Murray, C.C.H., M.P., Minister of Trade

Other Ministers (11)

Senior Ministers (3)

Cde. J.R. Thomas, M.P., Minister of Manpower, Housing and Environment

Cde. Dr. R.A. Van West-Charles, M.P., Minister of Health (Absent - on leave)

Cde. Yvonne V. Harewood-Benn, M.P., Minister of Information and the Public Service

Ministers (4)

Cde. Urmia E.H. Johnson, M.P., Minister within the Ministry of National Mobilisation

*Cde. R.C. Fredericks, A.A., M.P., Minister of Youth and Sport within the Ministry of Education

Cde. C.G. Sharma, A.A., J.P., M.P., Minister within the Office of the President (Absent - on leave)

*Cde. D.M.A. Bernard, M.P., Minister within the Ministry of Education

*Non-elected Member

Ministers of State (4)

- *Cde. D.A.N. Ainsworth, M.P., Minister of State within the Ministry of Manpower, Housing and Environment (Absent)
- Cde. J.T. Kissoon, M.P., Minister of State within the Ministry of Agriculture (Absent - on leave)
- Cde. D. Sawh, M.P., Minister of State within the Ministry of Forestry
- *Cde. Dr. Faith A. Harding, M.P., Minister of State within the Ministry of Planning and Development

Parliamentary Secretaries (3)

- Cde. A.K. Habibulla, M.P., Parliamentary Secretary, Office of the President
- Cde. Stella Odie-Ali, M.P., Parliamentary Secretary, Home Affairs
- *Cde. Jean M.G. Persico, A.A., M.P., Parliamentary Secretary, Education

Government Chief Whip (1)

- Cde. Jennifer A. Ferreira, M.P., Government Chief Whip (Absent - on leave)

Other Members (24)

- Cde. R.E. Williams, M.P.
- Cde. Agnes W. Bend-Kirton-Holder, M.P.
- Cde. E.H.A. Fowler, M.P.
- Cde. Joyce Gill-Mingo, M.P.
- Cde. M. Ally, M.P.
- Cde. Bissoondai Beniprashad-Rayman, M.P. (Absent - on leave)
- Cde. Elaine B. Davidson, M.P. (Absent - on leave)
- Cde. H. Doobay, M.P.
- Cde. Joyce M. Munroe, J.P., M.P. (Absent - on leave)
- Cde. Edwina Melville, M.P. (Absent)
- Cde. Amna Ally, M.P.
- Cde. L. Arthur, M.P.
- Cde. J.R.L. Bovell-Drakes, M.P. (Absent)
- Cde. N. Calistro, M.P.
- Cde. G.W. Chin, J.P., M.P.
- Cde. F.M. Cumberbatch, M.P.
- Cde. M.I. Deen, M.P.
- Cde. Cyrilda A. DeJesus, M.P.
- Cde. Edith Deygoo, M.P.
- Cde. Clarice A. Edwards, M.P.
- Cde. C.L. Geddes, M.P.
- Cde. G. Marshall, M.P.
- Cde. B. Persaud, M.P.
- Cde. E.W. Trotman, M.P.

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

- Cde. E. Mohamed, M.P.
- Cde. Rose I. Semple, 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)
- Cde. Bhagmatee Latchminarayan, M.P. (Region No. 5 - Mahaica/Berbice)
- Cde. Y. Khan, M.P. (Region No. 2 - Pomeroon/Supenaam)
- Cde. Enid E. Abrahams, M.S., J.P., M.P. (Region No. 3 - Essequibo Islands/West Demerara)
- Cde. I. Ally, M.P. (Region No. 6 - East Berbice/Corentyne)
- Cde. Patricia A. Daniel, M.P. (Region No. 10 - Upper Demerara/Berbice (Absent - on leave))
- Cde. B.L. Domingo, M.P. (Region No. 1 - Barima/Waini)
- Cde. S.I. McGarrell, M.P. (Region No. 8 - Potaro/Siparuni)
- Cde. M. Stephens, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo) (Absent)

*Non-elected Member

Members of the Minority (11)

(i) People's Progressive Party (8)

Minority Leader (1)

Cde. Dr. C. Jagan, M.P., Minority Leader

Deputy Speaker (1)

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

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. Nokta, M.P.
Cde. I. Basir, M.P.
Cde. C.C. Belgrave, M.P. (Absent)

(ii) United Force (2)

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

(iii) Working People's Alliance (1)

Mr. E. Kwayana, M.F.

OFFICERS

Cde. F.A. Narain, A.A., Clerk of the National Assembly
Cde. M.B. Henry, Deputy Clerk of the National Assembly

PRAYERS

The Clerk read Prayers.

OATHS

The Speaker informed Members that following the general elections, Comrade Winston Shripal Murray, C.C.H., had been appointed a Senior Minister and designated Minister of Trade, with effect from 27th December, 1985.

Cde. Murray had not been an elected Member of the National Assembly but had become a Member of the Assembly by virtue of his being a Minister and before he could take part in the proceedings of the Assembly, he would have to make and subscribe the oath.

Cde. Murray who was present, made and subscribe the oath.

ANNOUNCEMENTS BY THE SPEAKER

(i) Congratulations to Cde. Murray

The Speaker on behalf of the Members of the Assembly and his own, congratulated Cde. Murray on his appointment, welcomed him to the Assembly and extended best wishes to him.

(ii) Leave

The Speaker announced that leave had been granted to -

- (a) Cde. Chandisingh until 25th April,
- (b) Cde. Jackson until 24th April,
- (c) Cde. Dr. Van West-Charles, Cde. Kissoon, Cde. Jennifer Ferreira, Cde. Joyce Munroe, and Cde. Patricia Daniel, for that day's sitting, and
- (d) Cde. Janet Jagan until 28th April.

(iii) Other Matters

(a) The Speaker drew the Assembly's attention to the practice of Members seeking to consult with him minutes before the commencement of sittings and stated that in future he would not entertain such requests and would not be available to meet them.

(b) He also reminded Members that written notifications seeking leave to move the adjournment of the Assembly on definite matters of urgent, public importance should be submitted to him by 11:00 o' clock on the day of the sitting to enable him to consider the matter.

(c) The Speaker informed Members, with special reference to Ministers, that their applications for leave must be signed by them and not by an official on their behalf.

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

Assassination of Muslim Missionary

Mr. Kwayana sought leave to move the adjournment of the Assembly for the purpose of discussing the Assassination of a visiting Muslim Missionary.

The Speaker did not allow the claim as the matter was under police investigation and did not in his opinion qualify to be raised on a motion for the adjournment of the Assembly.

PUBLIC BUSINESS

BILLS - Second and Third Readings

ITEM 1 - PETROLEUM (EXPLORATION AND PRODUCTION) BILL 1986
Bill No. 1/1986 published 1986-02-05

The Deputy Prime Minister, Planning and Development, moved the second reading of the following Bill:

A Bill intituled An Act to make provision with respect to prospecting for and production of petroleum, and for matters connected therewith.

The Minority Leader, Mr. M.F. Singh, Mr. Kwayana and the Deputy Speaker spoke to the motion.

Thereafter, the Deputy Prime Minister, Planning and Development, replied.

The motion was put and carried.

The Bill was read a second time.

SUSPENSION OF SITTING

At 16:10 hrs the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 16:35 hrs the sitting was resumed.

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

In Committee

Printing Errors

The Speaker drew Members attention to the following list of printing errors which had been circulated:

Page 7 - Clause 2

Substitution of the words "paragraph (i)" for the words "paragraph (1)" in the sixth line of paragraph (q) (iii) of subsection (1).

Page 9 - Clause 2

Substitution of the words "section 42(6)" for the words "section 42(b)" in the last line of paragraph (e) of subsection (2).

Page 9 - Clause 3

Insertion of a comma after the word "Commission" in the fifth line.

Page 14 - Clause 11

Substitution of the word "Form" for the word "From" in the marginal note.

Page 16 - Clause 17

Insertion of a comma between the words "law" and "as" in the second line of paragraph (b).

Pages 17 and 18 - Clause 22

Substitution of the word "initial" for "inital" in the second line of subsection (3), on page 18.

Page 18 - Clause 24

Substitution of the word "prospecting" for "production" in the marginal note.

Page 21 - Clause 27

Substitution of the word "anniversary" for "anniverary" in the second line of subsection (2).

Pages 21 and 22 - Clause 27

Insertion of the word "of" between the words "or" and "each" in the fourth line of subsection 5, on page 22.

Page 24 - Clause 31

Substitution of the word "licensee" for the word "licensees" in the fourth line of subsection (1).

Page 25 - Clause 32

Insertion of the word "not" between the words "petroleum" and "of" in the second line of the marginal note.

Page 26 - Clause 33

Insertion of the words "the Minister may, by notice served on the licensee, direct the" after the word "interest," in the third line of subsection (1).

Page 26 and 27 - Clause 34

Substitution of the word "transportation" for "transporation" in the fifth line of paragraph (b) of subsection (3), on page 27.

Page 32 - Clause 43

Substitution of the word "constituting for" "constitutnig" in the eighth line of subsection (1).

Page 33 - Clause 44

Deletion of the comma after the word "Minister" in the first line of subsection (3).

Page 34 - Clause 45

Substitution of the words "section 43(4)" for the words "section 43(3)" in the second line of subsection (2).

Page 35 - Clause 48

Insertion of the word "on" between the words "date" and "which" in the last line of subsection (3).

Page 40 - Clause 60

Printing of the words "if the effect" in the third line of paragraph (b) of subsection (1) to the words "of the body corporate" in the last line, so that they would refer to both paragraphs (a) and (b) of subsection (1).

Page 42 and 43 - Clause 61

Insertion of the word "of" before the word "being" in the fifth line of subsection (3), on page 43.

Page 45 - Clause 64

Insertion of the word "a" between the words "of" and "body" in the first line of paragraph (ii).

Pages 45 and 46 - Clause 65

Insertion of a comma after the word "positive" in the third line of subsection (4), on page 46.

Page 49 - Clause 70

Substitution of the word "an" for the word "and" in the second line of paragraph (d) of subsection (2).

Consideration of clauses

Clause 1 was passed as printed.

Clause 2 The following amendment by Mr. Kwayana was put and negatived.

Insertion of the following paragraph after paragraph (6) after subsection (1):

"provisional licence" means a guarantee given to an individual who applies for a production licence that he will be granted a production licence on satisfying the Minister that production under that licence will be undertaken by a corporate entity registered in Guyana.

Clause 2 was then passed as printed.

Clause 3 to 8 were passed as printed.

Clause 9 The following amendment by Mr. Kwayana was put and negatived.

Insertion of the following subsections after subsection (3):

(4) That in the case of an application for a licence by a company incorporated outside of Guyana a provisional licence shall be granted and the licence should be granted only to a corporate entity incorporated or registered in Guyana for the purpose of receiving and undertaking production under such provisional licence.

(5) that companies established under the previous subsection shall be open to participation by both resident and nonresident shareholders.

Clause 9 was then passed as printed.

Clause 10 The Deputy Speaker moved the following amendment which was put and negatived:

Deletion of paragraph (d).

Clause 10 was then passed as printed.

Clauses 11 to 35 were passed as printed.

Clause 36 The following amendment by Mr. Kwayana was put and negatived:

Insertion of the following after paragraph (vii) of subsection (1):

"(viii) the applicant undertakes if the issue arises to recognise a trade union in conditions satisfactory to the Ministry of Manpower and the Trades Union Congress."

Clause 36 was then passed as printed.

Clauses 37 to 50 were passed as printed.

Clauses 51 The following amendment by the Deputy Speaker was put and carried:

Substitution of the word "affirmative" for the word "negative" in the second line of subsection (1).

Clause 51 was then passed as amended.

Clauses 52 to 71 were passed as printed.

Assembly resumed.

On a motion by the Deputy Prime Minister, Planning and Development, the Bill was read the third time and passed as amended in Committee.

ITEM 2 TAXATION LAWS (AMENDMENT) BILL 1986 - Bill No. 2/1986
published 1986-02-05

The Minister of Finance moved the second reading of the following Bill:

A Bill intituled An Act to amend the
Income Tax Act and the Income Tax
(In aid of Industry) Act.

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

ITEM 3 - OFF-SHORE BANKING BILL 1986 - Bill No. 4/1986 published 1986-03-15

At the request of the Minister of Finance the second reading of the following Bill was deferred to Tuesday 1986-04-15:-

A Bill intituled An Act to enable certain banking and other businesses to be carried on from within Guyana in foreign moneys, securities and properties for foreign customers.

ITEM 4 - BANKING LAWS (AMENDMENT) BILL 1986 - Bill No. 5/1986 published 1986-03-15

The Minister of Finance moved the second reading of the following Bill:

A Bill intituled An Act to amend the Banking Act and the Bank of Guyana Act.

Mr. Kwayana spoke to the motion.

Thereafter the Minister of Finance replied.

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 with the following corrections:

Page 4 - Clause 2

- (i) Substitution of the word "or" for the word "of" in the seventh line and in the last lines of subsection (6).
- (ii) Insertion of the words "capital, in the case of a licensed company" between the words "assigned" and "incorporated" in the fourth line of subsection (7).
- (iii) Substitution of the word "or" for the word "of" in the sixth line of subsection (8).
- (iv) Substitution of a semi-colon for the full stop at the end of subsection (9).

Page 5 - Clause 3

- (i) Substitution of "Companies Act," for "COMPANIES Act," in the second line of paragraph (b).
- (ii) Substitution of the word "Bank" for the word "bank" in the ninth line of the new subsection 1A) of paragraph (c), where it appears for the first time.

Page 5 - Clause 4

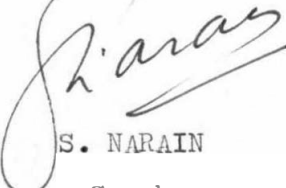
Substitution of the word "sections" for the word "section" in the marginal note.

Page 6 - Clause 6

- (i) Insertion of a comma after the word "insertion" in the second line.
- (ii) Deletion of the bracket before the word "Part" in the marginal note to the new section 40A.

ADJOURNMENT

At 17:40 hrs on a motion by the Minister of Manpower, Housing and Environment, the Assembly was adjourned to 14:00 hrs on Tuesday, 1986-04-15.


S. NARAIN
Speaker.

86-04-15

PARLIAMENT OFFICE,
Public Building,
Georgetown.

1986-04-15.