

NATIONAL ASSEMBLY

ORDER PAPER

FOR THE 49TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION

(2006 - 2008) OF THE NINTH PARLIAMENT OF GUYANA TO BE HELD

AT 2.00 P.M.

ON MONDAY, 10TH MARCH, 2008

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

BUSINESS FOR SITTING

PRAYERS

OATH OF A NEW MEMBER-

MESSAGES FROM THE PRESIDENT-

ANNOUNCEMENTS BY THE SPEAKER-

PRESENTATION OF PETITIONS-

PRESENTATION OF PAPERS AND REPORTS-

REPORTS FROM COMMITTEES-

ORAL QUESTIONS WITHOUT NOTICE-

QUESTIONS ON NOTICE-

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS-

PERSONAL EXPLANATIONS-

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

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

INTRODUCTION OF BILLS-

PUBLIC BUSINESS-

(i) GOVERNMENT BUSINESS

MOTION

1. **BUDGET SPEECH 2008 – MOTION FOR THE APPROVAL OF THE
ESTIMATES OF EXPENDITURE FOR 2008**

Assembly to resolve itself into Committee of Supply to consider the Estimates of Expenditure for the financial year 2008.

(Moved by the Minister of Finance on 2008-02-22)

BILLS – Second Readings

2. **INCOME TAX (AMENDMENT) BILL 2008 – Bill No. 1/2008 published on
2008-02-06**

The Minister of Finance to move the second reading of the following Bill:

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

(Read a first time on 2008-02-14)

3.

3. **EXCISE TAX (AMENDMENT) BILL 2008 – Bill No. 3/2008 published on 2008-02-29**

The Minister of Finance to move the second reading of the following Bill:

A BILL intituled AN ACT to amend the Excise Tax Act 2005.

(Read a first time on 2008-03-03)

MOTIONS

*4. **THE PARLIAMENT OF GUYANA MANUAL OF RULES AND PROCEDURE, PRACTICES AND CONVENTIONS OF THE BUSINESS OF THE NATIONAL ASSEMBLY**

The Prime Minister and Minister of Public Works and Communications to move the following motion:

WHEREAS on the 14th December, 2007 the Parliament of Guyana Manual of Rules of Procedure, Practices and Conventions of the business of the National Assembly was laid in the National Assembly;

AND WHEREAS the said Manual contains the rules, procedure, practices and conventions used by Parliamentarians in the conduct of the business of the National Assembly,

BE IT RESOLVED:

That the National Assembly accepts in general the rules, procedure, practices and conventions of the said Manual;

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*Not to be proceeded with at this sitting

BE IT FURTHER RESOLVED:

That the Manual of Rules, Procedure, Practices and Conventions of the business of the National Assembly be committed to the Special Select Committee on the Manual of Rules and Procedures and Operations of Committees to make recommendations to the National Assembly on the adoption of the said rules, procedure, practices and conventions.

(Notice Paper No. 206 (M54 Govt 34) published on 2007-12-24)

***5. RATIFICATION OF THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS**

The Minister of Foreign Affairs to move the following motion:

WHEREAS the Inter-American Convention against the Illicit Manufacturing of and Trafficking in firearms, Ammunition, Explosives and Other Related Materials was signed on November 14, 1997 at the Twenty-Fourth Special Session of the General Assembly of the Organisation of American States which was held in Washington D.C.;

AND WHEREAS Article 23 of the said Convention makes provision for the deposit of the Instruments of Ratification with the General Secretariat of the Organisation of the American States;

NOW THEREFORE the Government of the Cooperative Republic of Guyana having considered the Convention hereby confirms and ratifies the same and undertakes faithfully to perform and carry out all the stipulations therein;

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*Not to be proceeded with at this sitting

BE IT RESOLVED:

That the National Assembly agrees to the General Secretariat of the Organisation of American States being informed of Guyana's intention to ratify the said Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials and for the Government of Guyana to formally ratify the said Convention by depositing the Instrument of Ratification.

(Notice Paper No. 223 (M61 Govt 37) published on 2008-02-14)

***6. RATIFICATION OF THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS**

The Minister of Foreign Affairs to move the following motion:

WHEREAS the Inter-American Convention on Mutual Assistance in Criminal Matters was signed on February, 28, 2006 at the Organization of American States in Washington D.C.,

AND WHEREAS Article 33 of the said Convention makes provision for the deposit of the Instruments of Ratification with the General Secretariat of the Organization of American States;

NOW THEREFORE the Government of the Cooperative Republic of Guyana having considered the Convention hereby confirms and ratifies the same and undertakes faithfully to perform and carry out all the stipulations therein;

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*Not to be proceeded with at this sitting

BE IT RESOLVED:

That the National Assembly agrees to the General Secretariat of the Organization of American States being informed of Guyana's intention to ratify the said Inter-American Convention on Mutual Assistance in Criminal Matters.

(Notice Paper No. 227 (M64 Govt 39) published on 2008-02-22)

BILLS – Second Readings, Committee and Third Readings

***7. ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM BILL 2007 – Bill No. 18/2007 published on 2007-06-04**

The Assembly to proceed upon the further stages of the following Bill, after the Special Select Committee has reported thereon:

A BILL intituled AN ACT to provide for the establishment and management of a Financial Intelligence Unit; to provide for unlawful proceeds of all serious offences to be identified, traced, frozen, seized and eventually forfeited; to provide for comprehensive powers for the prosecution of money laundering, terrorist financing and other financial crimes; and the forfeiture of the proceeds of crime and terrorist property; to require reporting entities to take preventive measures to help combat money laundering and terrorist financing; to provide for civil forfeiture of assets and for matters connected therewith.

(Read a first time on 2007-06-07)

(Committed to the Special Select Committee on 2007-06-07)

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*Not to be proceeded with at this sitting

*8. **THE FORESTS BILL 2007 – Bill No. 21 of 2007 published on 2007-07-24**

The Assembly to proceed upon the further stages of the following Bill, after the Special Select Committee has reported thereon:

A BILL intituled AN ACT to consolidate and amend the law relating to forests.

(Read a first time on 2007-08-02)

(Committed to the Special Select Committee on 2007-11-08)

(i) **PRIVATE MEMBERS' BUSINESS**

INTRODUCTION OF BILLS

Presentation and first Reading

***FREEDOM OF INFORMATION BILL 2006 – Bill No. 26/2006**

Mr. Raphael Trotman, M.P., is to seek leave to present the following Bill:

A BILL intituled AN ACT to give access to information to members of the public.

BILLS – Second Reading

*9. **GUYANA PRESBYTERIAN CHURCH ACT 1974 (AMENDMENT) BILL 2007 – Bill No. 30/2007 published on 2008-01-12**

Mr. Harripersaud Nokta, M.P. to move the second reading of the following Private Bill:

A BILL intituled AN ACT to amend the Guyana Presbyterian Church Act 1974.

(Read a first time on 2008-02-14)

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*Not to be proceeded with at this sitting

MOTION

***10. GUYANA POWER AND LIGHT CO. INC.**

Mr. Raphael Trotman, M.P., to move the following motion:

WHEREAS citizens continue to register dissatisfaction with the Guyana Power and Light Co.'s inefficient service and constant blackouts; the practice of estimating electricity bills at rates far above normal monthly billing amounts; back billing for suspected meter tampering and imposing pay-back arrangements that are burdensome to the consumer;

AND WHEREAS the Public Utilities Commission has had cause to enquire into the Guyana Power and Light's service, billing practices, disconnection practices and motives and procedures with respect to making arrangements for customers to repay amounts charged for back billing, but such enquiries have not led to a reduction of complaints and concerns pertaining to GPL's service;

BE IT RESOLVED:

That a Special Select Committee be established to enquire into and to investigate the services being provided by the Guyana Power and Light Co. and to make recommendations for its improvement;

BE IT FURTHER RESOLVED:

That the Special Select Committee be permitted to received evidence from Members of the public and organizations, including consumers, the Public Utilities Commission, Consumer Associations, the Private Sector and civil society organizations working with affected groups;

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*Not to be proceeded with at this sitting

BE IT FURTHER RESOLVED:

That the Special Select Committee report to this National Assembly within three months and the National Assembly communicates the findings and recommendations to the Guyana Power and Light Co. for their adoption.

(Notice Paper No. 196 (M50 Opp 13) published on 2007-12-06)

***11. THE ESTABLISHMENT OF A LAW REFORM COMMISSION**

Mrs. Deborah Backer, M.P., to move the following motion:

WHEREAS the British Guiana Legislature enacted hundreds of Acts of Parliament and subsidiary legislation many of which remain in force more than 100 years after their enactment;

AND WHEREAS, since Guyana attained its independence on the 26th day of May, 1966, the Parliament of Guyana also enacted hundreds of Acts of Parliament and subsidiary legislation;

AND WHEREAS an ongoing and systematic review of all of these Acts of Parliament, together with their subsidiary legislation, is required to ensure that they are updated, amended and, where necessary, repealed;

AND WHEREAS it is desirable to have an ongoing and continuing process for the review, updating and modernization of the laws of Guyana, including the enactment of new legislation, which respond to and reflect the present and future needs and aspiration of the people of Guyana;

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*Not to be proceeded with at this sitting

AND WHEREAS it is accepted, in many Commonwealth and non-Commonwealth countries, that the most efficient and institutional mechanism to systematically review and modernize the laws of their respective countries and plan for future legislation is a permanent Law Reform Commission;

AND WHEREAS many Commonwealth and non-Commonwealth countries have established permanent Law Reform Commissions,

BE IT RESOLVED:

That this National Assembly urges the Government to establish an independent permanent Law Reform Commission with the mandate, which shall include, but not be limited to, the following:

1. To keep under continuous review, all of the Laws of Guyana, with the view to their systematic development and reform, including: the modification of any branch of the law; the elimination of anomalies; the repeal of obsolete and unnecessary enactments; the reduction of the number of separate enactments; and generally, the modernization of the law;
2. To receive and consider suggestions for the reform of the law which may be forwarded to it by Ministers of the Government; public officials; associations of lawyers and members of the public;

11.

3. To obtain such information, in regard to the laws and legal systems of other countries, as in the opinion of the Commission, is likely to facilitate the effective performance of any of its functions;
4. To make recommendations to the Ministry of Legal Affairs for the modification, repeal and generally, for the modernization of the Law of Guyana.

(Notice Paper No. 207 (M55 Opp 15) published on 2007-12-24)

***12. LIMIT ON THE AGGREGATE AMOUNT OF DEBT OBLIGATIONS**

Mr. Winston Murray, C.C.H., M.P., to move the following motion:

WHEREAS the Fiscal Management and Accountability Act was assented to by His Excellency the President of Guyana on the 16th December, 2003;

AND WHEREAS the said Act is intended, *inter alia*, to improve accountability in fiscal management;

AND WHEREAS Section 81 of the said Act makes provision for the forgiveness, postponement or reduction of debts by the Minister of Finance;

AND WHEREAS Section 81(3) of the said Act provides that the National Assembly may set a limit on the aggregate amount of debt obligations that may be forgiven, postponed or reduced by the Minister of Finance without the approval of the National Assembly in any fiscal year;

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*Not to be proceeded with at this sitting

12.

BE IT RESOLVED:

That this National Assembly hereby sets a limit of \$10 million (ten million dollars) as the aggregate amount of debt obligations that may be forgiven, postponed or reduced without the approval of the National Assembly;

BE IT FURTHER RESOLVED:

That this limit takes effect from fiscal year 2007.

(Notice Paper No. 213 (M 58 Opp 16) published on 2008-01-18)

*13. **ALLEGATIONS OF TORTURE MADE AGAINST THE JOINT SERVICES OF GUYANA**

Mr. Aubrey Norton, M.P. to move the following motion:

WHEREAS Guyana is a Party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

AND WHEREAS the Convention against Torture prohibits the use of torture in any circumstance;

AND WHEREAS there have been allegations of torture made against the Joint Services in Guyana by Messrs. Patrick Sumner, Victor Jones, David Leander, Michael Dunn, Alvin Wilson and Sharth Robertson;

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*Not to be proceeded with at this sitting

AND WHEREAS the Convention makes it mandatory that State Parties to the Convention "*take effective legislative, administrative, judicial or other measures to prevent acts of torture*";

AND WHEREAS Article 12 of the Convention mandates State Parties to "*ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to and to have his case promptly and impartially examined by its competent authorities*";

AND WHEREAS it is the responsibility of a State Party to the Convention to "*ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment*";

BE IT RESOLVED:

That this National Assembly calls on the Government to honour its legal obligations under Article 12 of the Convention and establish an impartial and independent commission to examine and investigate the allegations of torture made against the Joint Services in Guyana;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its legal obligations under Article 13 of the Convention by ensuring that steps "*be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given*";

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its legal obligations under Article 4(2) of the Convention by enacting the necessary legislation to make torture an offence;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its legal obligations under Article 14 of the Convention by ensuring that persons found to have been tortured are compensated; and

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its legal obligations under Article 10 of the Convention by ensuring that public officials are made aware that all forms of torture are prohibited.

(Notice Paper No. 215 (M 59 Opp 17) published on 2008-02-01)

(ii) **COMMITTEE BUSINESS**

MOTIONS

*14. **ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE OF THE NATIONAL ASSEMBLY ON THE PUBLIC ACCOUNTS OF GUYANA FOR THE YEARS 2002 AND 2003**

Mrs. Volda Lawrence, M.P., (Chairperson of the Public Accounts Committee) to move the following motion:

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*Not to be proceeded with at this sitting

BE IT RESOLVED:

That the Report of the Public Accounts Committee on its examination of the Public Accounts of Guyana for the years 2002 and 2003, respectively be adopted and refer the Report to the Government for consideration.

(Notice Paper No. 222 (M 60 Opp 18) published on 2008-02-05)

*15. **ADOPTION OF THE SECOND AND THIRD PERIODIC REPORTS OF THE PARLIAMENTARY SECTORAL COMMITTEE ON ECONOMIC SERVICES**

Ms Gail Teixeira, M.P., (Chairperson of the Parliamentary Sectoral Committee on Economic Services) to move the following motion:

BE IT RESOLVED:

That the Second and Third Periodic Reports of the Parliamentary Sectoral Committee on Economic Services be adopted.

(Notice Paper No. 228 (M65 Private Member No. 5) published on 2008-02-21)

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S.E. ISAACS

Clerk of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Brickdam.

7th March, 2008.

*Not to be proceeded with at this sitting