

NATIONAL ASSEMBLY

ORDER PAPER

FOR THE 64th 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, 27TH OCTOBER, 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-

By the Minister of Finance:

- (i) Financial Paper No. 3/2008 – Supplementary Estimates (Current and Capital) totaling \$1, 848,047,997 for the period 2008-07-23 to 2008-10-22.

(To be Circulated)

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2.

- (ii) Financial Paper No. 4/2008 – Supplementary Estimates (Current and Capital) totaling \$984, 061,416 for the period ending 2008-12-31.

(To be Circulated)

REPORTS FROM COMMITTEES-

ORAL QUESTIONS WITHOUT NOTICE-

QUESTIONS ON NOTICE-

For Oral Replies

1. **NUMBER OF PERSONS CHARGED UNDER THE PROVISIONS OF THE COMBATING OF TRAFFICKING IN PERSONS ACT**

Members Asking: Dr. John Austin, M.P.

Minister Answering: The Minister of Home Affairs

*Could the Honourable Minister of Home Affairs inform this National Assembly how many persons have been charged under the provisions of the Combating of Trafficking in Persons Act, Act No. 2 of 2005?

(Notice Paper No. 266 (Q185 Opp 180) published on 2008-10-01)

2. **SERVICES PROVIDED IN SECTION 18(1) OF THE COMBATING OF TRAFFICKING IN PERSONS ACT**

Members Asking: Dr. John Austin, M.P.

Minister Answering: The Minister of Human Services and Social Security

*Could the Honourable Minister of Human Services and Social Security inform this National Assembly how many dependent children have been offered any or all of the services provided for in Section 18(1) of the Combating of Trafficking in Persons Act?

(Notice Paper No. 267 (Q186 Opp 181) published on 2008-10-01)

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

Speaker's consent obtained in accordance with Standing Order No. 28(2) for the following motion to be proceeded with at this sitting:

1. **SUCCESSSES OF THE JOINT SERVICES**

The Minister of Home Affairs to move the following motion:

WHEREAS the Joint Services have recently succeeded in ridding Guyana of the scourge of the "Fineman" **Rondel Rawlins**' gang of terrorists, assassins and **murderers** who terrorized and assaulted Guyanese society for years;

AND WHEAREAS these successes of the Joint Services have been primarily a reflection of a motivated force consistently supported by the Government of Guyana in building morale and providing the necessary tools;

AND WHEREAS the Joint Services have thus achieved high professional and technical standards and capabilities in crime fighting;

AND WHEREAS there is demonstrable evidence of increasing levels of public confidence in and support for the Joint Services;

AND WHEREAS the work of the Joint Services reveal a real and selfless commitment to an often thankless job deserving of recognition and support by the society in general;

BE IT RESOLVED:

That this National Assembly conveys to the men and women of the Joint Services its commendations for a job well done and;

BE IT ALSO RESOLVED:

That this National Assembly urges the Administration to extend to the Joint Services suitable tokens of appreciation; and

BE IT FURTHER RESOLVED:

That the Administration, in its overall support for the Joint Services, be urged by this National Assembly to pay particular attention to conducting activities and programmes that are designed to foster greater public confidence, and support for the men and women of the Joint Services.

(Notice Paper No. 274 (M 79 Govt 46) published on 2008-10-17)

(Amended in accordance with Standing Order No. 33(3))

BILLS – Second Readings, Committee and Third Readings

***2. 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)

***3. 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)

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*Not to be proceeded with at this sitting

*4. **COURT OF APPEAL (AMENDMENT) BILL 2008 – Bill No. 12 of 2008 published on 2008-07-11**

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 amend the Court of Appeal Act to provide for appeals by the Director of Public Prosecutions to the Court of Appeal and the Caribbean Court of Justice and for connected matters.

(Read a first time on 2008-07-17)

(Committed to the Special Select Committee on 2008-07-25)

*5. **MONEY TRANSFER AGENCIES (LICENSING) BILL 2008 – No. 15 of 2008 published on 2008-07-23**

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 licensing of persons carrying on the business of money transfer agencies; to make provision for the registering of money transfer agents and for connected purposes.

(Read a first time on 2008-07-24)

(Committed to the Special Select Committee on 2008-08-07)

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*Not to be proceeded with at this sitting

(ii) 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.

MOTIONS

6. **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 and Degrading Treatment or Punishment (hereinafter referred to as the Convention);

AND WHEREAS Article 141(1) of the Constitution of the Co-operative Republic of Guyana states that “No person should be subjected to torture or to inhuman or degrading punishment or other treatment”;

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;

AND WHEREAS the visible evidence of the torture of Messrs. Patrick Sumner, Victor Jones, David Leander, Michael Dunn, Alvin Wilson and Sharth Robertson were placed in the public view via the media;

AND WHEREAS Article 153(1) of the Constitution of the Republic of Guyana guarantees the protection of the human rights of the people of Guyana;

AND WHEREAS Article 154 A(1) of the Constitution of the Republic of Guyana recognizes that, Guyana having acceded to the Convention, Guyanese citizens are entitled to the human rights enshrined therein;

AND WHEREAS the Convention makes it mandatory that State parties to the Convention **“take effective legislative, administrative, judicial and other measures to prevent acts of torture”**;

AND WHEREAS Article 13 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 the investigation into these allegations of torture by the Joint Services does not meet the stated requirement of being **“prompt”** and **“impartial”** as is stipulated by Articles 12 and 13 of the Convention;

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 treaty 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 treaty 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 treaty obligations under Article 4(2) of the Convention by enacting the necessary legislation to give effect to the provisions of the Convention;

BE IT FURTHER RESOLVED:

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

BE IT FURTHER RESOLVED:

That the Government of Guyana honour its treaty obligations under Article 11 of the Convention and **“...review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under its jurisdiction, with a view to preventing any cases of torture”**;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to honour its treaty 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. 263 (M76 Opp21) published on 2008-07-31)

7. **ACCESS TO LOCAL AND EXTERNAL TELEVISION CHANNELS, OTHER THAN NCN CHANNELS, AT LINDEN**

Mrs. Sheila Holder, M.P. to move the following motion:

WHEREAS Article 146(1) of the Constitution of the Republic of Guyana provides for the protection of fundamental rights and freedoms of citizens and is the supreme law of the land and directs:

“Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference and freedom from interference with his correspondence”;

AND WHEREAS the people of Linden and Wismar have expressed to the leadership of the Alliance For Change their frustration and anger at being denied the right to access local and external television channels other than NCN channels 11 and 8 operated by the State,

BE IT RESOLVED:


That the National Assembly endorses the fundamental rights of these citizens to receive ideas and information without interference via television media other than those which are provided by NCN;

AND BE IT FURTHER RESOLVED:

That the National Assembly calls on the Government of Guyana and its National Frequency Management Unit to permit operators of private television channels in Guyana the right to relay and bean their channels in Linden and Wismar without having to attain additional licenses and pay additional fees.

(Notice Paper No. 264 (M77 Opp22) published on 2008-07-31)

(iii) **COMMITTEE BUSINESS**


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S.E. ISAACS
Clerk of the National Assembly

**PARLIAMENT OFFICE,
Public Buildings,
Brickdam.**

22nd October, 2008.