



So the Act itself gives the Minister the authority and the power to approve. I think that it is reasonable to assume that if this matter is attracting such urgent public attention and criticism, that it is considered urgent enough for us to get a feedback from the Minister of Finance, who has ultimate responsibility for approving such appointments, whether indeed he exercised his judgment in accordance with the rules of fair play and justice.

If you say it is not urgent, I would have to accept that, but what criteria are not important? What criteria do we use for determining whether a matter is urgent in the context of Guyana?

The Speaker: I do not wish to give a detailed ruling on what is urgent at this time, but I have issued several extensive rulings in relation to adjournment Motions and they are available; Members were circulated with copies. Members were also circulated, some time ago, with copies of an extract from Erskine May's - a very old Edition - which relates to our Standing Orders as to what is urgent.

I would refer Members to those rulings which I made and to the material which had been circulated for my understanding on what is urgent. If it is necessary, at the appropriate time, I would make further comment on what I believe urgent means.

Thank You.

Request for Leave to Move the Adjournment of the Assembly on Definite Matters of Urgent Public Importance

23rd Sitting dated May 10, 2007

TAKE-OVER OF THE BAUXITE OPERATIONS AT LINDEN BY THE CHINESE COMPANY BOSAI MINERAL GROUP COMPANY LIMITED – Standing Orders 11 (1) and 11 (4)

Preamble

A request by Mr. Robert Corbin to move the adjournment of the Assembly for the purpose of discussing the takeover of the Bauxite operations at Linden by the Chinese Company, BOSAI Mineral Group Company Limited, with the consent of the Speaker, was converted to an Adjournment motion under Standing Order No. 11 (4).



Verbatim

Mr. Robert H. O. Corbin: Mr. Speaker, I wrote to you earlier today, requesting that, in accordance with Standing Order No.12...and I wish to use the opportunity here today to request an adjournment of the National Assembly of today's Sitting to discuss an urgent matter of public importance, to wit, to announce the take-over of bauxite operations at Linden by the Chinese Company BOSAI Minerals Group Company Limited and its immediate implications to Linden, including the proposed increase in electricity rates by some 150 per cent, on the residence of the town, without notice.

Mr. Speaker, in my letter to you, I indicated that I thought that this matter qualified to be treated as definite, urgent and of public importance because, you would recall, on the 21st December, 2006, I raised a similar matter, which was considered important, when we had an announcement from overseas that this Chinese Company was about to buy the shares in IAM Gold, for the Bauxite industry.

Mr. Speaker, at that time, the Hon Prime Minister indicated here and elsewhere that it was not a done deal and that there were certain matters which the Government was about to deal with in order to ensure the interests of the people of Guyana were protected.

Your Honour, I read the papers of Monday, 7th May last and if you look at the front page of today's paper, *PRESIDENT MEETS BOSAI OFFICIAL ON BAUXITE*, it reported that the BOSAI Company had taken over the operations of LINMINE or what was OMAI Bauxite Company. Investigations revealed that there was, indeed, a high profile fete on Sunday, 6th May at Watooka House, sponsored by the new owners of the Company, during which the formal handing over was done.

Mr. Speaker, it is also significant, when I arrived in Linden two days ago, that I was advised by officials of the RDC that they were officially informed by some officials of LINMINE that there was a proposal to increase the electricity rates by 150 per cent in the Bauxite Industry. This naturally created the possibility of an immediate rise in the cost of living in the bauxite community. The fact that the new Company has come in and the inadequate information has created an air of uncertainty among businessmen, who have been allowed, in the past, to tender with the old company, they do not know how this new company will operate. When one considers the already existing pressure as a result of the value added tax being imposed on citizens of Linden ... [*Interruption 'The whole country'*], the situation requires some very urgent explanations, I believe in this National Assembly, since we are indeed shareholders of this Company.



We do not know what has been the final arrangement, if indeed 150 per cent increase in electricity is part of the arrangement. Are there any other details that would impact upon the people of Linden? Certainly, Mr. Speaker, there is an air of uncertainty in the mining town as to what are the implications of this new company. So I think that the matter is definite, in the sense that I have pointed out the definite nature of it.

It is urgent because we do not have any indications as to how soon this 150 per cent increase will take place and who would be affected by it. There are rumours that in a private case some small businesses would be required to pay, while big businesses would not be required to pay. There is no clear picture and the residents of Linden are indeed in serious uncertainty.

I believe that the Prime Minister and the Government owe this National Assembly some explanation and I trust that you would grant, notwithstanding, I understand, that you have already come to certain conclusions. I hope that my presentation today might have elucidated the matter sufficiently for you to review what I am told is your ruling on this matter.

Thank you.

The Speaker (Hari N. Ramkarran): Your speech has indeed elucidated the matter extensively, but it has not persuaded me to change my mind.

Now, Mr. Prime Minister, did you want to say something?

Hon. Samuel A. A. Hinds: Yes, thank you very much, Mr. Speaker. Honourable Members, I would like to make two criticisms of the presentation by the Hon. Member.

The Speaker: Hon Prime Minister, this is not a debate and this is not an occasion for criticism. Mr. Corbin has made an application to adjourn the National Assembly on a matter of definite, public importance. I have ruled against his application. At my discretion, Mr. Corbin has raised some very important matters, but, at my discretion, I am giving you a very brief opportunity to make a very brief response.

Hon. Hinds: Thank you very much, Mr. Speaker.



Firstly, it was in the media around the 12th February that the Government has reached an agreement and accepted BOSAI, replacing CAMBIOR IRON GOLD, buying out their interest. This was in the media around the 12th February and I think it stated the arrangements that were made to satisfy the Government.

Secondly, there is no link at all between BOSAI and the issue of electricity pricing in Linden; there is no linkage at all between the two things. The question of prices for electricity has been totally an issue handled by the Government; there is no linking between the two. It is a continuation of an issue that started in 1983, when there was a proposed move from two cents per KWH to \$1 then to \$3 - 150 times; how much is that in per cent - that is 15,000 per cent. So that issue has not yet been resolved, an issue that began in the 1980s.

The Speaker: Thank you, Hon. Member. Mr Corbin, unfortunately I do not agree that the matter is of definite urgent importance to the public.

Mr. Corbin: I just want to be sure that I understand the Prime Minister to be saying that there is an increase but it is being handled by the Government. He did not really say... Is this a fact that the electricity would be raised by 150 per cent? That is the real issue. Are you saying yes, but it is being done by the Government and not the company?

Hon. Hinds: There have been proposals, from 1983, to move the electricity rates in Linden towards a self-sustaining value and this Government, from time to time, has been considering various proposals.

The Speaker: Hon. Members, Standing Order No. 11 (1) permits the adjournment of the National Assembly on a definite matter of urgent, public importance. It is the Standing Order under which Mr. Corbin made his application. I wish to direct Members' attention to Standing Order No. 11 (4). You may not have your Standing Orders before you but I just want to read it briefly. I am doing so because this is one of the most important innovations which have been made in our Parliament. Members may use it if they wish; if they suspect that their application under SO No. 11 (1) may not qualify, they can use SO No.11 (4) and this is what it says:

“Upon any Motion that this Assembly do now adjourn, a debate may take place, in which any matter...”



And let me stress “any matter”.

“... for which a Minister is responsible, may be raised by a Member who has obtained the right to raise a matter on the Motion for the adjournment that day. The Minister responsible for the matter raised shall reply. Both the Member who has obtained such a right and the Minister replying shall each be entitled to address the Assembly for fifteen minutes and this time shall not be extended.”

Now, the purpose for this rule was to mitigate the constraints under which SO No.11 (1) has been operating and this has been developed by precedent and not my decisions alone. I am just reading this, for example, one decision here, one Parliament said, *An Adjournment Motion is not admissible, unless there is a failure of duties which has been joined by one Government by Constitution or Law.*

You might have some difficulty in finding that Mr. Corbin’s Motion qualifies under this rule. I am just drawing this as an example. These are rules which have been developed over many years and many Parliaments have prohibited or abolished this rule because of its restrictive nature and that is the reason why we can produce Standing Order No.11(4). So, any Member who wants to bring a matter before the House and who feels that it might not qualify under Standing Order No. 11.(1) has an opportunity under Standing Order No. 11 (4).

Thank you very much.

Announcements by the Speaker

23rd Sitting dated May 10, 2007

SPEAKERS’ RESPONSE TO A LETTER SENT TO HIM BY THE HON. PRIME MINISTER TO DISALLOW THE MOTION UNDER THE NAME OF THE HON. ROBERT CORBIN (STANDING ORDER NO. 26 (E) – REVIVAL OF DISCUSSION)

Preamble

The Speaker did not agree with the Prime Minister that the Motion by Hon. Robert Corbin on the Introduction of the Value-Added Tax be disallowed.