



On Tuesday, 25th January, a press release emanating from the PPP and headed “PPP condemns the violation of the Right to Reply in Parliament” was sent to the media houses in Georgetown.

On the 19th January when the Government sought to suspend Standing Order No...to have the Value-Added Tax (Amendment) Bill go through all its stages without the requisite notice, I did not permit. That very night, two Members of this honourable House and a third person were on NCN Channel 11 discussing the Bill with the anchor of the programme calling into question my impartiality in the presence of these Hon. Members.

These instances represent a flagrant disregard of the norms of this Assembly and if they are meant to intimidate, let it be known that I shall not be intimidated. And if a decision is given that does not find favour with any side of this National Assembly, let it be also known that the characteristics attached to the Office of the Speaker in this Assembly are authority and impartiality and any reflections upon the character or actions of the Speaker may be punished as contempt. His or her actions cannot be criticised incidentally in debate or upon any form of proceeding except a substantive motion. In that same way, reflections on the character of the Speaker or accusations of partiality in the discharge of his duties...have attracted the penal powers of the Commission.

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

20th Sitting dated February 20, 2007

UNREASONABLE AND UNCONSCIONABLE DISLOCATION OF VENDORS IN THE STABROEK MARKET AREA

Preamble

A request by Mr. Robert Corbin to move the adjournment of the Assembly to discuss the unreasonable and unconscionable dislocation of vendors in the Stabroek Market area was negatived by way of a division even though the Speaker was satisfied that the matter qualified as one which may be properly raised on a Motion for the adjournment of the Assembly.



Verbatim

Mr. Robert H. O. Corbin: Mde. Speaker, I did write you earlier today. I think within the time specified by the substantive Speaker, before eleven o'clock, indicating that I wish to seek your leave today to move an adjournment of this House to discuss a matter of Urgent Public Importance, as permitted under Standing Order No. 12 of the new Standing Orders... For ease of reference, rather than prolong a presentation in seeking to move leave, I will just read the letter for the benefit of Members:

“I propose to request leave to discuss the unreasonable and unconscionable dislocation of vendors in the Stabroek Market area without notice, notwithstanding prior approval of their operations by the Georgetown City Council.

On Saturday, 17th February, 2007, small vendors in the vicinity of Stabroek Market were informed by City Council Officials that they could not set up their stalls on Sunday, 18th

February as it was proposed to resurface the road on that day. They complied with instructions. However, on Monday morning when they assembled to begin their trading operations, they found the area cordoned off by City Constables, who then informed them that they could no longer carry on their trades at that location. The explanation given at that time was that the area needed to be spruced up for World Cup Cricket 2007. Some of the vendors who had arrived early that morning and had set up their booths were humiliated when their stalls were dismantled and goods seized by the Constabulary. They were subsequently told that to retrieve their properties, they would have to pay \$5,000.

It should be noted, Mde. Speaker, that in a formal meeting with the City Council, in November 2006, the vendors were advised that they needed to spruce up their stalls to enhance the area for World Cup activities. As a result of those discussions with the City Council, the City Council encouraged them to incur expenditure of over \$30,000 each to provide uniformity during the period of World Cup. This project, which had the endorsement of the City Council Enhancement Committee and at which I am told were even meetings in the Office of the President, was completed in December, 2006. The vendors were, therefore, led to believe that after expending their resources, they would be free to ply their trade, unmolested, at the said venue.



Inquiries have so far revealed - and these are my inquiries - that the instructions to the Town Clerk and to the Town Constabulary to remove these vendors may have come from the Government itself, acting through the Minister of Works, Hon. Robeson Benn, Member of Parliament. In any event, such precipitate action by the City Constabulary is not only unprincipled, but appears to be in breach of the rules of natural justice. Since the pretext of the removal of these vendors is the World Cup 2007, it is quite possible, Mde. Speaker, that this may be the beginning of a large scale national exercise that could disrupt the livelihood of thousands of citizens.

“Should leave be granted, therefore, I propose to call on the Minister of Works to provide ample explanation of this development and the Minister of Local Government and Regional Development to ensure that decisions of the City Council are respected and not arbitrarily changed.”

I believe, Mde. Speaker, the matter is of sufficient importance to justify it being treated under the relevant Standing Order as being definite, urgent and of public importance. Only this morning, Mde. Speaker, there were hundreds of people poised for all kinds of activities because of the hurt which they feel and I have had to intervene to sooth very troubled waters and ask the City Council itself to see what it can do. But it is clear, from what I heard after meeting a delegation with the City Council, that the City Council never ordered this removal. It said so at the meeting and, in fact, it confirmed that the report by the vendors is accurate and that in a meeting which was held at the Office of the President, the Council itself was satisfied that it had authorised these people to enhance their stalls so that they can ply there during World Cup and beyond. So I think that this matter ought to be treated as a serious matter because - I do not know - next week we might hear it is Kitty Market; next week we might hear that it is Bourda Market and it may ruin the country.

I think it is a matter of urgent public importance where the World Cup Cricket 2007 may be used for anything in the future.

The Speaker (Hari N. Ramkarran): Hon. Members, I have considered the claim by the Hon. Member, Mr. Robert Corbin. I am satisfied that the matter qualifies as one which may be properly raised on a Motion for the adjournment of this Assembly. However, the leave of the Assembly is also required and I will now seek such leave.

Question put.



Mr. Rohee, you were seeking to... [*Interruption*]

Hon. Clement J. Rohee: Mde. Speaker, I was seeking to attract your attention before you took the vote.

The Speaker: Alright.

Hon. Rohee: May I?

The Speaker: Yes, sure.

Hon. Rohee: We may need a division on this, Mde. Speaker. With your leave, I want to point out that the Hon. Opposition Leader, in his request for leave, appears to be identifying two Ministers to treat with the matter which he has raised. He made reference en passant to Minister Robeson Benn, although I am not sure that it is Minister Robeson Benn who is responsible for vendors per se. I think the substantive Motion raises the question pertaining to vendors; whether the Minister is responsible for vendors, as such, I think that is a matter which requires some consideration. But be that as it may, I would be prepared to be guided by your ruling and to nevertheless say that this side of the House would not support such a Motion. Thank you.

Mr. Corbin: If I may respond, Mde. Speaker, the reference to the Hon. Member, Minister Benn, is, by way of facts, saying that this is the information received that he may have been the person responsible, and this is not just... [*Interruption: 'Hearsay'*]... No, no, no. I am saying he may have been the person issuing the instructions on behalf of the Government. It is very clear. This is what I said. But, in any event, my Motion seeks to have this matter debated and he can then speak on whether it is accurate or not. I did not hear myself so I cannot say authentically, but the point which the Minister raised, whether the matter falls under the jurisdiction of that Minister, is not very relevant. The issue I am raising is the authority of the Town Council to carrying on its functions and the rightful Minister being the Minister of Local Government. It is clear from my meeting with a large section of the Town Council today that they confirmed that they authorised the people to be there and caused them to spend some \$2,000 and they are unaware of any decision by them to remove these gentlemen. So this is why I am saying it is a policy matter that falls in the purview of the Government and that really is the issue.



The Speaker: I am satisfied that it is urgent, that a large section of the public is involved and it is an important matter that has to be treated with, but, as I said, I have to have the authority of the House. It is not enough that I am agreeing with it, but the Standing Order says that the House must agree.

Hon. Corbin: May I attract your attention to Standing Order No. 12 of the revised Standing Orders? My understanding of this Standing Order, and I stand subject to you guidance, is ... I am not reading Standing Order No. 12 (1) and (2). I understand you to say that you are satisfied with the matter.

The Speaker: Yes.

Hon. Corbin: If that is so, that you are satisfied that the matter falls within that heading, I read Standing Order No. 12 (3) to say if the Speaker is so satisfied...

The Speaker: Yes, that is true.

Hon. Corbin: ...and either leave of the Assembly is given, which is what I believe you are seeking to invoke.

The Speaker: Yes.

Hon. Corbin: ... or if it is not given at least eighteen elected Members rise in their places to support the request.

The Speaker: You are right, Mr. Corbin. In (b), if it is not given, at least eighteen elected Members rise in their place to support.

Question put and negatived.

Hon. Rohee: Mde. Speaker, I wish to reiterate, notwithstanding my respect for your ruling, our disagreement, having regard to what is the scope and ministerial responsibilities in accordance with Erskine May, which I would not wish to quote at this time.

The Speaker: I have seen the relevance and I have quoted it. It says:

“In determining whether a matter is proper to be discussed, Mr Speaker shall have regard to the extent to which it concerns the



administrative responsibility of ministers of the crown or could come within the scope of ministerial action.

That is the relevant portion and I am sure that is what you wanted to bring and that is what in fact has guided me that it come within the scope of ministerial action.”

Hon. Rohee: Mde. Speaker, could we have a division on this?

The Speaker: Yes, sure. Mr. Clerk ...

FOR

Mr. Franklin
Mrs. Holder
Mr. Ramjattan
Mr. Fernandes
Ms. Kissoon
Ms. Wade
Ms. Selman
Mr. Mervyn Williams
Mrs. David-Blair
Mr. Elliot
Mr. Danny
Mr. Scott
Mrs. Lawrence
Dr. Norton
Mr. Basil Williams
Mrs. Backer
Mr. Murray
Mr. Corbin
Ms. Manickchand

AGAINST

Mr. Whittaker
Mrs. Sahoye-Shury
Mr. Parmanand Persaud
Mr. Neendkumar
Mr. Nandlall
Mr. Nagamootoo
Mr. Lumumba
Mr. Khan
Mrs. Edwards
Mr. Chand
Mr. Atkinson
Mr. Ali
Ms. Shadick
Mrs. Chandarpal
Mr. Nokta
Ms. Teixeira
Ms. Webster
Dr. Fox
Mr. Nadir
Mr. Benn
Mr. Lall
Dr. Westford
Mr. Robert Persaud
Mr. Nawbatt



The Speaker: Hon. Members, eighteen Members voted for the Motion and twenty-nine against. It, therefore, complies with the Standing Order and we will hold over this Motion in accordance with the Standing Order. It will stand over until after 17:00 hrs.

Hon. Corbin: We have to stand in our places.

[Members who voted for the Motion stood in their places to be counted.]

Mr. Winston S. Murray: No, no, no.

The Speaker: Yes, we have eighteen votes from this side and it is carried.

Mr. Murray: But we are required to stand in our place. I just want to ensure that you are technically correct.

The Speaker: Okay, in compliance...

Mr. Murray: We stand to support the Motion.

The Speaker: I see.

Hon. Corbin: Mr. Clerk, you have to count. We do not want any technicalities.

The Speaker: I think the count takes the place of that, but we will hold over until 17:00 hrs.

Oral Questions without Notice

ORAL QUESTIONS WITHOUT NOTICE - Urgent

23rd Sitting dated May 10, 2007

Preamble

A request by Mr. Robert Corbin, M.P., in accordance with Standing Order No. 18, to ask an oral question without notice was ruled out of order by the Speaker.